PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 279

HOUSE OF COMMONS

OFFICIAL REPORT

FOURTH SESSION OF THE FIFTY-FIRST PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1995–96

COMPRISING PERIOD
10 June—21 June 1996

£70

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10 June 1996

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE FOURTH SESSION OF THE FIFTY-FIRST PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 27 APRIL 1992]

FORTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 279**

THIRTEENTH VOLUME OF SESSION 1995–96

House of Commons

Monday 10 June 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TRANSPORT

Bus Fuel

1. **Mr. Jamieson:** To ask the Secretary of State for Transport what measures he intends to take to encourage operators of buses to switch to cleaner fuels. [30587]

The Minister for Transport in London (Mr. Steve Norris): The Department is collaborating with bus and haulage operators and with other organisations on a series of trials of alternative fuels to provide Government and operators with a sound basis for assessing the relative merits of those fuels.

Meanwhile, to encourage operators to consider converting their vehicles to use road fuel gases, the duty on those fuels was reduced by 15 per cent. in the most recent Budget, with an increase to 100 per cent. in the amount of duty rebated to bus operators. The Chancellor also announced that he would examine the scope for using vehicle excise duty as a further instrument for encouraging low emission vehicles.

Mr. Jamieson: Does the Minister realise the very considerable environmental advantage in buses using compressed natural gas? When the Secretary of State for Transport launched Green Transport Week on Friday, in Leeds, what measures did he propose to give incentives to bus companies such as Southampton City Buses, which has made a considerable contribution to air quality in Leeds by operating 10 per cent. of its fleet with compressed natural gas? What incentives will he give to help bus companies first to convert and, secondly, to set up compression stations so that they can use gas?

Mr. Norris: As parliamentary consultant to the Natural Gas Vehicle Association, the hon. Gentleman will know that the recent changes in duty rates have provided a considerable incentive to operators, particularly public transport operators and municipal vehicle operators, to convert their fleets. They realise the environmental advantages on offer and now find themselves in a much more sympathetic tax environment.

In terms of reverse incentives, there will be much more concentration on roadside emissions tests. There will be more of that blitzing work during the middle of this year, emphasising a clear commitment to trying to improve the quality of vehicle emissions, particularly in public service and heavy goods vehicles.

Mr. Congdon: I very much welcome any moves towards cleaner fuel, particularly in buses, and the comments made by my hon. Friend the Minister about greater efforts in enforcing emissions standards. I am sure that he will have noted when travelling around London that most of the worst pollution that one experiences comes from buses. Will he assure the House that tougher measures will be taken against bus operators who fail properly to maintain their vehicles?

Mr. Norris: Yes, I can give my hon. Friend that assurance. All buses from London bus companies that tender to London Transport Buses are checked very regularly. However, my hon. Friend will know that it needs only one injector to be slightly out of tune to

produce an awful lot of emissions. The important thing is that that type of mistuning is corrected at an early opportunity. The accent in the work of London Transport Buses and, generally, by outside private bus operators is on producing cleaner emissions and better quality air.

Mr. Allen: Will the Minister take this opportunity to welcome Green Transport Week? Will he also concede that a state of the art clean and green bus can cost almost £100,000? Will he admit that it is less likely that bus operators will invest in such vehicles if a charabanc belching black smoke can intercept their route, arrive perhaps one minute ahead and undercut them in price? Will the Government introduce proposals to ensure stability in the industry, particularly by ending on-the-road competition? There will be plenty of legislative time, come October, so will he introduce those proposals? If he does, he will have the support of Opposition Members.

Mr. Norris: That proposal should worry the Opposition because it is very silly. As it happens, I am keen to endorse Green Transport Week. It is an excellent initiative and my right hon. Friend the Secretary of State attended the launch. Hon. Members on both sides were delighted that it was so well received.

The hon. Gentleman is entirely right to suggest that there is little incentive for an operator to invest £100,000 in a Euro 2 clean engine if that operator faces competition from an operator paying a fraction of the price for a vehicle. But the solution, with the greatest respect, does not lie in seeking to re-regulate the whole industry. That would be an appalling way to take transport policy forward and would mean the loss of many of the benefits that millions of customers now enjoy from services that are there to address the needs of passengers.

What is needed is work on the bus quality partnerships, of which the hon. Gentleman and his colleagues are aware and which have the support both of bus operators and local authorities and local authority associations. By lifting the quality threshold in the bus industry in that way, we can achieve what the hon. Gentleman and I very much want.

Cycle Lanes (London)

2. **Mr. Robathan:** To ask the Secretary of State for Transport if he will assess the impact on traffic congestion in London of doubling the number of cycle lanes. [30602]

Mr. Norris: The Government are committed to funding a range of measures, including cycle lanes, to help cyclists in London through the London cycle network. Their impact will be monitored as the network is implemented.

Mr. Robathan: I am grateful to my hon. Friend for that reply. I am also grateful to him and to my right hon. Friend the Secretary of State for their great support for National Bike Week last week. I am delighted to hear of the support that they are giving to Green Transport Week this week. Does my hon. Friend agree that as we move the debate along in terms of aiming for less fumes and more green transport it is important to encourage local authorities—along with the cycle-friendly infrastructure, another initiative that my hon. Friend has launched—not just to mouth platitudes, but to proceed in the debate and to get more people on to their bicycles and out of their cars?

Mr. Norris: I entirely agree with my hon. Friend. As a late and unlikely convert to the bicycle, I am convinced that it has a major role to play—*[Interruption.]* I think that Opposition Members have envisaged me in lycra and have decided that that is a matter of some amusement, and they are entirely right. As an unlikely convert—unlikely converts are among the worst zealots—I am absolutely convinced that we should be cycling as much as all our European counterparts. When those who do not pay much interest to these matters say, "Well, Holland is flat and that is why they cycle," they perhaps forget Switzerland which, whatever one thinks of it, is not flat and where people cycle about five times more than they do in this country. That is a big challenge for us. I am delighted that my hon. Friend the Member for Blaby (Mr. Robathan), who leads the all-party cycle group, has been such an enthusiastic endorser of our policy.

Mr. Spearing: Does the Minister agree that one of the views of cycling converts, both old and new, and of those who use cycles regularly is that the appointment of a cycling officer for each London borough, as we have in the London borough of Newham, is a means of getting suggestions from the public which meet the needs of short-distance journeys? Can the Minister give figures to show that in London most motor car journeys are relatively short? I think that he will agree that a third or a half of those journeys are capable of being achieved by cycle.

Mr. Norris: There is no older convert in this place than the hon. Gentleman, and I pay tribute to him because I have no doubt that the reason why he is as fit as he looks today is that he cycles so much and that the reason why I look so unfit is that I cycle so little. That is a great tribute to the hon. Gentleman, and long may he continue.

Clearly, it is up to local authorities to determine how they take forward cycling initiatives. However, they should concentrate on the fact—this is the key to the whole issue—that about half the journeys we do, especially in cities, are less than two miles in length. Nobody is suggesting that we want to start cycling from London to Brighton as a daily exercise, although I understand that 23,000 souls will do that shortly as part of the London to Brighton cycle run. Personally, I am content to confine my cycling to two or three miles and no more, and when it is comfortable rather than when it is snowing. However, each time people leave the car at home and do what can be very enjoyable, they are making a small contribution towards a safer and cleaner environment.

Mr. Jessel: I am not a convert, but perhaps I may ask my hon. Friend what is the use of local authorities such as Richmond upon Thames putting down more cycling tracks and then allowing people to park their cars on them so that they cannot be used. It is also very alarming to many of my constituents and to those of other hon. Members when people come whizzing up noiselessly behind them on bicycles. People feel that that is dangerous. What has happened to the good old-fashioned bicycle bell?

Mr. Norris: We have the makings of new campaign there: defenders of the bicycle bell. The great thing about bicycle bells is that if one has one fitted one may as well use it. That is probably the most effective use for it, and would probably deal with the circumstances that my hon. Friend has outlined. There is much joy in heaven for every sinner who repenteth, and I am sure that people in his part of the world in Richmond and Twickenham would be delighted if some day he chooses to join them on two wheels rather than four.

Mr. Rendel: Does the Minister accept that bus lanes in the wrong places and at the wrong times can sometimes increase congestion, as the remaining non-cycle transport is forced into a smaller space? The building of bypasses might free up some road space and provide an unprecedented opportunity to introduce cycle lanes which, I hope that he will accept, all those who are in favour of cycling would be wise to support.

Mr. Norris: I wondered why the hon. Member for Newbury (Mr. Rendel) was on his own, but then I realised that it was because he was a Liberal defending a bypass. We are all delighted to see him, and delighted at his solid support. I am sorry that he will be able to give it to us only for another year. He makes a serious point about cycle lanes and their enforcement and policing. He is absolutely right that there is no point in drawing either cycling lanes or bus priority lanes on the road if they are promptly ignored by motorists. They need to be enforced, and that is a challenge for local authorities. To some degree, the extent to which those lanes constrict private car traffic is an important component in persuading motorists that there is a greener alternative and a more efficient way to make their journey. So I do not entirely consider the reduction in available road space a disadvantage.

Public Transport

3. **Mr. Roy Hughes:** To ask the Secretary of State for Transport what plans he has to enlarge the network and improve the efficiency of public transport. [30603]

The Secretary of State for Transport (Sir George Young): The Government are seeking to increase private sector involvement in the funding and operation of public transport, which we believe will provide the modern, efficient systems that this country needs.

Mr. Hughes: How much money will be saved as a result of the slashing of the roads programme? And how much, if any, of the money saved will be spent on new and improved forms of public transport? Or is the whole exercise merely a device to try to appease the green lobby and to store up money for tax handouts in the run-up to the next election?

Sir George Young: The Government set out their priorities clearly in the previous public expenditure round. Against a background of the need to contain public expenditure, we safeguarded investment in public transport and took the reduction in the publicly funded road programme. However, as a result of our commitment to the private finance initiative, we were able to carry forward about £1 billion worth of roads through the design, build, finance and operate scheme to make progress with necessary investment in the road infrastructure.

Mr. Sims: Does my right hon. Friend agree that anybody who travels on one of the newly privatised train systems, as I had occasion to recently, is immediately aware of the improved reliability and increased efficiency of such services? Will he give an assurance that I and many of my constituents who commute daily on South Eastern trains to London will be able to enjoy the benefits of privatisation before too long?

Sir George Young: As my hon. Friend knows, we are making good progress with the franchising of South Eastern trains. He and his constituents will be pleased to know that, as a condition of awarding the franchise, the bidders will have to renew the rolling stock. That is a good example of the benefits of privatisation—once the investment programmes take place outside the constraints of the public sector borrowing requirement, one can meet needs such as those of my hon. Friend's constituents without exerting any upward pressure on the PSBR.

Ms Short: I congratulate the Secretary of State on the fact that in the recent Green Paper the Government have understood that to deal with the growing problems of congestion and pollution it is essential to enhance the quality and reliability of public transport and to persuade people to use their cars more selectively. The House will welcome the fact that the Government have seen the error of their ways. As the Minister for Transport in London said, it is always good when a sinner repents. Will he apologise to the country for 17 wasted years, during which the Government exacerbated congestion and pollution problems by planning and then cancelling a massive roads programme and by their prejudice and hostility to public transport? Will he apologise for the damage that deregulation and privatisation have done? Does he agree that for there to be true repentance, there must be an expression of real remorse?

Sir George Young: The Government have nothing to apologise for, and therefore no remorse. We have published a clear transport strategy for the future. In particular, we have a clear vision of a modernised railway and we have identified the sources of finance for that modernisation. The hon. Lady and her party have totally failed to come up with a vision of the railway for the year 2000 and beyond, or any sources of finance. With some humility, I must tell her that it is she and not I who should apologise.

Road Tolls

4. **Lady Olga Maitland:** To ask the Secretary of State for Transport what representations he has received urging the introduction of road tolls at the entrance to cities. [30604]

Mr. Norris: In response to representations from the local authority associations, we set out in the transport Green Paper our intention to discuss with them the case for taking the legislative powers necessary to enable interested local authorities to implement experimental charging schemes.

Lady Olga Maitland: Will my hon. Friend make it clear that he does not intend to introduce road tolls into London? My constituents in Sutton and Cheam would be alarmed if their freedom of movement were hindered. Road tolling would penalise the elderly, the infirm, the disabled and those less able to pay. In short, it would be a tremendously unfair city tax.

Mr. Norris: There is currently no technology available that would allow such a system to be introduced, whether it was required or not, and I doubt whether such technology will be available for at least 10 years. More importantly, while recognising the various academic arguments in favour of charging systems, the Government have been alive to precisely the issues that my hon. Friend raises. Huge social and economic issues are raised by urban congestion pricing, not least its impact on marginal car users—those people who need a car to access a job, whatever the quality of public transport. It would be a tragedy if a result of such a policy were to put those people out of their jobs. It is interesting that both Labour and the Liberal Democrats have bought the urban congestion charging proposition uncritically and are intent on introducing it in London and elsewhere. The Government are rightly more sanguine and cautious.

Mr. Dalyell: Before anyone says anything more about road tolls, will they come to my constituency between 7 am and 9 am and between 4 pm and 6 pm to see tolls in operation on the Forth road bridge? These are, in effect, tolls for entering the city of Edinburgh, and congestion is caused to the extent that people are talking about a second bridge, although that is completely unnecessary. If these tolls—for a bridge that has been paid for—were done away with, congestion would be much alleviated.

Mr. Norris: The congestion is not caused by the tolls, but by the fact that people have to stop before they cross the Forth road bridge and pay the toll at a toll gate. Modern tolling systems abolish the need for toll gates, as the tolling is done automatically by reference to a smart card in the vehicle. Such a system is up and running and available to regular motorists in Dartford. One of the propositions at the forefront of the technology trials on tolling systems generally has been the idea that we could not possibly afford to introduce toll booths on every access road to every city. It would be wholly impractical. The proposition that the hon. Gentleman quite understandably puts forward is not at odds with the concept of tolling; it illustrates vividly and graphically that there should not be physical toll booths at which vehicles have to stop. That is the way in which technology is moving and it will not be many years before it is taken for granted.

Sir Donald Thompson: I thank my hon. Friend for his cautious approach. May I remind him that market towns are not cities and often need people to come by car to shop and then to go away? If people cannot do that, they will use out-of-town shopping centres where parking is free.

Mr. Norris: My hon. Friend is entirely right. That would be a counter-productive response. In any event, it would overlook the fact that local authorities can take a great many measures to alleviate town centre congestion—such as bus priorities, traffic calming, park and ride, and cycle improvements, all of which can produce the result that my hon. Friend would want for his towns and villages without the expensive infrastructure and the real difficulties to which he has just referred.

Trans-European Transport Networks

5. **Mr. Hain:** To ask the Secretary of State for Transport what proposals he has to ensure that environmental considerations are included in the guidelines for the trans-European transport networks. [30605]

The Minister for Railways and Roads (Mr. John Watts): The common position on the guidelines adopted by the Council of Ministers in September 1995 identified

"the integration of the environmental concerns into the design and development of the network"

as a priority. I fully expect the final agreed text to contain those or similar provisions.

Mr. Hain: That may appear to be an encouraging answer, but may I press the Minister more forcefully to ensure that the Government fulfil their international obligations to sustainable development and that strong environmental protection measures are included in the guidelines for each trans-European network, such as a strategic environmental assessment or a corridor analysis for each scheme? In addition, because the Council meets in secret, it is quite possible for it to thwart the pressure from the European Parliament under the co-decision procedure for that environmental protection and for the Government not to own up to that. I hope that the Minister will press for those environmental protection measures at that meeting.

Mr. Watts: The hon. Gentleman misses the point that existing legislation requires rigorous environmental assessment for any transport infrastructure project. Hon. Members will have seen the extent of that assessment in the channel tunnel rail link project, for example. Schemes on a trans-European network comprise individual schemes and, if they are cross-border, individual member states, all of which are subjected to rigorous environmental assessment under existing legislation.

Mr. Harry Greenway: Bearing in mind people's entitlement to a reasonable environment, as set out in the report, does my hon. Friend agree that the Transport Select Committee report advocating that Northolt airport become a satellite of Heathrow would be totally unacceptable to the people of Northolt, Ealing and the surrounding area and would destroy their lives, given their proximity to Heathrow airport? Will he give an assurance that it will be thrown out, as it should be?

Mr. Watts: The Department has only recently received the report from the Select Committee, which is being given careful consideration. My right hon. Friend the Secretary of State will be replying to the report in due course in the normal way.

Railtrack Sale

6. **Mr. Bayley:** To ask the Secretary of State for Transport if he will make a statement on the sale of Railtrack. [30606]

Sir George Young: The Government's offers of Railtrack shares were successfully completed on 20 May, when dealings started on the London stock exchange. The share offer was highly successful and secured gross proceeds of some £1.93 billion.

Mr. Bayley: Does the Secretary of State recall the Government's pledge to the House that rail privatisation would improve the quality and frequency of services? Has he seen the franchising director's draft passenger service requirement for InterCity cross-country trains, which would allow a private operator to cut the number of trains from York to the south-west from 11 a day to three a day? Unlike the east coast services, those trains are highly subsidised and, without a requirement, they are likely to be axed. As 700,000 tourists a year arrive in York by train, will he guarantee that services to York from the south-west will be protected if privatisation proceeds?

Sir George Young: In view of the hon. Gentleman's knowledge of the industry, I am surprised that he makes the elementary mistake of confusing passenger service requirements with the services ultimately provided by those who win the bids. I invite him to look at the successful franchise for the midland main line, under which 22 extra services per day, over and above those now provided, will be offered from St. Pancras to Leicester. That offers the assurance that the hon. Gentleman wants.

Mr. Mans: Does my right hon. Friend agree that the privatisation of Railtrack has offered us the best possible chance to have the west coast main line upgraded? Does he further agree that any restrictions imposed upon Railtrack, as suggested by the Labour party, would delay or even stop that much-needed improvement to infrastructure in the north-west?

Sir George Young: My hon. Friend will know that about £1 billion will be invested by Railtrack in the modernisation of the west coast main line. I regard that as one of the most important current projects for Railtrack. My hon. Friend will also know that two initial signalling contracts have been awarded. Further contracts will follow this year, with work on the substantial contract beginning in 1997.

Mrs. Dunwoody: Has the Secretary of State noted that Railtrack, which will take more than a year to put in place safety requirements at Euston station which are essential to the running of the west coast main line, has nevertheless immediately managed to put on the market the air above Victoria station to any property developer who wants to buy it? It has done so because its priorities always have been, will be and are absolutely plain—to put property first and safety second?

Sir George Young: Railtrack has been allowed a year by the Health and Safety Executive to do the work at Euston station, and I hope that it will be completed before that year is up. As to the hon. Lady's second point, I thought that it was agreed by those on both sides of the House that it makes sense to focus new office developments at major transport interchanges so as to minimise the use of cars and maximise the use of rail and buses. I am amazed at the outburst that we have just heard from the hon. Lady.

Ms Short: Does the Secretary of State agree that to meet the future transport needs of Britain we must have more investment in rail so as to increase the number of passengers on it and the amount of freight that is moved by it? Now that the flotation has happened, may I ask the Secretary of State to be honest about the likely consequences of privatisation? Is it not true that the £10 billion to be invested over 10 years is no greater than the level of investment that we had historically under British Rail and that that investment is inadequate to achieve the rail network that we need? Will he also admit to the House that the prospectus says—so it must be true because it is legally binding—that there is no expectation of any significant growth in passenger or freight use of rail under the privatisation arrangements? They are therefore deeply damaging to the national interest.

Sir George Young: On the hon. Lady's first point, the investment figures are £8 billion over five years, which in my view is a higher level of investment than would have been afforded had the railways remained in the public sector. The hon. Lady needs to explain how she would find £8 billion if we pursued her policies to put Railtrack back in the public sector. Would she put up the fares? Would she put up taxes? Would she cut services? Would she take money out of the health service to find that money?

As for growth in passenger or freight traffic, when I went to the handing over of Freightliner I was encouraged to hear from the management buy-out team that it hoped to increase its traffic by 50 per cent. in the next few years. That is a measure of confidence. Wisconsin plans to buy 250 more locomotives. That sounds to me as though it has some confidence in traffic growth in the private sector.

Cycling

7. **Mr. MacShane:** To ask the Secretary of State for Transport what steps he is taking to encourage the use of bicycles. [30607]

Mr. Norris: We have taken a number of initiatives designed to give people confidence to cycle more. We have asked local authorities to look at how they can contribute to a national target of doubling the level of cycling by the year 2002. The national cycling strategy to be launched on 10 July will set out common objectives and a range of actions to achieve the target.

Mr. MacShane: Is the Minister aware that one of the most important cycling routes in London is Parliament square and the approach roads to Parliament? Those of us who want to arrive at our place of work with our trousers tucked into our socks find it incredibly dangerous to do so. I was knocked off opposite St. Stephen's entrance. Can the Minister use his muscle—for the last time before he retires to sell

second-hand bikes in his new career—to have a word with his friends at Westminster city council to introduce cycling lanes in Parliament square and on the approach roads to Parliament?

Mr. Norris: I am sorry to hear of the hon. Gentleman's unfortunate experience of being knocked off in Parliament square—although that may not come as a surprise to Government Members. I shall draw his remarks to the attention of Westminster city council because those roads are its responsibility. We must give people a safe place to cycle if we are to give them the confidence to cycle. A great deal of the basic groundwork will go into those elementary safety measures to help us to achieve the national target. The measures will enable people who are too scared to cycle—particularly in large cities such as London—to cycle.

8. **Mrs. Anne Campbell:** To ask the Secretary of State for Transport what plans he has to encourage businesses to promote cycling by their employees. [30608]

Mr. Norris: My Department, along with most other Whitehall Departments and some local authorities, provides a range of facilities to help staff who wish to cycle to work. These include secure parking, showers, changing facilities and assistance with bicycle purchase. Obviously, the decision to provide such facilities is a matter for individual employers, but I hope that the Government's lead will result in similar facilities in the private sector.

Mrs. Campbell: Will the Minister join me in congratulating the World Conservation Monitoring Centre—which is in Cambridge—which has managed to persuade 40 per cent. of its employees to cycle to work? Will he also congratulate Cambridge Econometrics, which has an almost 100 per cent. cycling work force? In fact, it has changed its car park into a garden. That should be a great encouragement to other employees who could cycle to work.

Mr. Norris: I warmly endorse what the hon. Lady has said. It is marvellous to hear of that sort of initiative being taken. It underlines the concept of the green commuter plan which, for example, cities such as Nottingham have introduced. The accent is on allowing the company that provides a more environmentally friendly and efficient way for its employees to travel to work to use its car park for whatever purpose it regards desirable, such as a garden. That sort of scheme means that this is not simply a pro bono contribution by a company; it is a perfectly cost-effective way of improving the environment and the health of the employees. It is also beneficial to the company's accounts.

Bus Deregulation

9. **Mr. Bennett:** To ask the Secretary of State for Transport what assessment he has made of the impact of bus deregulation outside London; and if he will make a statement. [30609]

Mr. Norris: Bus deregulation continues to be a success, with more operators running more bus miles at lower cost and with significantly less public subsidy than previously. There are also encouraging signs that the long-term decline in bus patronage is beginning to flatten out.

Mr. Bennett: Does the Minister realise that my constituents were able to enjoy good public transport on bank holidays for well over 100 years—since bank holidays were introduced—and to get to the many events that are organised on such occasions? Can he imagine their horror when the bus operators that supply many of the routes in Denton West under the deregulated bus service chose not to put on any services over Easter and the spring bank holiday?

Mr. Norris: What the operators do is a matter for them. However, on the face of it, that seems to be an extraordinary decision. The operators might like to take note of the fact that there is a large untapped market on a bank holiday. To suggest that deregulation results in fewer services is absurd. There are currently 29 per cent. more bus miles being run outside London because private and deregulated operators are going to where people want to be taken from and taking them where they want to go. That is the key advantage.

I cannot think of a single action that would damage the bus network in this country more than to do what, by implication, the hon. Gentleman and his fellow travellers want—that is, to re-regulate an industry that has at last managed to break free from the appalling bureaucratic stranglehold under which it languished for several decades.

Railtrack Sale

10. **Mr. Jon Owen Jones:** To ask the Secretary of State for Transport how many individuals were successful in their application to buy Railtrack shares. [30610]

Sir George Young: Some 650,000 applications from individuals were successful in the Railtrack share offer.

Mr. Jones: The Minister has not told us that 10 per cent. of the shareholders sold their shares within one day of the announcement, at an average profit of £100 per person for taking no risk and making no effort. Is that not an example of what a rip-off the privatisation process has been?

Sir George Young: Certainly not. I hope that the hon. Gentleman will welcome the fact that 9,000 employees of Railtrack bought shares in their company. If the Labour party believes in a stakeholder society, I hope that the hon. Gentleman will welcome the fact that we have given Railtrack employees the opportunity, for the first time, to have a stake in their industry's success.

National Transport Network

11. **Mr. Pope:** To ask the Secretary of State for Transport what is his assessment of the state of the nation's transport network; and if he will make a statement. [30611]

Sir George Young: The nation's transport networks have improved significantly as a result of public and private investment over the past 17 years, and will continue to benefit from the policies outlined in the Green Paper "Transport: The Way Forward".

Mr. Pope: That is the answer of someone who does not travel regularly between London and the north-west of England. Does the Secretary of State accept that both road and rail links between London and the north-west are inadequate? Will he give an assurance that the franchise for the InterCity west coast main line will include a specification to upgrade the line so that it can take high-speed trains, which will cut the journey time between Manchester and London to two hours?

Sir George Young: As the hon. Gentleman knows, the core modernisation programme includes the introduction of a modern train signalling and control system, improved power supply and track renewal, which will bring improved reliability and some increase in capacity to the west coast main line route. An upgrade will depend on negotiations between Opraf and those who are interested in bidding for the franchise.

Sir Alan Haselhurst: Does my right hon. Friend accept that, when considering extensions of the rail network, people can often be as opposed to such developments on environmental grounds as they are to extensions of the road network? Is it not significant that, in her two trips to the Dispatch Box this afternoon, the hon. Member for Birmingham, Ladywood (Ms Short) was unable to make any commitment about funds that a Labour Government, were there to be one, might use to extend the rail network? Is it not more sensible to ensure more effective use of the existing rail network as a precursor to its extension?

Sir George Young: My hon. Friend poses, in his eloquent way, the key questions that everyone wants to know about Labour's transport policy: first, what is it and, secondly, how will it pay for it?

Mr. Martlew: Let us return to the west coast main line. Is the Minister happy that the Opraf director has said that it will take 12 years to upgrade the west coast main line and it will be seven years before there is any new rolling stock on that line? Can the Minister remember the Chancellor's 1993 Budget, which provided money to upgrade the west coast main line? Why has not that money been spent?

Sir George Young: As I said in response to my hon. Friend the Member for Wyre (Mr. Mans) earlier, Railtrack is moving forward with a substantial £1 billion core modernisation programme on the west coast main line. It has awarded two parallel contracts for the signalling and control systems and will begin the main contract letting in 1996; it is estimated that work will start early in 1997. What we all want to know from Opposition Members is how they will find the resources for the contract if it is not funded by the private sector, to which they are opposed.

Road Tolls

13. **Mr. Michael Brown:** To ask the Secretary of State for Transport what plans he has to introduce toll roads. [30613]

Mr. Watts: Our policy remains as set out by the then Secretary of State, my right hon. Friend the Member for South Norfolk (Mr. MacGregor), in December 1993. The assessment of available technology and systems will provide the basis on which to decide when to go ahead with motorway charging and, at an appropriate time, we will introduce the necessary legislation for Parliament to consider.

Mr. Brown: Does my hon. Friend agree that toll roads offer the opportunity of increased private investment in roads, particularly for bypassing large cities? Does he accept that there is still a demand, notwithstanding the green lobby, for towns and cities to be bypassed? Given that the Treasury may not always be forthcoming with the necessary funds, does my hon. Friend agree that toll roads offer the opportunity of taking traffic out of our towns and cities?

Mr. Watts: My hon. Friend is entirely right to say that there is a continuing demand for bypasses to relieve towns and villages. Privately promoted toll roads, for which there is already legislative provision, may be one of the ways of meeting that demand.

Ms Hodge: Will the Minister confirm that the A13 through my constituency will be a shadow toll road to enable the upgrading of that road to take place?

Mr. Watts: There are several schemes on the A13, some of which will be taken forward as part of a proposed design, build, finance and operate scheme and others that will be part of a conventionally funded programme. All the schemes relating to the A13 remain in the main road programme.

Motorway Service Stations

14. **Mrs. Clwyd:** To ask the Secretary of State for Transport what recent assessment he has made of the refreshment facilities provided at motorway service stations. [30614]

Mr. Watts: None.

Mrs. Clwyd: Will the Minister accept that deregulation has meant that more motorway service stations have been given the go-ahead to rip people off, that most food is overpriced and disgusting and that a price of £1 for a cup of tea is scandalous? What will he do to ensure good value for money?

Mr. Watts: The effects of deregulation and the promotion of new motorway service areas by the private sector mean that more are being provided. Three have been provided since deregulation and 11 planning permissions are outstanding. That will mean more competition and, therefore, more choice for motorists. Because motorway service area operators are required to provide free access to toilets, rest areas, picnic areas and parking for members of the public, those who choose to take food and drink with them can make use of the areas without paying the prices that the hon. Lady finds unacceptable.

Mr. Ashby: When will my hon. Friend introduce rest areas on motorways, as they have on the continent, where drivers who are a little tired can stop for a few moments? Those areas are a great safety feature on the continent and they are not expensive to provide. Why do we not have them?

Mr. Watts: As I have just explained in reply to the hon. Member for Cynon Valley (Mrs. Clwyd), motorway service operators are required to provide such facilities for all motorists free of charge. It is better for supervised areas to be provided on the trunk road and motorway network than to make unsupervised provision which, in view of experience elsewhere, might suffer vandalism and other such problems.

Car Design (Pedestrian Safety)

17. **Mr. Barnes:** To ask the Secretary of State for Transport what is his Department's policy concerning car design and pedestrian safety; and if he will make a statement. [30617]

Mr. Norris: The Department strongly supports improvements to car design which reduce the numbers of pedestrians killed or injured in road accidents.

Mr. Barnes: What will be done to get rid of the obscene practice of placing bull bars on cars and vans? Will our Government or the European Union take action? If it is the European Union, the Government need to make it clear that they will not block action under qualified majority voting and that they will not try to form a blocking minority. Is the issue being moved between the Government and the European Union so that nothing gets done?

Mr. Norris: No. We are clear that aggressive bull bars are unnecessary and unacceptable and a potential cause of serious accidents. The answer to the hon. Gentleman's sensible question is that we need to have powers in domestic legislation—those have existed since the Road Vehicles (Construction and Use Regulations) Act 1986—to bring about the necessary changes, but if those powers are to be effective, they have to fall within the scope of the appropriate European directive. The external projections directive can be amended and the Commission has produced a form of words, which we are contemplating. I hope that we shall be able to reach agreement shortly. Once that has happened, it will go a long way to enabling us to get rid of aggressive bull bars. In due course, the draft policy for a directive on pedestrian protection will offer us a final and complete solution, but, in the meanwhile, a perfectly adequate form of words is available under the external projections directive.

Transport Links (East Sussex)

20. **Mr. Waterson:** To ask the Secretary of State for Transport what proposals he has to improve transport links in East Sussex. [30621]

Mr. Watts: We recognise the case for improving transport links to and along the south coast. Our trunk road programme contains a number of important schemes in East Sussex. We are also supporting improvements to the county council's local road network.

Mr. Waterson: I thank my hon. Friend for that answer. Is he aware of the level of support in my constituency for sensible, necessary and environmentally sensitive schemes, such as the A22 Polegate bypass and the A27? In addition, I assure him that many rail travellers in my constituency are looking forward not only to the benefits of the Thameslink 2000 rail link to Eastbourne, but to the tangible benefits of rail privatisation in our area.

Mr. Watts: My hon. Friend has been extremely eloquent on other occasions in expressing his support and that of his constituents for sensible road improvements and for the tremendous benefits that rail privatisation will bring to rail passengers and freight users.

Rail Privatisation

21. **Mr. Faulds:** To ask the Secretary of State for Transport what is his assessment of the success of the rail sell–off; and if he will make a statement. [30622]

Sir George Young: The team had a good result.

Mr. Winnick: He was held up on the journey.

Mr. Faulds: Well, for once, my hon. Friend the Member for Walsall, North (Mr. Winnick) is absolutely right—I am delighted that I am here in time because I was held up. Is the Secretary of State aware that I was held up by British Rail in getting here this afternoon? Is he aware that I waited at Euston station last Thursday to return home to Stratford-upon-Avon by way of Coventry and that there was a 55-minute delay—yet another of the Euston break-ups because of the points system outside Euston? How can he possibly claim that any price paid for those decaying services can be worth it for the suffering of the British people?

Sir George Young: With respect, I think that the hon. Gentleman has missed the main point. The key question is: which regime will provide the resources that are necessary to improve the quality of service and the reliability of the trains on which he travels? It is our very strong contention that the regime that we have introduced will ensure that in a few years the hon. Gentleman will not be detained in the way that he was today.

Mr. Jacques Arnold: Is my right hon. Friend aware that my constituents are very encouraged by the rail sell-off and rail franchising? We are looking forward to seeing SouthEastern trains moving rapidly into the private sector, particularly in view of my right hon. Friend's requirement that the provision of new carriages on the Kent coast line through the stations of Meopham and Sole Street in my constituency be a part of the franchise.

Sir George Young: I am sure that many organisations are looking forward to the results of franchising. I hope that the existing trade unions that invested in nationalised industries when we privatised them will also invest in Railtrack in due course.

22. **Mr. Skinner:** To ask the Secretary of State for Transport whether he will make a statement on the costs of privatisation of the railways. [30624]

Mr. Watts: By the end of 1995-96, total Government privatisation costs are estimated to be some £145 million and some £325 million for British Rail and Railtrack, including some investment in assets or asset management systems. Those costs should be viewed in the context of proceeds in excess of £4 billion and of substantial benefits to rail users as a result of privatisation.

Mr. Skinner: What has the privatisation of the railway system to do with market forces? As I understand it, the Government have always believed that the market forces philosophy would rule. Yet, through the dogma of privatisation, the Government have decided to privatise the railways while calling upon the taxpayer to find about £850 million per year to allow that privatisation to continue. I remind the Minister that one argument is still prevalent in the Labour movement: a Labour Government's best answer would be to take the network back into public ownership without any compensation.

Mr. Watts: I hope that the hon. Member for Birmingham, Ladywood (Ms Short) has heard her hon. Friend's comments about the policy of any future Labour Government. The fact is that, with seven franchises operating in the private sector, the costs to the taxpayer in the seventh year of those franchises will be less than a third of the grant paid to British Rail to operate those services in the past year. In the hon. Gentleman's area, the competitive bidding process for the midland main line franchise has ensured a winning bid that will require no subsidy from the taxpayer at the end of the franchise period. A completely new fleet of trains will be purchased in order to increase service frequency to Loughborough, Derby and Nottingham. They are the facts.

Private Finance Initiative (Road Building)

23. **Mr. William O'Brien:** To ask the Secretary of State for Transport what estimate he has made of the level of tolls to be charged for the use of roads built under the private finance initiative. [30625]

Mr. Watts: Estimated expenditure on shadow tolls for design, build, finance and operate road schemes is published in the transport report 1996.

Mr. O'Brien: What advice can the Minister give to my constituents on the proposed link between the M1 and A1 in the Rothwell area of Leeds, when shadow tolls will be paid by the Government out of taxpayers' money? Has he any information as to what will be the estimated charges?

Mr. Watts: Not specifically on that route, but the figures set out in the report are £41 million in 1996-97, £97 million in 1997-98 and £123 million in 1998-99.

Chiltern Line

24. **Mr. Lidington:** To ask the Secretary of State for Transport if he will make a statement about the future of the Chiltern line. [30626]

Mr. Watts: The franchising director has today announced that M40 Trains Ltd., the management buy-out team, has been selected as preferred bidder for the Chiltern Railway Co. Ltd. franchise.

Mr. Lidington: I welcome my hon. Friend's statement and draw his attention to comments made to me by the managing director of M40 Trains Ltd., who is responsible for operations in Chiltern, that the approach of privatisation had, for the first time, forced railway managers to concentrate their minds on what their passengers actually wanted in the way of a service? Is not that the key message of the advantages of privatisation for fare-paying passengers: the service will be provided ever more in their interests?

Mr. Watts: My hon. Friend is entirely right. The total focus of passenger train operating companies is on increasing their business by providing better services for their passengers.

LORD PRESIDENT OF THE COUNCIL

Parliamentary Questions

29. **Mrs. Clwyd:** To ask the Lord President of the Council if he will introduce a supervisory body to assess independently the efficacy of parliamentary procedures relating to the answering of questions. [30632]

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): I have no plans to do so. The efficacy of our procedures falls within the remit of the Procedure Committee.

Mrs. Clwyd: Does the Minister agree with Sir Richard Scott's suggestion, made a few weeks ago in the annual Blackstone lecture, that a parliamentary watchdog is necessary to ensure that Ministers answer Members of Parliament's questions, which Sir Richard Scott still believes they are not doing on a wide range of questions, including those on arms sales? Is it not time that, if Ministers are not prepared to give answers, someone else ensures that they do?

Mr. Newton: I am aware that a suggestion, I think somewhat similar to that to which the hon. Lady refers, has been made in evidence to the Select Committee on Public Service, but, as someone who would count himself a parliamentarian, I would be wary of any proposal that cuts across what should be, and is, the central line of Ministers' accountability in the House.

Dame Elaine Kellett-Bowman: I agree profoundly with my right hon. Friend. Ministers are accountable. We do not want any outsider coming in and telling them how they should behave. Is my right hon. Friend aware that some of my constituents come to Question Time, and that they all find it absolutely enthralling and go away with considerably more enthusiasm for the House of Commons?

Mr. Newton: I am grateful to my hon. Friend for her doughty support. I always find her contributions enthralling.

Mr. Campbell-Savours: Do you mean that?

Mr. Newton: Of course I do.

Summer Recess

30. **Mr. Winnick:** To ask the Lord President of the Council if he will introduce proposals to shorten the summer recess. [30633]

32. **Mr. Barnes:** To ask the Lord President of the Council what representations he has received concerning the length of parliamentary recesses; and if he will make a statement. [30635]

Mr. Newton: I cannot yet give the House the proposed dates for the summer Adjournment, but I have no plans to make any radical departure from recent practice.

Mr. Winnick: That is unfortunate. What possible justification is there for having a three-month recess, which will commence shortly? Surely in this day and age, the summer recess should be much shorter, bearing it in mind that the House of Commons is already on a short-term week and that, often, voting takes place only on two days out of the five?

Mr. Newton: The point is that Members of Parliament have a wide range of duties other than attendance in the House and that this Parliament already sits longer than that of, I think, any other major western democracy. The balance between our sitting and our non-sitting days is about right.

Mr. Barnes: Some people think that Members of Parliament are a waste of time, and perhaps one or two are, but are we not all a waste of time if we do not have a Parliament? If a Parliament is not sitting for three months or more, and no formal avenues are available for the asking of questions and the probing of the Executive, what is the point of having an elected Parliament? Can we not spread the parliamentary year so that the breaks are shorter and therefore do not matter so much?

Mr. Newton: I am aware that suggestions such as that have been made from time to time. Let me point out, however, that it is not very long since the House received, and subsequently debated and made decisions on, a report from a Select Committee of the House which examined all those matters carefully and made no such suggestion.

Mr. Jacques Arnold: Is not the House unique, in that we have constituency responsibilities? Do not most Members of Parliament spend the recesses at work in their constituencies, getting very close to their constituents? Perhaps those two questions are a reflection on the two hon. Members concerned.

Mr. Newton: Different Members of Parliament observably have different ways of going about the job. My hon. Friend is certainly assiduous in the interests of his constituents, and I am sure that he will continue to be so on whatever occasions the House is sitting.

Mr. Barry Porter: May I take this opportunity to welcome the hon. Member for Walsall, North (Mr. Winnick) back to the House following his recent illness? I am delighted to see him. Having said that, however, may I ask whether my right hon. Friend the Leader of the House agrees that the country is infinitely better governed when we are not sitting? It has always struck me that that is so.

Mr. Newton: I hesitate to agree with that proposition, but I note that it is my hon. Friend's view.

Mrs. Dunwoody: On a point of order, Madam Speaker. You will have noted that, in replying to a question from my hon. Friend the Member for Plymouth, Devonport (Mr. Jamieson), the Minister for Transport in London chose to mention his official consultancy. I am not in any way opposed to that, but I wonder whether that same Minister approached you in an attempt to extend Transport questions by at least another hour. If we are to mention all the consultancies held by Conservative Members, we shall require at least as long as that before any questions are answered.

Madam Speaker: That being the case, perhaps we should not rise for the summer recess until the end of September.

Orders of the Day

Community Care (Direct Payments) Bill *[Lords]*

As amended (in the Standing Committee), considered.

New clause 5

REGULATION OF COMMUNITY CARE SERVICES PROVIDED BY MEANS OF DIRECT PAYMENTS

'.—(1) The Secretary of State shall, after consulting such persons as appear to him to have relevant knowledge or experience, by order introduce a scheme for the regulation of the provision of community care services under this Act with particular reference to the purchase by persons to whom payments are made under section 1 or section 4 of independent domiciliary care.

(2) A scheme under subsection (1) may include powers—

(a) to require the registration of persons providing domiciliary care to persons in receipt of payments under section (1) or section (4)

(b) to establish a system of inspection for the purposes of ensuring that the terms on which a person is registered under paragraph (a) above have been complied with.

(3) An order under subsection (1) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.—*[Mr. Hinchliffe.]*

Brought up, and read the First time.

3.31 pm

Mr. David Hinchliffe (Wakefield): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss new clause 11—*Regulation of services provided by persons not classed as individuals—*

'.—(1) The Secretary of State shall, after consulting such persons as appear to him to have relevant knowledge or experience, by order introduce a scheme for the regulation of the provision of community care services under this Act, with particular regard to the purchase by a person to whom payments are made under section 1 or section 4 of independent domiciliary care from a person who is not classed as an individual for the purposes of any enactment relating to community care.

(2) An order under subsection (1) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.

Mr. Hinchliffe: New clause 5 is intended to safeguard the welfare of those who will obtain various community care services through the direct payment provisions in the Bill. Clearly, they include some very intimate services. Direct payments will enable people to pay for bathing, washing, dressing, cleaning and a range of other services, including, in certain instances, the handling of a person's money by the carer.

We should ensure that the quality of such care is properly regulated and inspected. New clause 5 provides for the regulation of domiciliary care: those providing such care would be subject to registration. The new clause also provides a system of inspection to monitor the quality of care that will—I stress this—be provided in the privacy of a client's home.

The background of the new clause will be well known to the Minister, and also to my right hon. and hon. Friends on the Opposition Front Bench. For many years, there has been a serious anomaly in the provisions relating to domiciliary care. I refer to the lack of any form of registration and inspection procedures.

Way back in 1984, the House passed the Registered Homes Act, and more recently the Registered Homes (Amendment) Act 1991, both of which set out in detail statutory procedures that are designed to protect residents of care homes and nursing homes. The 1984 legislation, for example, requires the registration of all establishments providing care, and a named person deemed to be suitably qualified who is responsible in law for the operation of the establishment. Each establishment must have a named person who is recognised as being responsible. The legislation enables such homes to be inspected by local registration and inspection units. More important—it is not used often, except where serious problems arise—it provides for the cancellation of the registration and for the protection of residents who may be in the care home or nursing home at the time.

The anomaly, which the new clause seeks to address, is that although such provisions exist for people who live in care homes or nursing homes, there are no such provisions in law to provide for the inspection and registration of the care that is provided privately to people in their own homes. New clause 5 applies the principles of the Registered Homes Act to care that is provided through direct payments to people in their own homes. It would be highly irresponsible for the House to pass the Bill without proper safeguards on the quality of the care provided.

I underline the fact that I support very strongly the principle of direct payments, which is contained in the Bill, and I commend the hon. Member for Mid-Kent (Mr. Rowe), who has pressed the issue for many years and talked to me on numerous occasions about his concerns that policy should move in that direction. I know that he supports in principle my concerns about the lack of proper regulation of the provision of such care. The need for the registration and inspection of domiciliary care is long overdue.

When the House debated the National Health Service and Community Care Act 1990, amendments on the registration and inspection of domiciliary care, some of which had the support of hon. Members on the Government Benches, were blocked by the Government. Shortly after the 1990 Act became law, a 66-year-old woman in a wheelchair—I am not sure whether this happened in the Minister's constituency, but it was certainly not far from it—was murdered in her own home by the carer. It is to the credit of the agency that employed the carer convicted of the murder that it has been at the forefront of subsequent campaigning to bring about a proper statutory framework for the registration and inspection of domiciliary care. I know that it has, with a number of London boroughs, been involved in bringing about a voluntary scheme of accreditation in the London area.

Since the implementation of community care legislation in 1993, the Government have argued consistently that the contracting and purchasing arrangements that the legislation introduced provided appropriate measures to monitor the quality of the care provided. That is not the view of the local authorities arranging the contracts. They do not believe that the contracting system offers sufficient

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regulation of the quality of care, to put into practice proper safeguards for the vulnerable elderly and disabled people who are receiving it in their own homes. Whatever one's view of the contracting arrangements, many thousands of people, particularly elderly people, are not covered by them. They purchase their community care directly from individuals or private companies, and in certain areas, particularly those with a large elderly population, a huge number of people, particularly elderly people, are buying that care without any element of protection or inspection whatever. There is no way of monitoring the relationship between the professional carer and the person who is paying money to that carer. That leaves the possibility of exploitation and abuse wide open. That could be plugged by a proper initial measure attached to the Bill, followed by much wider legislation covering everybody affected by community care.

Cities such as Bournemouth in the south of England and Harrogate in my part of Yorkshire have considerable numbers of elderly people, some with more resources than average. They are directly purchasing care and are wide open to exploitation. They deserve the protection of the House.

The National Health Service and Community Care Act 1990 was aimed at increasing the number of private sector providers of care. The Government believed that increasingly local authorities would become enablers rather than direct providers. Since the implementation of that Act, there has been a marked reduction in the number of local authority home carers and a marked increase in the number of private sector home carers—but they are unregulated, unregistered and uninspected private companies.

I have calculated that during the first year following the community care changes—1992 to 1993—the number of households receiving care services from the private sector increased by 47 per cent. That is a marked increase in private sector involvement in the provision of community care. I am not saying that all private sector companies provide poor-quality care. However, I am concerned—and the private companies share my concern—that there should be, in the interests of those private companies, a proper registration and inspection company to root out the small number of people who should not be involved in the provision of intimate, personal care in the privacy of people's homes.

The Minister may remember that on 24 March 1992, before he joined the Department, I introduced a Bill under the ten-minute rule procedure to provide for the registration of domiciliary care agencies. That Bill had cross-party support and included among its sponsors the hon. Members for Mid–Kent and for Chislehurst (Mr. Sims). The Bill was given a Second Reading by 188 votes to one—the one being the hon. Member for Chorley (Mr. Dover), who has still to explain to me why he voted against it. I think he was late back from his lunch. Unfortunately, the Bill was subsequently blocked, but I have reintroduced it and it is due for its Second Reading in July.

When I introduced the Bill, the Minister's predecessor assured me—behind the Chair, immediately after I had spoken—that in principle he shared my concerns. He said that there would be a review of the registration and inspection procedures and that it would take account of domiciliary care. We are still awaiting completion of that review and we need to ensure some urgency—

Mr. Andrew Rowe (Mid–Kent): I am listening with great attention to the hon. Gentleman, who was good enough to make some kind remarks about me. He said something which I think might well have been a slip of the tongue. If it was not, it was a rather important statement. He said that he was in favour of having a registration and inspection company. That is an interesting concept, but not one that I would automatically expect to come from the hon. Gentleman's lips.

Mr. Hinchliffe: It was probably a misunderstanding of my Yorkshire accent. If I did say that, it was most certainly a slip of the tongue.

My hon. Friend the Member for Darlington (Mr. Milburn) recently made it clear that the Labour party favours an independent inspection and registration unit. That is important. It is also important to point out that some Labour Members have been accused of being anti-private sector, although we have argued for many years—including during the period when the community care legislation was passed—that there are problems in having such inspection arrangements in local authorities and that, on occasion, there are subtle pressures on inspection units to go easy on local authority provision. To be consistent—I think that we are absolutely correct to be consistent on this point—we believe in independent units rather than in companies. That is what I was referring to.

3.45 pm

The hon. Member for Mid–Kent will remember that when I introduced the Registration of Domiciliary Care Agencies Bill—of which he is a sponsor—and subsequently, that all-party campaign was supported by virtually every individual and organisation concerned with the care of elderly and disabled people, and particularly by those concerned with the provision of domiciliary care.

I am sure that the principle of new clause 5, which was drafted rather hurriedly last week, will be supported by all those agencies, which include the Joint Advisory Group of Domiciliary Care Associations, the United Kingdom Homecare Association—which has more than 300 voluntary and private agencies as members, the National Association of Registration and Inspection Officers, the British Association of Social Workers, the Social Care Association, the Association of Directors of Social Services and Age Concern. It is important to reiterate that some of those organisations have, along with individual local authorities, developed local voluntary accreditation schemes for domiciliary care, and that all of them are still actively campaigning for a proper statutory system to register and inspect domiciliary care.

I am concerned about the Government's position on the issue. Knowing the Minister reasonably well, I suspect that he, too, is probably a bit uneasy about the Government's position. The deregulation theme pursued by the Prime Minister has been applied to certain areas where serious questions need to be asked—care deregulation, for example. The Government's dogma in that area, and their reluctance to legislate or to bring about

by statutory instrument a proper system of regulation and inspection, are leaving vast numbers of extremely vulnerable people seriously at risk.

There are other policy changes of which the Government should be aware. Those changes make it even more urgent that, when the Registration of Domiciliary Care Agencies Bill is considered by the House, it is amended to include a proper registration procedure to protect people who are in receipt of direct payments.

The first change is that, as part of the deregulation initiative, on 3 January last year the Government removed the licensing of employment agencies. There are no longer arrangements to offer monitoring of employment agencies, although, on 3 January last year, some 3,000 licensed agencies included domiciliary care among their activities. So many organisations are obviously involved in the provision of domiciliary care in the private and independent sector.

Secondly, to illustrate the anomaly in the current legislation, I draw the Minister's attention to the nonsense of there being more private care homes that offer care not only inside but outside them, in a locality near the private care home. They are now registered for care in the home, but they are not registered or inspected for care in the individual's home in the community, which is where equally vulnerable people are in receipt of care.

That is nonsense. If a person is in a care home or a nursing home, there is some public accountability and some visibility of that person's care. People visit care homes and nursing homes and can see individuals sitting in lounges there. The same does not apply to people who receive care in their own homes. There is doubly cause for concern about that anomaly when care homes are only half registered in their work. Those who run private care homes whom I know would probably say that they realise that the present situation is nonsense and that they would be perfectly happy to be included in proper registration and inspection arrangements.

There are increasing signs that we are, rightly, moving more and more towards domiciliary care as an alternative to institutional care. The Minister knows of my concerns. I think that, from a policy point of view, we should move much more rapidly towards domiciliary care, but to do so, we need to ensure proper safeguards for people in receipt of that care. My worry is that those safeguards are not there.

There have been rapid advances to enable people to be cared for in their own homes. With improvements in communications technology, people can be monitored by telephone systems that are operated by a number of private companies and by local authorities. In some instances, through that telephone care network system, people can be monitored through the night. That means that many more people who are dependent can live in their own homes in the community. That trend reinforces the argument that the care provided for some very vulnerable people should be properly registered and inspected, as we suggest in the new clause.

Increasingly, there are moves towards housing models of care, which some of us discussed during the debate on dementia last week. That means that we should make checks on people who are not otherwise covered by a registration system. Sheltered housing, for example, is not covered by the Registered Homes Act 1984, yet I know of many people in sheltered housing schemes and in receipt of domiciliary care who are more vulnerable and more disabled than many people who are in care homes or nursing homes.

The Carers (Recognition and Services) Act 1995 has contributed to the push towards domiciliary care. We must recognise that as people are asking for increased packages of domiciliary care, that care should be properly regulated and inspected.

Other policy developments, with which the Minister is very familiar, raise questions about how we can operate a general social services council, which the Department of Health is currently looking at in some detail. It would be a form of registration for carers and social workers. How could that operate in relation to people concerned with domiciliary care if there was no proper regulation and inspection system for domiciliary care? How on earth would a complaint come to that council if the person providing care was not monitored through an inspection system? The whole thing does not stand up, and the Minister must accept that we lack proper provision in the area.

The Minister will have talked to his Home Office colleagues about what has been called a paedophile register. The Government may introduce such a register, but what safeguards will there be to ensure that somebody who is on that register is not providing care privately in a domestic setting? As far as I can see, that safeguard will not be there. The Minister must accept that the Home Office's policy initiatives look a bit silly alongside the lack of any attempt by his Department properly to regulate and inspect domiciliary care.

The whole purpose of the Bill is to enhance the ability of individuals to remain in their own homes and to make their own choices about securing care. People in receipt of care will be put in control of determining the nature of that care and how they acquire it. I believe that if the Bill is passed without an amendment relating to the quality of care—to the inspection of care—we shall be accused of being very irresponsible, because we shall have passed legislation that is not properly thought through. We are meant to be giving people control of their care. Is that seriously possible when the care recipient has no guarantee that a provider is operating at an acceptable or an agreed standard? We are putting a number of people at risk by not thinking the matter through, despite the good will on both sides of the House in support of the Bill.

The Bill as it stands allows the potential for abuse and exploitation. It allows for financial exploitation if people involved in the provision of care are dishonest and not properly monitored, which can happen. In my time working in local authority social work, I came across complaints about the provision of home care, such as elderly people being subjected by their carers to the alteration of wills, and pensions and benefits being taken by home carers. The vast majority of home care is provided by perfectly decent, honest and responsible people. But in every walk of life, some will try to take advantage of the vulnerable. I have come across instances of physical ill treatment of vulnerable, elderly people, a number of examples of sexual abuse of people who were being cared for in their own homes, and instances of poor-quality care.

I hope that the Minister has reflected on the contents of the Law Commission's report on mental incapacity. That reminds us all of the significant number of people in our

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society who require a good deal more protection in their vulnerability than the majority of us who happen to be physically and mentally reasonably able.

I hope that the Minister will not say that we have to await the results of consultation on "Moving Forward". Everybody knows that there is 100 per cent. support throughout the personal social services—whether in the private, public or voluntary sectors—for a proper system of registration and inspection of domiciliary care. I am afraid that I cannot accept the Minister saying that we should wait a little longer. I heard that excuse three years ago, and when the National Health Service and Community Care Bill was being discussed in 1989. We have waited long enough, we all know that there is a huge gap to be filled, and I hope that the Minister accepts that we need to do something about such an important issue.

Mr. Rowe: I shall be very brief. I hope that the House will grant me indulgence as I have to chair a meeting somewhere else for a short time.

I should like to respond to the hon. Member for Wakefield (Mr. Hinchliffe) by saying that I am greatly in favour of the idea of ensuring that people who enter other people's homes are reputable, proper people who behave in a responsible manner. I have some anxiety about the proposition that, if we are to give control over who is employed to disabled people themselves, we should set up a system whereby every individual who is chosen by a disabled person is monitored and scrutinised. That would be unworkable and a nightmare, and would create huge delays in the employment of people, when voluntary organisations frequently complain bitterly about the checks that they have to make on volunteers taking so long. I therefore have some reservations about the new clause.

A body like, for example the Federation of Master Builders—a voluntary membership organisation to which people of good will belong, and, certainly, to which agencies that contract should belong—would be a very much better way in which to deal with the problem. It could then be said that local authorities should not necessarily sanction the employment of agencies that do not subscribe to a reputable body. That would be a perfectly reasonable way in which to proceed. If that were linked, especially for contract agencies, with an insurance scheme, it would be even better, because it would give such agencies an even stronger incentive to ensure that good behaviour was the norm. So I am greatly in favour of the new clause's principle, but a little anxious about the idea proposed by the hon. Member for Wakefield.

There is growing evidence that some local authorities are quite disgracefully discriminating against private care homes. Were they to be given the opportunity to discriminate against private care contractors, that would cause anxiety.

I am conscious that I am showing discourtesy to the hon. Member for Wakefield by leaving the debate, but I end by saying to him that I support the principle, but not the proposal contained in the new clause.

4 pm

Mr. Alan Howarth (Stratford-on-Avon): I am glad to follow the hon. Member for Mid-Kent (Mr. Rowe), who supports the principle and the essential objective that my hon. Friend the Member for Wakefield (Mr. Hinchliffe) has in mind. The hon. Gentleman offered some thoughtful and sensible comments on the practicalities that the registration, inspection and regulation of domiciliary care agencies might involve.

It is important that the House debates the principle, and I want briefly to underline and emphatically support some of the most important arguments that my hon. Friend the Member for Wakefield made in his comprehensive speech. He has pursued this cause consistently, and with passion, great resourcefulness and enormous authority for a considerable number of years. The House listens to him with respect, as I am sure does the Minister.

It is particularly timely that we address the appropriate regulation of domiciliary care agencies in the context of this legislation to make permissible direct cash payments by local authorities to people in need of community care. There is no doubt that direct payments will lead to an increased demand for agency staff, and that makes the issue of registration and inspection one that we can no longer avoid considering and deciding upon. It is too serious and too important an issue.

As my hon. Friend the Member for Wakefield said, significant numbers of vulnerable people will be using such agencies, and they need confidence—as we do, on their behalf—that the agencies are reputable and that the people who will be employed by them and sent to provide help in the privacy of clients' homes are the sort of people who ought to be doing such work. That principle has been long accepted with regard to registered homes. As my hon. Friend said, surely it is grotesquely inconsistent that we do not take equivalent care where the interests of people receiving care in their own homes are concerned.

As the thrust of the proposal is that it will enable more people to have independence for longer periods of their lives, to live in their own homes and to have the maximum amount of personal independence within the community, it is an issue that should not be deferred any longer. It is an issue of quality, and while quality will of course depend upon the availability of funding, it will also depend on the safeguards that we are able to operate to ensure decent standards of service.

I understand why the Government do not want gratuitous bureaucracy—that view is widely shared by all parties. No one wants more regulation than is genuinely necessary, although we may have differences of view as to the variety of areas in which regulation might be needed and the extent to which it is appropriate to regulate. I do remember, and appreciated at the time, that when the Government were announcing their great crusade against regulation, they were careful—and wise—to say that they would not play fast and loose with health and safety, and that they had no prejudice against regulation where genuine issues of health and safety were at stake. We are considering one such issue—the regulation of domiciliary care agencies that are providing services to vulnerable and disabled people.

The Government need not fear that sensibly designed regulation would meet resistance and resentment from local authorities. The Association of Directors of Social Services has expressed its support for such regulation. I hope that the Government will accept that the use of private enterprise does not mean that they can wash their hands of the social consequences.

Most recipients of direct payments will certainly want to employ their own assistants directly and, at least in the first instance, will not wish to resort to domiciliary care agencies. However, many will need agency staff, whether it is for moments of emergency, for periodic respite to enable their normal employees to take time off or to supplement the ordinary support that they employ, perhaps for specialised tasks.

The Minister needs to consider thoughtfully and imaginatively—as is his custom in taking such decisions—what that should mean in practice. I put it to him that the level playing field that he is anxious to establish so that users of direct payments are not disadvantaged in comparison with other client groups requires such regulations as my hon. Friend the Member for Wakefield is proposing. Those assurances and safeguards will enable recipients of direct payments to have the same confidence in the quality and safety of the service and that the people who they will be admitting into their homes to perform perhaps intimate tasks on their behalf will be as suitable as those employed by the social services department.

The Minister may recall some of the research that has been published over the years on the operation of the independent living fund. Perhaps he will have read "Cash for Care" and "Taking Care in the Market" by Ann Kestenbaum, which contain evidence that beneficiaries of the independent living fund expressed concern about some of the deficiencies that not infrequently were found in the operation of domiciliary care agencies. Among the anxieties expressed were the failure of agencies to match their staff sufficiently well to the particular needs of individual clients and the lack of continuity of staff. Clients could not be confident that the same person would be coming to support them from time to time. That mattered very much in terms of their confidence, their dignity and their capacity to accept help in a relatively relaxed way.

The research also found cause for anxiety that agencies were neglecting training in order to keep down costs. The Government ought to accept responsibility to ensure that those employed by the agencies are not only without criminal records or otherwise plainly unsuitable, but have the training and developed capacity to carry out the work in question.

There would be no sense in introducing regulation with a heavy hand. Any regulation in these matters will have to be sensitive to the variety of small agencies in domiciliary care. It will also have to be realistic and sensible about those who are frequently employed in such work, who are often part-time workers. Nobody is arguing that an impossible set of standards should be imposed, but we have an obligation to ensure that, consistent with practical good sense, suitable staff are employed to assist people in their homes.

In Committee, the Minister said that he wanted to await the outcome of Mr. Burgner's review before he drew his own conclusions. He said that the Government would then come to a decision. Can he tell us how far that process of review has got? Has he received recommendations from Mr. Burgner and, if so, how is his internal departmental consideration proceeding? Will reference to the technical advisory committee form part of that internal consideration?

I should like to conclude by putting to the Minister the question that I put to him on Second Reading when I drew attention to the anomalous character of the VAT regime for domiciliary care agencies. Where an element of medically qualified supervision is provided, I understand that the services of an agency do not attract VAT and that it is not charged to the client. Where that is not the case, the services provided must incur VAT. I suggested that it might be an appropriate reform to exempt from VAT those agencies that satisfied a sensibly designed inspection regime of the kind for which we have argued.

On another occasion in our proceedings I was rather startled to hear the Minister say that it was always a pleasure to hold a discussion with the Treasury. I am not sure whether he has had all the joy that he might have wished and that which we all would have hoped for him in discussions with the Treasury about, for example, the treatment of people over the age of 65. Has the Minister had an opportunity since Second Reading to talk to his right hon. and learned Friend and others at the Treasury about VAT on domiciliary care agencies? If he has not had that opportunity, perhaps he will let us know whether he plans to seek it in time for the decisions that fall to be taken by the Government in November—assuming the Government are still in office—on the public expenditure round and taxation measures in the Budget.

Mr. Alan Milburn (Darlington): The issue of regulation is an important one that bears directly on the provisions of the Bill. We debated it at some length in Committee and it is right and proper that we should do so again.

Regulation is important because the provisions of new clauses 5 and 11 offer dual protection. First, they protect the interests of public money and those of the taxpayer by ensuring that that money is properly spent. Secondly and more important, they ensure that disabled people in receipt of a direct payment who contract with a domiciliary care agency are afforded appropriate protection and, in particular, those new clauses ensure their right to be free from the risk of abuse.

My hon. Friend the Member for Wakefield (Mr. Hinchliffe), who is a doughty champion of the rights of disabled people, has brought an important matter to the forefront of our minds. His new clause draws heavily on his ten-minute Bill, which provides a model that merits careful examination.

New clause 11 also provides protection from the possibility of abuse for those in receipt of direct payments for care in their own homes if they contract with an agency for domiciliary care services. As my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) said, the overwhelming majority of disabled people who take advantage of direct payments probably opt to employ a personal assistant. That person is perhaps a friend or a member of their family—probably a distant relative if the Minister has his way. Alternatively, by word of mouth, they may decide to contract individually on a one-to-one basis for the provision of a form of care with which they are happy. There can be no argument about that because the thrust of the Bill is to maximise the choice of disabled people.

Other disabled people will look to domiciliary care agencies to provide staff to assist them. One can envisage a situation where illness may get in the way. Even if the

[Mr. Alan Milburn]

first choice of a disabled person is the employment of a personal assistant, in an emergency they may decide to turn to a professional, independent domiciliary care agency. There can be no objection to that either. In recent years there has been an upsurge in the range of services that domiciliary care providers offer to people in their own homes—whether they are disabled, elderly or suffer from mental health problems. In the main, the services of the domiciliary care providers are very good, but occasionally things go wrong and there are forms of abuse.

4.15 pm

Many people, particularly some of the disability organisations, are concerned that although it is all well and good to provide care in a person's home, there must be safeguards to ensure that the recipient of the care is not subjected to any form of abuse. We need to provide new mechanisms to ensure that all care provided is of the highest quality and standard possible. Such mechanisms would be helpful to those seeking to enter the market for the first time.

As my hon. Friend the Member for Wakefield said, in recent years there has been an upsurge in independent sector domiciliary care agencies, and the Bill may provide a further impetus to growth in that sector of the market. It is important that those seeking to enter the market for the first time understand what is expected of them—that they are aware of the quality and the standards that they will have to offer to get a foothold in the market.

Some form of protection is vital. I believe that local authorities will have difficulty in expanding the operation of direct payment schemes if some regulation is not in place. I say that for a simple but important reason: a significant element of direct payment is the control that it gives to the person in deciding how their care needs should be provided. That control is not fully possible when the care recipient has no guarantee that a care provider is operating at an acceptable and agreed standard.

The lack of regulation injects an unnecessary element of uncertainty and anxiety into the situation of the care recipient. As my hon. Friends the Members for Stratford-on-Avon and for Wakefield, and the hon. Member for Mid-Kent (Mr. Rowe), pointed out, we must at all costs avoid the possibility of abuse and exploitation. Regulation would allow local authorities a real sanction with respect to unscrupulous providers.

The great irony is that other care providers are subject to stringent requirements of registration and inspection, but there is still no statutory framework governing the operation of domiciliary care providers—despite the fact that the services they provide are direct, face-to-face services in a person's home. The interface is between the staff member working for the agency and the disabled person, and there is little likelihood of anyone else being around. The clients of domiciliary care agencies are among the most vulnerable in the population, yet the protection that they are currently afforded under the law in their own homes is negligible compared with the protection that is afforded to clients of residential care homes and nursing homes.

My hon. Friend the Member for Wakefield made an extremely important point when he said that that irony was becoming greater by the day. As residential care providers in the independent sector find it more difficult to fill their homes, they are increasingly looking to diversify and are moving into outreach work to use their skills and resources to provide care, not in their residential care homes, but in people's own homes. However, there are two standards: when those providers provide care in the residential care home setting, they have to fulfil fairly stringent inspections and regulation requirements, but when they provide the self-same skills and resources in an individual's home, there is no such standard or quality requirement. We must clearly address that matter.

Those double standards explain why organisations such as the British Medical Association and the Association of Directors of Social Services, in responding to the Bill, have expressed anxiety about the lack of a regulatory framework to govern the provision of domiciliary care. Both organisations have called for precisely the form of regulation that is encompassed in both new clause 5 and new clause 11. Their concern, my concern and, I think, the concern of all hon. Members, would be to ensure that the Bill is not compromised or denigrated because those in receipt of direct payments are subjected to any form of abuse.

New clauses 5 and 11 help to provide safeguards against such abuse. Opposition Members have repeatedly called for such safeguards to be put in place; our call has found a ready echo in the independent domiciliary care sector. The agencies in that sector understand that they provide care for vulnerable people who have few opportunities to raise questions about services and who need protection from unscrupulous operators, however few and far between they are. Such protection is in all our interests and it is certainly in the taxpayer's interest. The last thing that anyone wants to see is public money subsidising exploitation or abuse. Such protection is also in the interest of the overwhelming majority of agencies in the domiciliary care sector which are reputable private sector operators who want to drive the cowboys out of the industry. Most importantly, it is in the interests of disabled people themselves—so that they can feel that they are guaranteed, as far as possible, a proper form of protection.

In the past and in Committee the Minister said that some local authorities had developed good local accreditation schemes that accredit individual domiciliary care agencies. But those accreditation schemes are essentially voluntary and they do not offer nationwide coverage. In the past the Minister has said that it would be appropriate to build into the contracts between local authorities and private providers safeguards that would protect disabled or elderly people in their homes. That is all well and good when the local authority makes a contract on behalf of the individual to provide domiciliary care services, but that does not occur in the Bill.

The Bill rightly empowers the disabled person to contract for himself to buy the care that is most appropriate for his needs. We are talking about a direct, not indirect, form of contract. There is a special need to ensure that proper protection is afforded to buttress that form of contract, which is why we want to see regulation in the Bill.

As my hon. Friend the Member for Stratford-on-Avon has just said, we heard in Committee that the Minister will shortly consider the results of the consultation on the Department of Health's document "Moving Forward". That consultation has now ended, but the Minister felt unable to give the Committee an insight into his thinking

about the likely recommendations or the time scale for the decision. Now that we have moved on a month or so, perhaps the Minister will feel more liberated and will be able to tell us more about his thinking and the time scale that we might work to.

It is clear, however, that we cannot wait endless months for the result of the Burgner review to be published, then for the Government's further consultation to begin and then finally for the possibility of legislation being brought forward to the House. Today, the Bill will go through the House and it will become an Act of Parliament. We all rejoice at that, because the Bill has enjoyed cross-party support, but all hon. Members are concerned to ensure that proper protection will be afforded to those who take advantage of the direct payments route.

In case there is any confusion, I must make it clear that the same regulatory standards should apply equally to public and private sector organisations. The issue is not who provides the care, but the quality of care. The quality of care that people experience is important, not who provides it. We all want to see public and private sector organisations provide the highest standards of care possible. That is why my hon. Friend the Member for Wakefield was right to point to the Labour party's policy of ensuring independence. We want regulation to become genuinely independent so that there can be no question of any vested interest obstructing the highest possible standards of care, whether care is provided in the residential sector, the domiciliary sector, the supported housing sector or as respite care and whether it is run by the private sector, the charitable sector, the voluntary sector or the public sector. Independence of regulation will ensure that the highest possible standards are maintained and ratcheted up.

If independence of regulation is to work properly, it must enjoy the support of disabled people and disability organisations. It is important that any consultation on our proposal in new clauses 5 and 11 actively enlists disability organisations so that they feel that they have been fully consulted in the establishment of a better regulatory environment. In that way, regulation will not compromise a sensitive approach to the care of disabled people in their homes.

An important principle is at stake and that is why we have explored it this afternoon and why we explored the issue in Committee a few weeks ago. Under new clauses 5 and 11, if a person took advantage of the direct payments procedure and decided to purchase care, that person, the local authority and the taxpayer could be assured that that person would be afforded proper protection and that the care was of the highest standard possible.

The Parliamentary Under-Secretary of State for Health (Mr. John Bowis): The hon. Member for Wakefield is consistent and persistent on this issue. He has already introduced two private Members' Bills on the subject, and another one has been introduced by Lord Ashley of Stoke.

As the hon. Gentleman said, we debated the matter at some length in Committee. I hope that he will accept that I am equally consistent—indeed, persistent—in answering him. We promised that a review of the regulation of domiciliary and day-care services would take place as part of the review of social services inspection. Perhaps the hon. Gentleman looked forward to that review three years ago. However, I think that he now knows that the review has taken place—we have reached the end of the consultation period—and that Mr. Burgner, who is an eminent, distinguished and respected independent reviewer, will shortly bring forward his conclusions. Therefore, I assure the hon. Gentleman that we are doing precisely what he has asked for.

We are looking wider than the new clauses. Our review is examining the question of regulation of domiciliary and day services regardless of whether they are used by direct payment users. The new clauses would limit such regulation to those services used by people in receipt of direct payments. I do not see the logic in that proposal. However, I am sure that the House will agree that it would be premature, if not bizarre, to take any action before we know the results of the review—which are not far away. When we have seen Mr. Burgner's report, we shall be able to examine the issue fully and then consult widely about any proposals that we intend to bring forward.

4.30 pm

Mr. Hinchliffe: The Minister said that the conclusions of the review are due shortly. When will we receive the conclusions of Mr. Burgner's review? What steps will the Government take to legislate and to act upon those conclusions? Can the Minister anticipate what might happen subsequent to the conclusion of the Burgner review?

Mr. Bowis: I do not know exactly when Mr. Burgner will submit his report to me or to my colleagues in Government. The matter is in his hands. However, I genuinely expect to receive it very shortly and I am sure that we will be able to go public about the results before the House rises in the summer.

Mr. Peter Thurnham (Bolton, North-East): Further to that point, I stress that the review is needed urgently and I hope that we will receive the results before the summer recess. I have drawn the attention of my right hon. Friend the Secretary of State and other Ministers to several issues of concern in the north-west. In fact, there are cases before the courts at the moment regarding the conflict of interest that occurs when local authorities act as both providers and gatekeepers of the standards.

Mr. Bowis: I understand my hon. Friend's concern; he has been diligent in raising those matters with us. I hope that he will find that the review, which goes much wider than the issues that we are discussing today, is helpful in that regard. I have already outlined the timing of the review.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): The Minister is being very seductive in trying to persuade us to wait for the review's conclusions. He knows that it is not simply a matter of waiting for the review's results and then reaching a conclusion about its results: he will have to find parliamentary time in order to implement those results. We have the opportunity to do that today. Therefore, his seductive arguments will have to persuade hon. Members that, if that opportunity is missed this afternoon, it will be replaced by another opportunity outlined in the Queen's Speech in the next Session of Parliament.

Mr. Bowis: I do not know whether the hon. Gentleman finds my arguments seductive—I am sure that he does not

[Mr. Bowis]

find me seductive. It would be bizarre to set up a review to be conducted by an eminent independent rapporteur and then to say, "To heck with that, we shall push through legislation before we have the results." That would be nonsense.

The hon. Member for Wakefield raised some interesting points—he knows that I respect his views. However, the more I listened to him, the more I thought that he raised as many questions as he answered. I think that he would agree with that. My hon. Friend the Member for Mid–Kent (Mr. Rowe) raised just some of those. Clearly, if we are introducing a measure that is supposed to be user-friendly for people who are in receipt of direct payments, we must be careful about how we impose on top of that a bureaucracy that requires some form of vetting, inspection and regulation of people. After all, in a few moments, Opposition Members will be pressing me to be even more relaxed about members of the family, neighbours, friends and so on. We must, therefore, consider carefully where this might be going.

The other point of which we must be wary is introducing something specifically and only for direct payments which would not be available for people in receipt of domiciliary services as a whole. The whole thrust of our work in Committee has been to ensure that we have a level playing field between direct payments beneficiaries and direct users of service. We would be wise to ensure that, as a result of Burgner, we bring it all together, that the system will be effective across the board and that we do not try to distinguish between the two.

As we know, there are already safeguards for direct payments recipients. No one will be forced to take on any direct payment. When people accept a direct payment, they will not be abandoned by the local authority. Each local authority will need to have in place appropriate monitoring arrangements, so that they are satisfied that recipients are receiving the care that they require. Clause 2 makes it clear that, if the authority is not satisfied that the person is receiving the appropriate care, its responsibilities towards that person are the same as if no payment had been made, so people should not find themselves without care that the authority has said that they should have.

The hon. Member for Stratford–on–Avon (Mr. Howarth) raised again the VAT issue and whether I enjoy my conversations with my Treasury colleagues, which I always do. As I said to him, I think, in Committee, it is a matter not just of conversations, however friendly, with the Treasury, but of European Community law. As, I hope, I explained in Committee, EC law requires member states to exempt the supply of medical services by medical professions and United Kingdom legislation defines that as those on the statutory medical registers, so the UK cannot exempt the supply of services by someone who is not on a statutory medical register, or exempt supply that is not predominantly medical in nature. That is the state of EC law. Perhaps another day we can discuss that, but I hope that that makes it clear where my friendly conversations with the Treasury have got to.

As has been said, some provider organisations have already issued practice documents to their members as a basis for ensuring standards, and some authorities have set up voluntary accreditation or registration schemes in their regions. I expect that any such schemes would at least be brought to the attention of a person in receipt of direct payments, although, of course, it is entirely that person's choice whether to use the person or agency on such a list or someone else.

I am grateful to the hon. Member for Wakefield for keeping this issue in front of us. We need to reconsider it carefully to find out how we should go forward. Today, I have not heard an hon. Member on either side of the House suggest an idea with which I am in conflict and with which I disagree in principle. We agree where we are trying to get to. We are trying to ensure that, whoever is providing services, there are adequate standards and safeguards. As the hon. Member for Stratford–on–Avon said, ensuring that necessary regulation is in place has always been behind our deregulatory drive. When we perceive that it is right to put such regulation in place, we will not hesitate to do so, but come Mr. Burgner's report, we will be in a better position to judge where and how to go forward. I hope that, with that reassurance, the hon. Member for Wakefield will feel able to withdraw his new clause.

Mr. Hinchliffe: This has been a useful debate of more than an hour on what is, all hon. Members would accept, an important issue. May I pick up on one or two points that have been raised? The hon. Member for Mid–Kent (Mr. Rowe) made an important point about the new clause relating not to agencies, as my private Member's Bill does, but to individuals. Clearly, the new clause was tailored to the circumstances that this Bill provides for. As has been pointed out, services may be provided by family members, or by other people known to the recipient. Checks on the suitability of providers should be carried out, however, to ensure that some Joe Bloggs who meets a disabled person in a pub, having just ended a prison sentence for offences against an individual, cannot simply walk into a home and receive payments. The system must be properly regulated and inspected.

My hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) spoke of the need for sensitive provisions. Indeed, we do not want a clumsy mechanism; we want a sensitive means of dealing with the arrangements that will result from the Bill. My hon. Friend also spoke of practical good sense, and I hope that the eventual outcome of the Bill will be a practical system.

My hon. Friend the Member for Darlington (Mr. Milburn) reminded us that the new clause relates not merely to the interests of the person in receipt of services, but to monitoring of the use of public money. After all, a substantial amount of it will be in the hands of those purchasing services. As my hon. Friend said, some form of regulation would allow sanctions against the small number of unscrupulous people who would be attracted to such work. He pointed out that the Bill was a new departure, allowing people to contract on their own behalf. We should consider the implications of that.

Let me repeat my hon. Friend's point. Opposition Members believe that there should be consistency of regulation across the public and private sectors: we believe in an even playing field. That is an important part of Labour party policy, which I hope will be taken into account when we consider the conclusions of the Burgner review.

Having listened carefully to the Minister's speech, I noted that he did not disagree with any of the concerns expressed by hon. Members. He understands that there is

a problem—an anomaly. I hope that he appreciates that I am taking his word and assuming that he will ensure that action is taken following the Burgner review, which he says will appear shortly. I agree with him that problems might arise if we dealt with just one element of what is a wide-ranging issue. Although the Chair did not call me to order, my speech ranged beyond the specifics of the Bill, because, as the Minister knows, the issue extends beyond its provisions.

I hope that, in the course of the review, we shall soon see Government action. Having listened to the Minister, however, and given that he seems to understand the seriousness of the problem, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 6

NATIONAL CRITERIA FOR CONTRIBUTIONS

'.—(1) The Secretary of State shall issue guidance which has the effect of establishing national criteria as to the account to be taken by an authority of the financial circumstances of an applicant for a payment under section 1 or section 4 above.

(2) An authority making a payment under section 1 or section 4 above shall have regard to any guidance issued under subsection (1) above.'.—*[Mr. Milburn.]*

Brought up, and read the First time.

Mr. Milburn: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss also the following: New clause 7—*Review of impact of different charging policies*—

'The Secretary of State shall institute a review of the impact on the level of direct payments under section 1(1) and section 4(1) of this Act of differing local authority charging policies in respect of the provision of community care services, and shall report his findings to Parliament within three years of the date of the commencement of the review.'.

Government amendments Nos. 13 to 15.

Amendment No. 3, in clause 1, page 1, line 12, at end insert—

'(1A) Regulations under this section shall provide for the level of any payment under subsection (1) above to be calculated in such a way as to include all such costs as are reasonable to allow the person to fulfil his statutory obligations as an employer and to ensure adequate contingency arrangements in case of absence through sickness or other cause.'.

Government amendment No. 16.

Amendment No. 1, in clause 1, page 1, line 15, leave out from 'authority' to end of line 16 and insert

'shall, in determining how much to pay a person under that subsection, not require him to contribute more to the cost of securing community care services than it appears to the authority that it is reasonably practicable for him to contribute.'.

Government amendments Nos. 17 to 19.

Amendment No. 4, in clause 4, page 3, line 10, at end insert—

'(1A) Regulations under this section shall provide for the level of any payment under subsection (1) above to be calculated in such a way as to include all such costs as are reasonable to allow the person to fulfil his statutory obligations as an employer and to ensure adequate contingency arrangements in case of absence through sickness or other cause.'.

Government amendment No. 20.

Amendment No. 6, in clause 4, page 3, line 13, leave out from 'authority' to end of line 15 and insert

'shall, in determining how much to pay a person under that subsection, not require him to contribute more to the cost of securing community care services than it appears to the authority that it is reasonably practicable for him to contribute.'.

Mr. Milburn: The new clauses and amendments deal with a key principle which I think we all agree should underpin direct payments to disabled people: the principle of fairness. New clause 6 would establish a national framework for the charging and assessment procedures to which local authorities should have regard when making direct payments. Both service users and local authorities have become increasingly concerned about the extreme variations in the way in which authorities currently charge for direct services. The different charging systems mean that there are different yardsticks to determine how direct payments are made, the financial contributions that will be expected against those direct payments and the level at which such payments will be set for the individual disabled person.

Each local authority currently has discretion to charge for non-residential services under the Health and Social Services and Social Security Adjudications Act 1983. Broadly speaking, it is up to each authority to decide whether to charge and how much to charge, and, indeed, how to make the financial assessments that will determine the level of charging. Authorities therefore have considerable discretion when it comes to charging for such services.

In sharp contrast, local authorities are required to charge for the residential and nursing home care for which they contract. Laws and regulations heavily circumscribe what they can do, making it absolutely clear when—and, to a large extent, what—they should charge for such services. There is a marked difference between the national framework that the Government have rightly established for residential community care services, and the current free-for-all that is non-residential care provision. Clearly, the comparator in the Bill is non-residential care services, and that is the sector that has been booming over the past few years.

4.45 pm

That charging is very controversial for many disabled people, and for the organisations that represent them. There is concern that disabled people should not have to pay for services, or make a financial contribution to direct payments. Organisations such as the British Council of Organisations of Disabled People point out that the services that disabled people receive from local authorities—and, therefore, the equivalent direct payments that they will receive when the Bill becomes law—come about as a result of their disability. Those services and direct payments are essential to their means of living.

I am sure that hon. Members on both sides of the House will sympathise with the concern expressed by disabled people about charging for services. No hon. Member wants disabled people to be disadvantaged in relation to other members of society, and the last thing that any of us wants is for them to have to pay a double tax simply because of their disability. There is anxiety about

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charging, and therefore about the financial contribution that will be equivalent to the contributions made towards a service if that is what someone chooses.

As I said in Committee, we live in a far from ideal world. Charging goes on, and more local authorities are charging more for more services. Indeed, authorities are empowered to charge, and do so increasingly. New clause 6 does not compel them to do so; it merely seeks to regulate how they charge if they choose to do so. Above all, it seeks to bring fairness to charging procedures.

The absence of the sort of national framework that new clause 6 would establish is at least in part responsible for the enormous variations in the amounts that councils are currently raising in care charges. An analysis undertaken for me by the House of Commons Library, for example, shows that the cash raised by local authorities from community care charges overall rose by 27 per cent. in just one year. In 1992-93, English and Welsh authorities raised some £481 million in charges for services such as home helps and meals on wheels; by 1993-94—the latest year for which we had figures—charges had risen to £609 million. Nearly two thirds of councils in the two countries had increased the amount of their social services spending that was raised through charges.

There are wide variations in the amount of cash that is clawed back by local authorities charging for services. In Waltham Forest, the lowest in the country, only 1.4 per cent. of gross current social services spending is recouped through fees and charges, but in Buckinghamshire, the highest in the country, it is 18.4 per cent. The problem is that pressures on community care budgets undoubtedly force more local authorities to charge more for more services.

A second problem is that, by creating incentives to charge but refusing to offer clear guidelines to local authorities on charging policies, the Government have invented a charter for confusion. The result of not having a national framework for non-residential care services is not only that more local authorities charge more for a greater number of services but that different local authorities operate markedly different means of charging. Local authorities make different assessments of the value of disabled people's assets and incomes—even their benefits—when calculating what financial contributions they should make towards a service. If they make different calculations for direct services, they will also make different calculations when assessing the direct payments that they make under the Bill.

A number of organisations—not just disability organisations—have expressed great concern about the lottery that we currently have in charging provision, and local authority associations, for example, have spent many months trying to establish new protocols that they can issue to their member authorities on what is and what is not appropriate for local charging regimes. Of course disability organisations are concerned about the operation of those regimes, but, in the past few months, equally as reputable an organisation as the Audit Commission has highlighted the fact that people on income support in one authority may be charged more for care than people in receipt of a much higher income in another authority, simply because of the latitude that local authorities have in determining their charging procedures. Clearly, disability organisations are concerned that people's benefits are often used to pay charges and that their disability-related living expenses are not always fully taken into account when their ability to pay is assessed.

Amendment No. 3, for England and Wales, and amendment No. 4, for Scotland, would address the specific disability related cost concerns. They would ensure that when a local authority makes a direct payment it should properly take account of a disabled person's expenditure as an employer. There are lessons to be learnt from the experience of the independent living fund and from existing indirect payment schemes operated by local authorities. Once again, the British Council of Organisations of Disabled People has highlighted how a failure properly to assess employer costs has led in some instances to poor employment practices and to more strain on the disabled employer.

Similarly, just last year, the National Consumer Council highlighted the fact that different local authorities charge in markedly different ways in different parts of the country. It also found that widely different criteria were used to assess people's ability to pay. I mentioned in Committee that the Disability Alliance has indicated that forthcoming research shows that disabled people can be asked to pay double or even treble the charges that are paid by people who live in other areas but who receive broadly similar services.

New clause 7 would impose a duty on the Secretary of State to become a key player in assessing the impact of local authority charging procedures. It asks him to report to Parliament on how those procedures affect the operation of the direct payments approach. However helpful such retrospective action might be, a proactive initiative is what is most needed. Leaving it to the discretion of local authorities to decide how disabled people's financial status is taken into account when setting the level of direct payments runs counter to the principle of fairness that we all, surely, want the Bill to promote. People in one part of the country will be assessed in a markedly different way from people in other parts of the country if the Bill, as drafted, is passed; in other words, disabled people in neighbouring authorities will receive markedly different direct payments because of the way in which local authorities assess for financial contributions.

I take the view that disabled people and the care that they receive, the contribution that they are asked to make, and indeed the price that they pay for their care, should not depend on where they live. I do not believe that any hon. Member wishes a new national lottery in community care provision to be created. We already have that for direct service provision. We should seek to avoid that for direct payments.

New clause 6 seeks to move the Government towards a national charging framework so that disabled people across the country are treated equally and fairly.

Mr. Bowis: Will the hon. Gentleman clarify whether he is seeking a common charging framework or policy across the country? He referred to the range of charging, from Waltham Forest to Buckinghamshire. Under a Labour Government, would he reduce the level of charging in Buckinghamshire to that in Waltham Forest or would he raise the level of charging in Waltham Forest

to that in Buckinghamshire? Where would he set the charge? If he does not leave it to the discretion of the local authority, he will have to set it.

Mr. Milburn: The Minister has the wrong end of the stick. The idea is not to specify a set level of charging across all parts of the country; it is to determine the way in which assessments are made. As I shall explain later, we envisage a method whereby, through consultation, we reach consensus on the framework with disability organisations, with people concerned with elderly care and, indeed, with older people themselves as well as providers. The point is that people in my part of the world, in County Durham, should not be assessed differently from people in Dorset. They might live in different parts of England, but their needs will not vary markedly.

Because of the latitude in charging methods, however, the Bill should enable the Government to consider ending the restrictions on choice for community care service users and direct payment recipients. The new clause seeks to persuade the Minister that his Department should issue clear guidelines to local authorities on the charging and assessment of people's financial circumstances in regard to direct payments, after proper consultation with disability organisations, local authority organisations, consumer organisations and others. I believe that there is already a basis for consensus.

Mr. Thurnham: Will the hon. Gentleman explain his concept of fairness? It does not seem to me to be fair to have a uniform system imposed on everybody by some central diktat. People should be allowed to decide locally what they think is fair and, if they think that local decisions are unfair, to make strong representations to get them changed locally to what they think would be fairer.

Mr. Milburn: Would the pressure on central Government or local government have brought about changes to policy in the way in which the hon. Gentleman and I would like? The world is not always as straightforward as that, is it? Therefore, the idea behind the national framework is to lend power to the concerns of local people, disabled people, in local settings.

I shall tell the hon. Gentleman just what fairness means—it is where disability-related benefits are assessed fairly and equitably in different parts of the country. That does not happen at the moment; instead it is a lottery that bears down on individual disabled people. We are trying to deal with that through the national framework contained in new clause 6.

5 pm

Dame Elaine Kellett-Bowman (Lancaster): I am as puzzled as my hon. Friends. Local authorities have begged to be given this service to operate. The Labour party usually wants to give more powers to local authorities, but, instead, the new clause will emasculate them.

Mr. Milburn: I am not sure whether the hon. Lady is arguing for or against emasculation. Clearly, the current latitude allowed to local authorities to decide charging procedures is not fair. Fairness—the famous level playing field about which the Minister spoke in our previous debate—is the common concern that we all want established in the Bill. This element of charging is missing from the Minister's level playing field. We hope, through our arguments, to persuade him to accept it and to embody the principle of fairness in the Bill, which is fair in other ways.

New clause 6 would enshrine in the Bill the principle of a national framework that would cover not only residential but non-residential care services. That approach is advocated by local authority associations. The hon. Member for Lancaster (Dame E. Kellett-Bowman) jumped to the defence of local authorities, but she would do well to take note of the Association of Metropolitan Authorities and the Association of County Councils, which back the idea of a national framework. They are also looking for assistance, advice and clarity.

Many disability organisations—for example, Disability Alliance—also favour that approach, which would enshrine the principle of fairness in the Bill. Surely it is unfair that some people are treated differently from others simply because of where they happen to live and the policy adopted by individual local authorities in their areas. A national framework, as advocated in new clause 6, would end that unfairness, but it would still leave it to the local authority to decide whether to charge.

I repeat that this is not about imposing on local authorities any obligation to charge or a target level for charges, as the Minister called it. It is merely a means to ensure that, if they want to charge, like is compared with like and people in different parts of the country are treated equitably.

That principle of fairness also underpins amendment No. 1, relating to England and Wales, and amendment No. 6, relating to Scotland. They would ensure that the financial assessments that are made by a local authority in determining the charge for a community care service also apply to the determination of the equivalent direct payment. Once again, the objective is to compare like with like. If a service is free, the equivalent direct payment should be free. A disabled person should not be required to make a financial contribution towards a direct payment if he or she is not making a financial contribution towards the equivalent service.

Similarly, if the service is means tested, we accept that a disabled person should make a contribution towards the direct payment. Once again, it is the famous level playing field being established between services provided and direct payments. The priority must be to establish a level playing field within a local authority so that there is neither advantage nor disadvantage in receiving a direct payment or the equivalent service. None of us wants there to be any form of perverse financial incentives either as impediments or as obstacles to receiving direct payments or any financial incentives for receiving them.

Dame Elaine Kellett-Bowman: How on earth can we nationally decide what is reasonably practicable? What is reasonably practicable for one local authority could be impracticable for another. That is not remotely national; it is purely subjective for the local authority concerned.

Mr. Milburn: If the hon. Lady will bear with me, I shall try to allay her concerns, especially about national criteria.

Our debates in Committee were about maximising choice and ensuring that disabled people were free to choose whether they wanted to receive a service or an

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equivalent direct payment. There does not appear to be any disagreement about fairness, level playing fields or equality of provision. The problem is that the Bill does not apply those principles.

A local authority's power to charge for services is contained in section 17 of the Health and Social Services and Social Security Adjudications Act 1983, which states that when a local authority is satisfied that a person's means

"are insufficient for it to be reasonably practicable for him to pay for the service"

he should not be required to pay more than what is

"reasonably practicable for him to pay."

In other words, any charging policy for service provision uses the test of what is reasonably practicable. The phrase "reasonably practicable" is not contained in the Bill, which instead says that an authority should have regard to the person's financial circumstances. That appears to involve a harsher and a much more stringent test than that contained in the Act.

The original draft of the Bill seemed to involve a means test at all stages, whether or not the equivalent service was free. That may or may not have been the Minister's intention; I do not think that it was. Nevertheless, that would have been the outcome of the Bill. In Committee, the Minister kindly agreed to take away our amendments for careful consideration. I welcomed his positive response then and I welcome it now. The results of his consideration are Government amendment No. 16, the consequential amendments Nos. 13 to 15 and their Scottish variant, amendments Nos. 17 to 20.

Those amendments more clearly reflect the provision in the 1983 Act. As they no longer imply a means test, I welcome them—but with one extremely important caveat. The Government's amendments make explicit a proposal that is not contained in our amendments—that direct payments be made net, not gross, of charges. I shall return to that matter later when we debate amendments Nos. 9 and 10. For the time being, I merely state that such an approach actively discriminates against the direct payment recipient in favour of the direct service user. Again, I am sure that that is not what the Minister intended. It runs counter to the principles of fairness and the famous level playing field between users and direct payment recipients. Therefore, I urge the Minister to consider withdrawing his amendments in favour of Labour's amendments.

We want direct payment recipients and direct service users to be treated equally and fairly. We want no impediments or incentives to prevent disabled people from making a genuine choice in the form of their care. We want all disabled people to be treated fairly—whatever form of care they choose and wherever they live. I hope that the House will agree to give them that choice by passing new clause 6 and the new clauses and amendments that are grouped with it.

Mr. Alfred Morris (Manchester, Wythenshawe): I want briefly to discuss amendments Nos. 1 and 3 and new clause 6 in this group. I am happy to do so, more especially after that impressive speech by my hon. Friend the Member for Darlington (Mr. Milburn).

Amendment No. 1 would make means tests for direct payments identical to those for services, while new clause 6 seeks to make all means tests that are imposed more or less consistent throughout the country. To allow different means tests to be applied would enable local authorities to sway the decision of an entitled disabled person, either towards its services or towards a direct payment, depending on their own preferences or political proclivities. That would be wrong and unfair.

I believe that fairness will be achieved only if, in addition to the section 7 guidance that the Government have promised, the wording in the Bill covering the assessment of the contribution in the case of a direct payment is identical to the wording used in the assessment of a contribution towards local authority services in section 17 of the Health and Social Services and Social Security Adjudications Act 1983

("reasonably practicable for him to pay".)

In Committee in another place, the Minister gave assurances that neither service users nor direct payment recipients would be treated more favourably than the other on the question of the financial contribution that each is expected to make towards the cost of their care. She spoke, as did my hon. Friend the Member for Darlington, of a level playing field and of no perverse financial incentives. She then went on to refer to section 7 guidance on this important issue. That is in House of Lords *Hansard*, 15 January 1996, at columns 402 and 403.

Such assurances are heartening, but they fall a little short of requiring the same means tests for services as for direct payments. To achieve a truly level playing field, the two means tests have to be at least similar, if not identical. The amendment uses the words "reasonably practicable" in describing the assessment of needs for direct payments. Those are the identical words used in section 17 of the Health and Social Services and Social Security Adjudications Act in relation to services. I can see no valid objection to using the same words for the two means tests.

The changes now proposed to the Bill seem to me to be a reasonably practicable way of achieving what everyone—including the Government—professes to want.

Amendment No. 3 would ensure that the full costs of securing a service are taken into account by local authorities in calculating direct payments. Leaving aside the question of the contribution from the recipient, the payment should cover the real full cost of securing the agreed service. In the case of an agency providing the service, it should allow the agency's staff to enjoy terms of employment similar to those offered to local authority staff. If it is used by the recipient directly to employ a helper, the payment should allow the recipient to fulfil all her or his duties as a good employer.

In assessing how much a service provided by a local authority costs, the authority should ensure that the real total cost of providing the service is calculated. That should include all overheads and supervisory and administrative staff costs. The comparison between direct payments and in-house costs relating to individual clients must not allow a local authority to introduce direct payments as a means of reducing the quality and cheapening the cost of providing essential services.

Turning to an associated issue, I welcome the proposal in the Government's consultation paper, at paragraph 20, that a local authority will allow an individual to supplement whatever she or he receives as a direct payment from her or his own resources. In all such cases, however, the local authority must somehow be prevented

from reassessing what the individual can afford and demanding an increased contribution. Again, that is an important issue, to which I very much hope the Government will make a helpful and positive response today.

5.15 pm

Mr. John Heppell (Nottingham, East): I congratulate my hon. Friend the Member for Darlington (Mr. Milburn) on providing such a full explanation about new clauses 6, 7, and 1 and Government clause 16. However, that also presents a problem. Because he gave such an excellent and comprehensive explanation, there is very little left to say. Moreover, the points that he missed were picked up by my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris). So I am somewhat left at a loss, and, no doubt, Conservative Members would like me to sit down. But I should like to say a couple of things.

It is important that we have the necessary framework in place to ensure that people are not discriminated against on a geographical basis and that there is equity. New clause 6 is important in that respect. As for the review, I should have thought that Conservative Members would always think that it is sensible to review progress, to report back and to fine tune. That seems to be sensible to me.

I suspect that, later today, we will debate the Government's concerns about eligibility. I think that they, wrongly, have a vision of opening the floodgates and people rushing in to take up direct payments. I believe that the opposite will be true and that, in some areas, the services will have to be promoted if people are to take advantage of them.

One thing that can affect eligibility—I do not think that the Minister has taken it into account—is charging. If charging is excessive, people will not take up direct payments. If we get the charging wrong, we will put restrictions on disabled people who wish to take up this new, excellent facility offered by the Government.

The "Disabled in Britain" survey, which was conducted by Scope in 1994, quite correctly made the point that 72 per cent. of disabled people want more independence and that 59 per cent. of disabled people would like more control over their everyday lives. So the issues are choice, independence and control. However, those goals do not seem to accord with what people have said about what they might have to put up with because of the charging policy and its effect on direct payments. One person said:

"Relying on other people is the most frustrating part of my life, not being able to do what I want, when I want".

That frustration would end with a proper direct payment scheme.

Another person said:

"Once I was left in bed for over 40 hours, and on two occasions they should have got me up at 9 am but came at noon."

That could end with a proper direct payments scheme.

Another person said:

"Home helps and night sitters who get me out of bed suddenly, without notice, don't turn up, and I have to ring people and get them out of bed to help. Social Services 'out of hours' emergency phones are not manned."

We have all heard the horror stories about people who, sometimes through no fault of the local authority, are told, "Well, you may want to get up at 7 o'clock or 8 o'clock in the morning, but you cannot get up till 10 o'clock in the morning because that is the earliest that we can send someone to get you up. You may want to go to bed at 9 o'clock or 10 o'clock at night, but unfortunately you have to go to bed at 5 o'clock or 6 o'clock at night because that is the way the local authority service is geared." By excessive charging, we could rule out many people who want to make use of that facility.

I now turn to a survey on charging for community care services which was reported in a briefing to the all-party disablement group on 27 February. It is important that we recognise what disabled people think about present charging policies. The study was called, "The Cost of Care—the impact of charging policy on the lives of disabled people." It was commissioned by Disability Alliance and Social and Community Planning Research, and it was funded by the Joseph Rowntree Foundation. The disabled people interviewed had a high level of dependency on care provided and most had little scope to reduce or withdraw from services. People are captives in terms of the amount of care they have to have, so we must be careful that we do not overcharge them. Market forces do not apply.

One of those interviewed said:

"I can't do without that service, no matter what happens. You know, when push comes to shove I've got to go to the toilet."

That is why the service is needed. If the charges are raised for such a service, there is no way that someone can say, "Well, that charge is too high and I'm going to drop out of it."

There was strong evidence that people were receiving fewer services than they needed and were reluctant to ask for more. One reason was that they thought that the local authority did not have enough resources and the second was that they were worried about charges. We need to ensure that we get the charges right so that we do not put people in that position in future.

Service users found the charging process confusing and uncertain. The quality of information that people received about charging systems was variable, with some users having no recollection of any written information. People were unclear about why charges were introduced and about how their individual charges had been calculated. That is the important point. As set out in new clause 6, we need a framework that will allow people to see how their charges have been allocated.

There are difficulties for disabled people with charging. If one looks in isolation at a service that a disabled person receives and if one assesses his or her income, one might think that he or she could easily afford that service. But people may require several services. They may have not only a home help, but meals on wheels; they may attend a day centre or receive a number of different services. If charging is done on the basis of individual services, people with disabilities may be overcharged and some of the money that they receive as a result of their disability, which needs to be spent because of their disability, may be taken into account when their income is assessed. I hope that the Minister will bear those points in mind and that he will look favourably on new clauses 6 and 7.

Mr. Barry Field (Isle of Wight): I apologise to you, Madam Deputy Speaker, and to the House for not having been present in the Chamber throughout the debate, although I have been following it on the monitor.

[Mr. Barry Field]

The hon. Member for Nottingham, East (Mr. Heppell) mentioned market forces. One of the problems, as my hon. Friend the Minister knows well because he has been attentive in listening to the case put by the Isle of Wight on a number of occasions on these difficult issues, is that in a small community that is severed by sea from the mainland, the oversupply of just a few beds causes a problem in terms of market forces, just as having too few beds would, although that has not been the case in recent years. Despite our best efforts, although the Isle of Wight has a very high standard of care in both the public and private sectors, it is often impossible to get relatives to send clients to the island for care because visiting them by ferry would be an extra difficulty. It is rather difficult to operate market forces in this area.

Much has been said about regional variations. As my hon. Friend the Minister knows—I have told him this almost ad nauseam—the island has exceptional statistics. We have one of the highest populations in the United Kingdom who have elderly and disabled needs and who live independently. One of the curious things in the formula is the question of home ownership. As property prices generally on the island are fairly low in comparison with those in the surrounding mainland area and as there has always been a high level of home ownership—one of the highest in the UK, if not the highest—the formula conspires against the Isle of Wight. Of course, we think that everything conspires against the Isle of Wight.

I thank my hon. Friend the Minister for having arranged the independent review, to which he referred earlier. That has been widely welcomed by the private sector and I hope that it will come to some conclusions. I also hope that it will produce results which will smooth the whole process.

The hon. Member for Nottingham, East spoke about disabled clients' needs. I have raised the matter with my hon. Friend the Minister and it is of concern to a number of private home operators. There is a view—I do not say that it is anything more than that because I do not want to re-energise a debate of which we have had rather a lot on these vexed issues—that the local authority tends to accept for its own homes those who have long-term disabilities and long-term requirements. They have a client list of those who are likely to require longer-term arrangements than those who are placed with the private sector. I do not say that that is definitely so, but I draw my hon. Friend's attention to it. I hope that in due course, the independent review will look at that.

I take this opportunity to apologise to my hon. Friend. When I came to see him with a deputation, Isle of Wight council said that the situation involving Islecare, the council's arm's-length company—it is subsidised by the council—which runs homes, had been resolved. I now find that not to be the case although I very much hope that it will be in the next few weeks. I take this opportunity to put on the record my apology for having misled my hon. Friend, although not deliberately.

Mr. Alan Howarth: The hon. Gentleman will be able to tell the House whether it is still the case in the Isle of Wight, as it was reported to be in 1995, that if one of his constituents receiving care in his own home from the Isle of Wight social services department had savings of more than £16,000, he would be required to pay a rate of £7 an hour for home care. Does the hon. Gentleman agree that if that formula were applied in assessing the contribution that should be made for direct payment, it would entirely wipe out the direct payment? I imagine that he would not find that a pleasant prospect to contemplate for his constituents. If he is unable to tell me whether I am right in my surmise, perhaps the Minister will tell me when he replies to the debate.

Mr. Field: I am reluctant to be tempted down that route by the hon. Gentleman. What he will not know, and what has not been reported in the national press, is that there has been a lively debate on the implementation and the interpretation of the legislation concerning my constituents between the Isle of Wight council and the health authority. Quite a bit of correspondence has flowed back and forth between my hon. Friend the Minister and his legal advisers and me about precisely how the legislation is to be interpreted.

As my hon. Friend the Minister will know, we found ourselves in a rather strange situation: the health authority had a different charging rate for similar care to that operated by the Isle of Wight council. In fact, it was markedly cheaper. Since the article in the press, we have a new director of social services, Bob Culshaw, and an absolute assurance by the chairman of social services and the health authority that there will be no more nonsensical duplication of effort and empire building involving public money.

The debate concerns about 130,000 people on the Isle of Wight, of whom just under 102,000 are on the electoral register. It could not be more nonsensical than to have two separate empires competing to provide the same sort of care and service for the same clients. I am pleased to say that, with much council and health authority co-operation and much help from the Minister, we are beginning to see an end to that duplication and much more joint working and effort, which is the only way in which such legislation will ever work.

5.30 pm

Mr. Bowis: I am grateful to my hon. Friend the Member for Isle of Wight (Mr. Field) for eloquently and, to a certain extent, ingeniously bringing to the House's notice some of the Isle of Wight's problems and the solutions that are being found. Although, of course, the Bill does not cover the provision of beds, other than those used for respite care, his points about inspection and comparability are well made. I have certainly listened to his points, as I have to those raised by the right hon. Member for Manchester, Wythenshawe (Mr. Morris) and the hon Members for Nottingham, East (Mr. Heppell) and for Darlington (Mr. Milburn).

Mr. Alan Howarth: Before the Minister leaves the subject of the Isle of Wight, will he say whether there could be any circumstances in which the contribution could exceed the amount of a direct payment? If so, does he intend that local authorities should use a power to abate the requirement? Otherwise, someone theoretically receiving direct payments would be denied both the service and the direct payment.

Mr. Bowis: Under the Bill, with its regulations and guidance, the contribution could not be more than the cost

of the service. That would be absurd, as has been made clear in everything that we have said. Charges have to be reasonable, as they do right across the board—irrespective of direct payments. I would want evidence of any such case to be brought to my attention to see how such an anomaly—if that is what it is—had come about.

Amendments Nos. 13 to 20, to which the hon. Member for Darlington referred, fulfil the commitment that I made in Committee. We were conscious that some people felt that the wording of the Bill might be interpreted as implying that local authorities, under their charging policies, should treat people who receive direct payments differently from the way that they would treat people who receive services direct. We were satisfied that the Bill would not have that effect, but I think the added clarity that the amendments provide will be helpful, and I am pleased to draw the amendments to the attention of the House. They amend the wording to match more closely the wording in existing legislation on charging, as has been said.

There is no difference between my view and that of the hon. Member for Darlington. If he looks carefully at the amendments that he has tabled, linked with clause 1(1) and 1(2), he will see that there is clearly a net operation and that there is no difference between the effect of either his amendments or ours. As he said, we will return to the net issue in a later debate.

The local authority is not required to means test. If the authority proposes a financial contribution, and the person receiving direct payments satisfies it that he cannot reasonably afford that amount, it must reduce the amount that that person is expected to contribute to a level that it considers he can afford, if anything. That puts it in line with the law in relation to charging for non-residential services. Both the current law and the Bill leave local authorities discretion over whether—and, if so, how, and how much to charge—to set a flat rate or a scale of charges.

New clause 6 provides for the introduction of national criteria for charging, which we discussed at some length in Committee. As I said then and must say again, it is not appropriate to try to address that much wider issue in this Bill. We kept returning to our favourite phrase "a level playing field" in Committee, and I return to it again. To introduce national criteria for direct-payments recipients, but not for people who receive services, would create a two-tier system. That would seriously undermine the level playing field that we are trying to create as a result of our amendments, for which Opposition Members have been pressing.

Mr. Milburn: I should like to clarify the Minister's thinking. Is he saying that his opposition to new clause 6 is a matter of practicality or of principle?

Mr. Bowis: I am saying that opposition to it involves a certain amount of practicality. The practicalities concern not just direct payments but issues that my hon. Friends have raised about how one could establish a national criteria and a national charging scheme. I think that it would be unworkable and unwelcome.

I turn to new clause 7. We are already committed to reviewing how direct payments work and to reporting our findings to Parliament within three years of them becoming available. That review will look at how the Act is working. It would not be appropriate for it to examine how different local authorities are exercising their discretion on charging. Differences in local authority charging policies are a much wider issue than direct payments and are monitored in other ways. Local authorities are, of course, accountable to their local electorates and the district auditor for their charging policies. We shall expect local authorities to act under the requirements of the Act and the guidance that we intend to issue. There is no need for an additional review of the impact of different charging policies on direct payments.

On amendments Nos. 3 and 4, and as I have already explained, the level of a direct payment must be sufficient to enable the recipient to secure the services that the payments are intended to cover—this may help the hon. Member for Stratford-on-Avon (Mr. Howarth)—and must enable them to do so legally. Payments must not be so small that people can afford the services they need only by breaking the law and not complying with legal responsibilities such as paying tax, and so on. If a local authority deliberately offers inadequate direct payments, it would not, in effect, be offering direct payments at all. It would not be a proper exercise of the authority's powers and could be challenged.

As I have said, the Government intend to issue section 7 guidance saying that the direct payment should be sufficient for the individual to purchase the relevant service—taking into account, of course, any financial contribution that the authority judges that the individual can afford to make towards the cost of care. The guidance will say that the level of payment should be set taking account of the fact that it may involve legal responsibilities, such as paying VAT, or national insurance. Local authorities must also have regard to value for money—this addresses some of the arguments in Committee—and may not be prepared to fund specific costs if the service can be secured more cost-effectively in another way.

Local authorities will need to discuss with people what contingency arrangements should be made using direct payments, and they will need to bear in mind the cost of those arrangements in setting the level of direct payments. If a contingency arises for which someone does not have cover, resulting in that person's needs not being met, under clause 2, the local authority's responsibilities towards that person will be the same as if no direct payment had been made. People will not be left without the care that they need.

The safeguards are adequate and it would not be appropriate to go further. Subject to the Bill's requirements, local authorities must determine the level of direct payments. Just as authorities decide on the nature and level of a community care service someone receives, so they have to decide on the level of the direct payment, the basis of its calculation and what it is meant to cover. Not everyone who receives direct payment will wish to become an employer, although many will. Others will contract with an agency, or secure services in some other way. To give local authorities a legal duty to include an allowance for a specific item that would not necessarily be relevant would not be sensible and would fundamentally undermine local authorities' discretion in their dealings with individuals—which, after all, is at the heart of community care legislation. I ask the hon. Member for Darlington to think again on the new clause. In doing so, I hope that he will join me in supporting the Government

[Mr. Bowis]

amendments that were tabled in response to Labour's earlier amendments. I hope that we can have a meeting of minds on that, at least.

Mr. Milburn: I am grateful to the Minister for his response. It seems that that well-bandied around phrase "level playing field" has different meanings in different parts of the House. I am grateful to him in particular for tabling a new amendment that clarifies some of the concerns that disability organisations have raised with all members of the Committee about an inclination towards a means-tested system. That much is clear, and we will return to the issue of net and gross charges in a later debate.

From what the Minister has said about his concerns about a national framework for charging, it seems there is some agreement about the difficulties in implementing such a framework. I noted with interest, however, that the Minister seemed to indicate that, in principle, he was not opposed to the concept.

Mr. Bowis *indicated dissent.*

Mr. Milburn: The Minister is on the record as saying that.

Mr. Bowis: I am grateful to the hon. Gentleman for allowing me to put on the record that that is not the case. I stress that there were good practical reasons why I thought that such a scheme was not only inoperable, but would be undesirable and unwelcome. Because of that sensible set of practicalities, I formed a principle upon which I am opposed to the scheme.

Mr. Milburn: I just about followed the Minister's logic. Who does he have in mind when he says that the scheme would be "unwelcome"? Disability organisations welcome the idea of a framework that brings some clarity. Local authorities—which must administer the direct payments and the community care charging framework in general—welcome the idea of a national framework, as do the local authority associations. When he says that it is unwelcome, he means that it is unwelcome in the minds of Ministers. That is all well and good, but he cannot claim to speak for the nation on this matter.

I am concerned because the principles of fairness and equality are central to the thrust of the Bill. Those principles have been articulated in the phrase "a level playing field", but I am concerned that the Minister wants to have his cake and eat it. He wants to be able to say that there is equality between direct service recipients and direct payment recipients while leaving it up to the local authority to interpret that equality.

The new clause and the amendments aim to bring clarity to that position. They do not aim to impose anything upon local authorities, but intend to operate a fair and equal framework that can apply in all parts of the country. I am disappointed by the Minister's response, but since we need to make progress on other important matters I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

DIRECT PAYMENTS

5.45 pm

Mr. Bowis: I beg to move amendment No. 11, in page 1, line 9, after 'services,' insert

'and

(b) the person is of a description which is specified for the purposes of this subsection by regulations made by the Secretary of State,'.

Madam Deputy Speaker: With this, it will be convenient to discuss also Government amendment No. 12.

Mr. Bowis: As we have heard today and on many occasions in the past both inside and outside the House, the Bill has overwhelming support in the country. The Labour party was of course initially hostile, as we saw during the debate on the Queen's Speech, but I think that Labour came to see the great potential benefits for disabled people—not least having spoken to representatives of the disability lobbies—and so, happily, it has been able to support the Government's measure. I very much welcome that.

Mr. Tom Clarke (Monklands, West): We seem to have witnessed a change of personality by the Minister within a few minutes. On what basis does he claim that Labour opposed direct payments during the debate on the Queen's Speech? There is not a shred of evidence to support that.

Mr. Bowis: If the hon. Gentleman reads the *Hansard* report of the Queen's Speech debate, he will find that some of his hon. Friends put forward—

Mr. Clarke: Who? The leader of the Labour party supported the idea.

Mr. Bowis: No, not the leader of the Labour party. If the hon. Gentleman looks at the *Hansard* report, he will find that some of his hon. Friends cast aspersions on the principles—largely because they were worried that they might be some form of privatisation. I am seeking to embrace the hon. Gentleman in support of the measure, and I acknowledge that he now gives 100 per cent. support to the Bill.

The Bill comes from a long campaign by individuals and groups who wanted the independence and the flexibility to manage their disability and their working lives so that they could more easily hold down a job or voluntary work, so that they could more easily bring up a family—as I saw the other day—and so that they could have more dignity in their relationship with the people who provided care services for them. That was reflected in what the hon. Member for Nottingham, East (Mr. Heppell) said.

My noble Friend Lord Macoll pioneered legislation that was picked up and developed by my hon. Friend the Member for Mid-Kent (Mr. Rowe)—

Mr. Alfred Morris: On a point of order, Madam Deputy Speaker. My concern about the Minister's speech

arises from a suspicion that he may have picked up the one prepared for him by his officials for Third Reading, rather than the one for the amendment. We have limited time, but is that what has happened?

Madam Deputy Speaker: That cannot possibly be a matter for the Chair.

Mr. Bowis: I am grateful, Madam Speaker. If the right hon. Member for Manchester, Wythenshawe (Mr. Morris) listens, he will discover where my argument is leading. I am sure that he would join me in paying tribute to my hon. Friend the Member for Mid–Kent and the other parents of the Bill, including my right hon. Friend the Member for Chelsea (Sir N. Scott) and my hon. Friend the Member for Bolton, North–East (Mr. Thurnham).

Another stalwart advocate of the Bill was my erstwhile hon. Friend the Member for Stratford-on-Avon (Mr. Howarth), who urged us to bring this in on a limited basis so that it could be seen to work and so that it would reassure those who were genuinely concerned about the potential costs and about numbers of applicants. Although he believed at that stage that there should be a tight definition of disability to limit eligibility, we have gone much further than that. Nevertheless, I agreed with him then, as I do now, that the pace of implementation is important.

We suggested that there should be waves of implementation, as have been used successfully when introducing other health and welfare reforms. It is because the idea at first came from disabled people of working age that we thought it right that they should go first. We did, however, listen carefully to the people who had contributed to our consultation exercise—including hon. Members from all parties—and decided as a result to expand this first wave to include learning as well as physically disabled people.

It was, and is, our clear intention that this was to be the first wave and that other waves would follow. Indeed, I am able to confirm that, at the end of the first year of the operation of the scheme, we shall review it with a view to extending it to people over 65. This would, as is only sensible, be subject to there not having been serious problems apparent in the first year of operation that demanded a refining or revision of the scheme in some way. I hope that that puts at rest the concerns that I know have been genuinely felt by colleagues in the House and by some people outside that the Bill in some way excludes older people for all time.

Mr. Alan Howarth: I am grateful to the Minister for what he has just said, but although there is a strong practical case for phasing and taking such an enormously important and beneficial change at a manageable pace, why does he insist on arrogating to himself and to the Government the power to determine the rate of that change? Why should it not be for local authorities to determine the process and the timing of the introduction of the scheme? Would it not be far better to assess the eligibility to receive direct payments in terms of individual need rather than of broad and inevitably crude categories of claimants? To do so on that basis is inevitably discriminatory.

Mr. Bowis: As the hon. Gentleman acknowledged, initially he wanted to limit the scheme to a narrow category and we are seeking to go further—I shall return to his point about local government. However, I certainly do not want to arrogate anything to myself or to my right hon. Friend the Secretary of State—good as arrogation to him would prove to be. I want to arrogate the power to Parliament. Under the Bill, it is a matter for the Secretary of State to bring to Parliament the phasing of those waves of implementation. That is sensible.

Mr. Kirkwood: The Minister said that he would consider extending the scheme to the elderly after the first year. Will he go further and consider establishing some pilot projects to extend the measure to the elderly during that first year? That would demonstrate his good faith and show that he had in mind extending the measure in due course.

Mr. Bowis: I do not intend to put that on the face of the Bill, but there is nothing to stop pilots—as the hon. Gentleman would describe them—being established under existing and voluntary schemes, as that might help to inform the pattern of activity. We shall be interested in how the implementation takes place, and, once local authorities become responsible for the schemes, whether they are able to set them up effectively and manage the demand, the procedures and the monitoring in such a way as I desperately want, so that the measure works and gains public respect and support and does not collapse in recriminations.

Mr. Tom Clarke: We are at the heart of the legislation and we want to be clear as to the Government's position. If the Government happen to be in office in 12 months' time, will they review the position, or is the Minister telling us today that they will remove the exclusions in 12 months' time?

Mr. Bowis: No. I have tried to make it clear that when the scheme has been operating for a year, we shall be able to assess—not with any great bureaucratic procedures, but in a fairly simple, straightforward way—how well it has worked in the first year. As I said, we shall do that with a view to extending the scheme, provided that no substantial problems have been identified leading to its refinement, review and reform.

Mr. Clarke: I am genuinely grateful to the Minister for giving way again, but we want to be absolutely clear. What evidence of information does he think that there will be in a year's time—if his party happens to be in Government—that we do not have now?

Mr. Bowis: We shall have, in Government, evidence of a year's operation of the direct payments scheme. I shall return to the hon. Gentleman's point, but I want to deal with some serious issues. I hope that he will take the matter seriously as it is important to look carefully at how the scheme is operated. We share the same objective. We all want to make it possible for everyone who is eligible to benefit, but I want to make sure that we have a system in place that is operating effectively.

Mr. Roger Berry (Kingswood): Will the Minister give way?

Mr. Bowis: I shall make some progress and then of course I shall give way.

[Mr. Bowis]

I wish to dismiss one piece of nonsense that has crept into some of the public discussion of the matter. Much has been said about discrimination. I want to underline absolutely and clearly that the measure does not discriminate against older people, any more than it discriminates in favour of disabled and learning disabled people. It is simply an operational matter of who is in the first wave and who is in the second and any subsequent waves. Everyone to whom I have spoken—I have heard it again today—agrees that implementation must be phased.

In answer to the hon. Member for Stratford-on-Avon, social service departments made it clear that they wanted phasing and a clear two to one majority of those who wanted phasing wanted the Government and Parliament to set the phases. The lobbies and groups wanted phasing, but I have to say—I have spoken to many of them—that they are not of one mind as to how it should be done. Some wanted phasing by numbers—rationing on the basis of first come, first served—others wanted phasing by level of costs, others wanted geographical pilots and others thought that the whole onus should be placed on the shoulders of local authorities to decide their own phasing policy.

Since our debates in Committee, I have re-examined all the options. I have met a range of people with experience in these matters and I have visited and talked to the members of one of the best existing schemes in Kingston upon Thames. Each of the alternatives to the one that we have proposed results in difficulties, anomalies and unfairnesses. I have pointed out that social services at operational level wants Parliament to set the phasing. Phasing by numbers would mean that two people with equal needs and equal abilities to manage a direct payments package would be dealt with differently. That could lead only to resentment and possibly even to judicial review.

Rationing by cost would seem to be both unfair and a perverse incentive to increase the cost of a package in order to qualify. I also have the words of my hon. Friend the Member for Brighton, Kemptown (Sir A. Bowden)—what I call the "Kemptown warning"—ringing in my ears. On Second Reading, he rightly and fairly pointed out that once local authorities had the discretion to introduce a scheme, local pressure groups would be unremitting in their determination to see them do so. My great fear is that, without an effective phasing mechanism, authorities with no experience of any scheme whatsoever would either decline to start one, or would try to do everything at once and make a hash of it, perhaps with vulnerable people suffering.

Sir Andrew Bowden (Brighton, Kemptown): My hon Friend mentioned what he calls the "Kemptown warning". I understand when he is saying about phasing. If he were to give the House a specific timetable—based on exact dates—as to when the scheme would come into operation, phased, I would find that quite acceptable. I am in a difficult position as I know that my hon. Friend is saying with total good faith that he wants to review, consider and examine the position at a particular time without making a firm specific commitment. However, will he look again at phasing and say over what period of time—specifying the length of that time and exactly how it would come in—he plans to phase in the scheme, rather than just talking about reviewing and judging it?

Mr. Bowis: I am grateful to my hon. Friend. I have tried to explain that there will be a timetable. However, I cannot say exactly when the Bill will become an Act of Parliament or exactly how long it will take for the regulations and guidance to be agreed having taken into account the advice of the technical advisory group among others. I know that he understands that, but when the legislation has been in operation for one year, we shall take evidence from the experience of the social service departments that have been operating the scheme for a year and at that point we shall see whether it is possible—as we want—to move forward with the next wave so that people over 65 become eligible. My only criterion is that we must reserve the right to see whether any serious problems have emerged from the first year's experience which would lead to the scheme needing to be reviewed and perhaps refined and reformed in some way.

I hope that that helps my hon. Friend to understand that we have a timetable in mind. We have good faith in what we are seeking to do. In fact, we are all seeking to achieve the same things. I believe that we can get there with a little patience, bearing in mind the fact that we must have phasing to enable those local authorities that want it to get their schemes up and running efficiently and effectively.

6 pm

Mr. Tom Clarke: I am extremely grateful to the Minister for giving way once again, but, as he has said, this is the kernel of our discussions. The Government were originally far from keen and sought to exclude people with learning difficulties from the Bill. They eventually changed their mind without a 12-month trial, so why is that not possible for disabled people beyond the age of 65?

Mr. Bowis: It is not true that we were opposed to including people with learning disability. In consultation, we put forward an option that we should include them, but they were not in the first proposition, which came from people of working age who were physically disabled. All the pressure came from that quarter so we said, "Fair enough. We will start with you." As a result of that comparatively small add-on of, potentially, 4,000 people or families, we felt able to include those with physical and learning disabilities in the first wave. That 4,000 is quite different from the potential 700,000 people or families should we take the proposal a stage further.

Mr. Alfred Morris: The Minister spoke of his consultation with the voluntary organisations. How many of them wanted the exclusion of people over the age of retirement?

Mr. Bowis: It is interesting to note that many of the schemes now in operation originally excluded people over the age of retirement. Some lifted that exclusion once the scheme was up and running. We have learnt a lesson from those schemes.

Among the voluntary groups, everyone agrees that there should be phasing, but no single preferred route has been suggested as to how that should be done. It is

perfectly fair to say to the right hon. Member for Wythenshawe that I accept that, in all honesty, those groups would prefer phasing not to be exercised on an age basis. Those voluntary organisations agreed that there should be phasing, however, and I asked them how to go about it. A lot of ideas were put forward, but no single, preferred option. I have mentioned some of those ideas that would cause too many anomalies and unfairnesses.

Mr. Heppell: I must take exception to the idea that everyone agrees with phasing. The Minister referred to the views of those at the sharp edge of social services. I have the comments of those at the sharp edge in my constituency, including the head of health and disability policy in the social services department of Nottinghamshire county council. That briefing does not talk about phasing, but states:

"This Bill is generally welcomed (although there are some reservations)"

because it puts an end to third-party involvement. It also expressed concern

"that the recommendation is likely to be piloted for people under 65 only . . . In Nottinghamshire, we currently fund 128 schemes where people wish to administer their own care support, of which 78"—

well over half—

"are over 65."

That briefing continues:

"In short"—

Madam Deputy Speaker: Order. This is becoming a long intervention. It would be better if the hon. Gentleman sought to catch my eye a little later.

Mr. Bowis: I am glad that the hon. Gentleman's authority welcomes the proposal. I believe that I noted two errors in what it perceives the measure to be when he read out the briefing paper. Should he refer to that document later, I am sure that we could discuss it in more detail.

Mr. Thurnham: The Minister has been extremely generous in giving way. He spoke about consulting local authorities that have had experience of running schemes. I am having some difficulty in understanding exactly what problems he has in mind, because I have a copy of the response from Avon social services. It makes it clear that it has not been swamped with requests and has, so far, just been contacted by 50 people who want to take advantage of the scheme. It feels that the Government are being "excessively cautious" and it states:

"To set an age limit of under 65 years is ageist and again over-cautious."

In view of its experience, I am confused about exactly what are the problems that the Minister imagines exist somewhere out there. Avon is running the scheme now. It is not being swamped and it is not experiencing the problems envisaged by the Minister.

Mr. Bowis: I am grateful to my hon. Friend for that information. I hope that we are being responsibly cautious, but cautious only in the sense that we want to set a responsible pace for implementation. I know that my hon. Friend also wants that. I shall deal with my hon. Friend's specific point once I have made some progress.

We are discussing a sensitive matter, and it would not take many examples of people failing to cope with managing the money, being abused by a cowboy operator, or being taken advantage of by an unscrupulous neighbour for the tabloid presses to run and the news cameras to roll and for blame to be put on Parliament for letting that happen without due care and attention.

We have heard, of course, that we should be reassured by the fact that schemes have been around for 14 years. That is true, but in only one county—Hampshire. I am not aware of any others that have anything approaching that length of experience. Most of those of which we are aware have been set up only in the past few years, and most are, and have been, extremely small.

My officials visited Hampshire last summer and even there just 260 clients were using the scheme, compared to the total of more than 9,000 households receiving support from social services home care in that county. It is by far the largest scheme; most others have up to 50 clients—the one I saw the other day had 40—and many are making payments to just a handful of people. Some have an age limit. Other schemes, including that in Hampshire, have had one in the past but have now removed it. Whether there is no age limit, the majority of clients are, nevertheless, under 65.

I am not suggesting for one minute that there are not valuable lessons to be learned from those schemes, but we must not exaggerate their importance. My hon. Friend the Member for Bolton, North-East should note that the research by the Policy Studies Institute found 48 local authorities were operating some form of scheme; 34 which were not; and a further 46 that did not respond to that survey. Clearly, many local authorities have no experience on which to draw. Most authorities that have schemes are not administering the payments. The arrangements that they have made to comply with the current law may give them some experience that may be relevant when they come to make direct payments themselves, but I suspect even then that there will be lessons to learn. There are therefore good reasons for treading carefully but positively.

The new power to offer direct payments will apply to any community care service with the exception of permanent residential care. There is no lower or upper threshold for the value of services somebody must be assessed as needing before he can be considered for direct payments. No non-residential services are excluded. The power would be available throughout the United Kingdom. We estimate that the numbers in the first wave to be around 40,000. A subsequent wave, should it include all those over 65, would increase the numbers to around 700,000.

I appreciate, of course, that by no means all the people in either of those categories would be able to manage direct payments, or, indeed, wish to do so. Equally, there will be some people currently paying for their own direct services who might seek access to the schemes.

What we are proposing is that all disabled people under the age of 65 who are willing and able, with help if necessary, to manage direct payments should be eligible for them from the start: that is to say, all disabled people whether they have physical disabilities, sensory disabilities or learning disabilities or whether they are disabled by mental or other forms of illness, including HIV and AIDS or any combination of disabilities.

[Mr. Bowis]

The numbers may turn out to be quite small, as forecast by many people, but I ask my hon. Friend the Member for Bolton, North-East to look carefully at the report of Policy Studies Institute, which concluded that current demand is restrained by lack of awareness and uncertainty about the legal status of payments schemes. The Bill will change both those factors. The report also found that two thirds of people in the study who were receiving services were unaware of the existence of a local payment scheme. When they were told that such a scheme existed, just over half expressed an interest in using it.

We cannot be certain therefore that demand will remain at current low levels once the Bill is implemented. I do not see that as a threat. I see it as an encouraging sign that the legislation will benefit a larger number of people than we may have supposed. I see it, however, as an overwhelming argument for treading steadily at a phased rate of implementation.

Finally, I refer to the amendment that was carried in Committee. It did not include over-65s and it removed the Secretary of State's discretion to authorise, with parliamentary approval, each wave of eligibility. The amendment also removed the Secretary of State's ability to exclude categories where there could be considerable risk if such people slipped through the net and were handed cash to manage their care arrangements. There are some people, including those who responded to the consultation paper, who would like us to exercise discretion—for example, for the categories of mental illness and supervision specified in our consultation paper and for the categories of drug and alcohol rehabilitation.

The nation would think that we had taken leave of our senses if we did not restore to the Secretary of State the right to exclude such people for their sake and for the sake of the wider community. I am pleased to see that the National Schizophrenia Fellowship supports that concept. For that reason, and because I genuinely believe that all hon. Members wish the measure to be a success, and because access can be guaranteed only by sensible phasing, I urge hon. Members to support the amendments.

Mr. Tom Clarke: All hon. Members will agree that when one sits through the Committee stage of an important Bill—which is then followed by Report and Third Reading—one gets to know one's colleagues fairly well. We have great respect for the Minister, and I hope that he does not feel that that respect has been diminished, as was suggested earlier. He has a lot of qualities, but being a historian is not one of them.

The Minister began his speech by saying that the Labour party was opposed to direct payments. I challenged him then, and I challenge him again, to produce a shred of evidence that suggests that the Labour party is opposed to direct payments. I shall give him some help in his research. When he wipes his brow after the debate tonight and heads to his Department, he should ask for *Hansard* of 17 November 1995. At column 300, he will see what I said when winding up the debate on health, disability and care in the community:

"The Secretary of State spoke about my right hon. Friend the Leader of the Opposition producing a mouse of a speech, which was particularly odd when considered in the light of the central issue of direct payments, which is, I understand, the flagship of the Government's care in the community policy. What we heard from the Secretary of State was a mere squeak—it was quite inadequate."—[*Official Report*, 17 November 1995; Vol. 267, c. 300.]

Far from being opposed to direct payments, we were opposed to the dilution of the principle, and we are just as opposed to that today. The hon. Members for Brighton, Kemptown (Sir A. Bowden) and for Bolton, North-East (Mr. Thurnham), and others who thought that the Minister would move half an inch from his position in Committee, will be extremely disappointed. I am not surprised—the vibes that came across when the Treasury was mentioned earlier gave us an idea of what he would say.

We have come to the heart of the Bill. The Government's attempt to limit eligibility has been the great flaw in their approach to direct payments—that was my view during the debate on the Queen's Speech, and it is my view today. It is a pity that that is the case, given the broad, all-party support for the principle of the Bill in the House and the enthusiastic support of disabled people and local councils. If Ministers had followed through the logic of local authority discretion and left the councils to decide who should receive direct payments instead of seeking to decide the matter by regulation, the Bill would have completed its passage through Parliament by now.

Ministers have had many opportunities to reconsider. The House of Lords considered amendments, supported by the Labour party and others, to remove the regulation-making powers which, at that stage, were extended so that they would exclude people with learning disabilities and those aged over 65—those about which we are concerned in this debate.

On Report in another place, the Labour party offered a compromise amendment to permit the Secretary of State to relax the limitations on eligibility when a local authority could demonstrate significant experience and expertise in direct payments. Such was the Government's determination to continue to exclude whole categories of disabled people that even that compromise position was rejected.

6.15 pm

The Labour party tried again in Committee, and I acknowledge that the Minister came a little way in our direction. He abandoned his intention to exclude those with learning disabilities—there was nothing about phasing and nothing about waiting for a year. He thought that those with mental health problems and those with a disability arising from HIV-AIDS would be eligible, but he refused to consider providing direct payments to any disabled person over the age of 65 who was willing and able to secure his own care. The Minister refused to consider that again today.

That was not good enough for the Committee, and it should not be good enough for the House today. The Committee carried two Labour amendments, which had the effect of removing the Government's power to exclude whole categories of disabled people throughout the United Kingdom. The amendments attracted much approval, as the Minister knows. Even before the second of those defeats—on provision for Scotland, on 18 April—we had learnt just how reluctant Ministers were to concede the principle that direct payments should be widely available to disabled people receiving community care.

Hon. Members expected the Standing Committee to conclude its business on 2 April, when the Scottish provisions should have been dealt with. Instead, we were

treated to the rare and fascinating sight of Ministers filibustering on their own legislation—no doubt in the hope that they might reassemble a majority when the Committee resumed after the Easter recess. If that was their intention, they failed. When the Committee resumed, it duly passed Labour's amendment on Scotland in the same terms as the earlier decision for England, Wales and Northern Ireland.

Since then, we have witnessed further indecision and delay, which was confirmed by the Minister's response this afternoon. Ministers were quite uncertain as to when the Bill should be considered in this place. Hon. Members will know that Ministers seemed ready to reach this stage some weeks ago, but then delayed Report until after the Whitsun recess. We established the reasons for that this afternoon. It is a great shame, to say the least, that the date that the Government finally chose is one when not all hon. Members are free to attend and to vote on the amendment.

What is happening today in Northern Ireland is of great importance to everyone there and to every hon. Member, wherever his constituency may be. I know that a number of hon. Members from Northern Ireland are bitterly disappointed about the timing of today's debate—the Government have made their participation difficult, if not impossible. The organisations of disabled people in Northern Ireland share the unhappiness of Northern Ireland Members. What is true in Northern Ireland is true also in England, Scotland and Wales. Disabled people are extremely disappointed at the Government's failure to accept the wishes of the majority of hon. Members not once, but twice, in Committee.

Other concessions have been made: in response to Labour pressure, Ministers in the Lords promised to review the workings of direct payments after three years. In Committee, the Minister confirmed that, at the end of the first year after the legislation had been enacted and implemented, he intended to review the experience and to return to the House with conclusions. He said almost exactly the same today; there has not been a fraction of progress.

The promise to review direct payment schemes after 12 months was originally made before the Government's first defeat in Committee. The offer today is nothing new and does nothing to reduce the concerns of elderly people who would and do qualify for indirect payments that are currently provided to those who are assessed as being in need, who agree to accept them.

This is not a response to the Government's defeat. Since the concessions on people with learning disabilities and the promise of a 12-month review were rejected by the Committee as inadequate, the Government have not come up with anything else. What mystifies many Opposition Members, many outside the House and, I suspect, many Conservative Members, is why Ministers are prepared to do no more than promise to think about things after the general election. If there was ever a promise from a dying Government, this is it. How much better it would have been if Ministers had been prepared to concede the point and to leave it to local authorities to make payments to any disabled people whom they assessed as willing and able to manage their own care.

Mr. Rowe: Has it occurred to the hon. Gentleman that the reason for the promise is that my hon. Friend the Minister expects to return as Secretary of State after the election?

Mr. Clarke: If the hon. Gentleman, of all people, believes that, he will be as disappointed as I suspect the six and a half million disabled people, particularly pensioners over the age of 65, are today.

The promise of a review after 12 months would carry a little more weight than, for example, the three years that was spoken of in another place, if it was accompanied by a guarantee that the bar on older disabled people would be removed at that time, but there is no need for a 12-month delay. In his consultations, the Minister must have been convinced of that point; all the evidence that we have received suggests that.

I do not often like to refer to my previous speeches as I assume that I have made the point sufficiently in the Chamber, but I should remind the Minister of a speech that I made in 1995, when I said:

> "I hope that we are not about to consider a measure that will introduce a new form of discrimination between one group of disabled people and another."—[*Official Report*, 17 November 1995; Vol. 267, c. 304.]

That is precisely what the Minister is commending to us today.

Ministers seem not to have understood that only a minority of disabled people are willing and able to take up direct payments. There will be no overwhelming rush of applicants when the schemes are introduced, any more than there is an overwhelming demand on indirect payment schemes currently run by many local councils that encouraged this legislation. The experience, the knowledge and the information already exist, although the Government conceded that perhaps they did not exist in relation to those with learning disabilities. The Government have the benefit of the experience of indirect payments; they know that they work and they know that there will not be a demand that cannot be met, so why are they being so disagreeable?

Mr. Bowis: I hope that I am never disagreeable, but I have a question for the hon. Gentleman. He may be right about the potential expansion in demand, but I am sure that he takes seriously the Policy Studies Institute's report. Will he respond to its conclusions, which were as I spelt out? The institute was clearly concerned that there would be an expansion in demand and so implicitly supported the view, which everyone shares, that the policy should be phased in.

Mr. Clarke: I have great respect for the institute. The Minister must have looked for a very small needle in a very big haystack to produce that example.

Many disabled people have no interest in receiving cash payments in place of community care services. Whatever their worries about charging for such services, there are hundreds of thousands of disabled people who have no intention of switching away from the local council provision that they currently enjoy. The Government must know that, for many older disabled people, the attractions of managing their own care are less great than the security that they feel as consumers of services—something that we all understand. But that is no reason for all older disabled people to be excluded.

[Mr. Clarke]

Just as many people under the age of 65 will wish to continue to receive local authority services, a minority of those over that age would like the greater choice and control that comes from organising their own care—but that is likely to be a small minority. Among the councils that provide cash payments indirectly are some that include older disabled people as part of their client group. Their experience shows that only a relatively small proportion of people in that age group take up the provision.

In Committee, the Minister spoke of the danger that the demand for direct payments could become, as he put it, "unmanageable", and he implied the same today. We are entitled to pause to look at what he meant and see whether his concerns have been met. The Minister rightly described the job of local councils in assessing the ability of individual applicants to manage direct payments as "a significant administrative responsibility". He said that it was necessary for the Treasury to have confidence that direct payment schemes were "in good hands" and that it should "feel comfortable" about them going forward. As we said in Committee, all those matters are, up to a point, fair comment, but none of them requires the Minister to put a complete block on older disabled people, including those who enjoy indirect payments, seeking access to direct payments.

I am sure that the Treasury recognises the potential of direct payments for giving disabled people greater control over their own care at no extra cost to public funds. Direct payments might also ultimately produce savings for the Exchequer, as well as greater value for money—if so, they will be all the more welcome.

Local authorities recognise the significant administrative responsibility that they face, not just in running direct payment schemes but, more immediately and importantly, in making the assessment of needs that forms the basis of such schemes and that they already undertake before providing community care services. As the Minister reported to the Committee, many councils will wish to proceed cautiously when introducing the schemes. But the Minister had to concede that only 22 per cent. of councils approved of the regulations that the Government intend to introduce.

The Association of Metropolitan Authorities told me only a few days ago that it had no concerns about the abolition of the Government's regulation-making powers and, indeed, welcomed it. It believes that local councils are well able to manage the introduction of direct payment schemes and that the Bill, as drafted, gives them the right degree of discretion in doing so. I unreservedly share that view, as do others.

The Disablement Income Group has argued that decisions about who should be eligible are best made locally rather than nationally. If any extra discretion is needed, it should be given to local councils. That proposition is different from the proposal that the Government have put forward today. Age Concern has told hon. Members on both sides of the House that the Bill should not be amended as the Government propose. It cites the experience of existing third-party schemes and says that older disabled people are just as capable as younger people of managing their care services and making a choice.

The British Council of Organisations of Disabled People has contacted hon. Members to say that the Bill, as amended in Committee, is the right approach to direct payments. I know that hon. Members on both sides of the House will consider the views of those organisations, which work day in and day out on those issues, before voting on such an important amendment.

The Bill is about widening opportunities and choice for disabled people. That is why the Opposition have supported the principle behind the Bill from the beginning. The Bill, as it stands, will confer responsibility and discretion on local authorities, and we believe that that is right. It will set a test that applicants for payments should be willing and able to manage their care. That is a sufficient barrier against an unmanageable level of applications.

6.30 pm

If Ministers get their way today and return the Bill to its original form, it will include an unnecessary and undesirable element of discrimination against an important group of disabled people. That cannot be right. For all those reasons, I urge the House to reject the Government amendment, consistent with the Opposition's response in the Queen's Speech debate.

Sir Andrew Bowden: First, I wish to thank my hon. Friend the Minister for his courtesy and for the time that he gave me when we were discussing the amendment and the reasons behind it. My hon. Friend went to much trouble, and I appreciate that. He made a powerful and effective speech, but I still do not believe that the amendment is necessary. I shall not repeat the speech that I made on Second Reading, but a point of principle is at stake. Those now over 65—I must declare my interest as I am 66—

Mr. Rowe: Never.

Sir Andrew Bowden: I appreciate the compliments of the House.

Those who are over 65, who are able and willing and should have the right to be included, would be excluded by the Bill. Apart from the moral principle, why are the Government concerned? The Bill would not force local authorities to offer or make any direct payments, but it would give local authorities full discretionary powers. Are older disabled people different in some measurable way—apart from age—from younger disabled people or other adults receiving community care services? They are not. The answer must be no and no again.

My hon. Friend the Minister is on his weakest point on the subject of pilot schemes. The present pilot scheme, as I understand it, is confined to a tightly controlled group, but if my hon. Friend had widened the pilot scheme to include those over 65, the credibility of the arguments that he made tonight would be infinitely stronger. He could have included those over 65 in certain areas. Sadly, he has not done that.

I regret that I must tell my hon. Friend that his position is illogical and unfair and would be discriminatory in practice, although I know that he has told the House in all sincerity that it would not. I am sad, but I feel compelled to vote against the amendment. Even at this

11th hour, I beg my hon. Friend not to mar what is basically a splendid Bill, for which the Government deserve praise and credit. It is still not too late.

Mr. Alfred Morris: It is a pleasure, as always, to follow my hon. Friend the Member for Monklands, West (Mr. Clarke) and again I pay warm tribute to his deep concern to improve the Bill for purposes the disability organisations want to see achieved. His commitment to the cause of extending choice and enhancing the independence of disabled people is much appreciated and applauded by all of us who know of his distinguished service to that cause ever since entering the House.

The depth of interest in the Bill among the organisations of and for disabled people is made clear in all the helpful briefings they have sent us in anticipation of the debate. Their concern, like my hon. Friend's and mine, is to quicken the pace of progress from paternalism to partnership in addressing the problems and needs of disabled people. They want Hobson's choice to be replaced by real choice and that applies to the elderly among disabled people as much as to those who are younger. All disabled people are entitled to the maximum possible control over their lives.

Notwithstanding the warnings given them from both sides of the House, the Government have remained hellbent on trying to limit direct payments under the Bill to disabled people below the age of 65. That is morally wrong. To exclude people from direct payments if they are over retirement age shouts of discrimination against elderly disabled people. It is all the more serious in this case because it is being attempted by a Government who say that they have now been converted to ending all discrimination against disabled people. Thus it calls into question all that they are saying to disabled people in relation to their Disability Discrimination Act 1995. The truth about the Government's stance in this debate is that discriminating against elderly disabled people by excluding them from direct payments will keep down costs. That is their priority of priorities. What they are attempting has nothing whatever to do with logic or fairness. It is wholly reminiscent of their four-year-long obstruction of my Civil Rights (Disabled Persons) Bill. Even after they were converted—kicking and screaming—to the necessity of legislating on discrimination against disabled people, they insisted on doing it on the cheap. That is what they are doing now, five years after first being pressed to legislate on direct payments.

Ideally direct payments should be payable to all disabled adults who are able and willing to manage them and without age limit. I believe that local authority staff with direct contact with individual disabled people are in the best position to decide who to include in the scheme. Under the terms of the Bill, a local authority is allowed to exclude from direct payments any individual provided it acts responsibly and reasonably in doing so. So why not let it act responsibly and reasonably in deciding who to include? For the Government not to let local authorities do so is clearly unjustified.

In his opening speech, the Minister left the impression that the Government intend to review his scheme in a year with a view to considering subsequent waves of eligibility. If that is so, is it not a powerful reason to keep the Technical Advisory Group going in order to help with that review process? Is that not the test by which what he said today must be judged? I ask the Minister to respond on this important point before the debate concludes.

I most warmly welcome what was achieved by all-party co-operation in Committee to improve the Bill and urge the House now to resist the Government's attempt to restore the measure to its original drafting. Not to do so would be to ignore the responsibility that every disability organisation in this country wants us to discharge this evening.

Mr. Thurnham: I support the excellent arguments advanced by my hon. Friend the Member for Brighton, Kemptown (Sir A. Bowden). It is a good Bill and the Minister deserves a great deal of credit for the way in which he has presented it and has appeared to listen to the arguments.

I am disappointed and surprised that the Government are attempting to reverse the Committee's changes to the Bill. I believe that the Bill is improved by allowing the over-65s to benefit from its excellent provisions. It is not logical to exclude that group—the Government seem to be afraid and are playing a numbers game. Local authorities must accept and face up to their responsibilities: they are the gatekeepers. I cannot understand why the Secretary of State believes that he must have additional responsibility to prevent local authorities from making the decisions that are rightly theirs and from exercising the discretion that the Bill confers. They could decide the pace at which they phase in the provisions.

The Conservative party complains that it cannot find candidates for local elections, but the Government do not allow local councils to exercise any responsibility. Here is an opportunity to allow local authorities to face up to their responsibilities and to act accordingly. If they get it wrong, they will get the blame. The Government will be unpopular if they persist in preventing 66-year-olds from benefiting from the excellent provisions.

The Minister asked me to remember the Policy Studies Institute report. It argued that people could derive excellent value from arranging their own care packages. It costs town halls on average more than £8 per hour to arrange for care, but people could make their own arrangements for only £4 per hour. These are excellent benefits that do not cost the Treasury a penny, so why do we exclude those aged over 65? There is no logic in that proposition.

The Minister said that great numbers of people could come forward to obtain benefit. But that is not the case at the moment. There is no indication that the Government would be swamped—in fact, I believe that the majority of pensioners would not wish to arrange their own care packages.

Sir John Hannam (Exeter): Will my hon. Friend confirm that those aged over 65 will continue to receive the services at whatever cost to the local authority? Therefore, they will be denied the opportunity of saving money by purchasing services at a lower rate.

Mr. Thurnham: Local authorities are so inefficient that they are more likely to drag their feet than be swamped with applicants. Local authority overheads will be threatened by the measures in the Bill. Local

[Mr. Thurnham]

authorities will be cautious about introducing the measures as they must make compensating reductions in their overheads. The hon. Member is right: there is no logic in excluding those who could benefit from the provisions.

Age Concern has argued strongly that local authorities have the discretion and that the transition will be slow—change will not take place overnight. It says that it has received few representations on the subject—only two out of 30,000 phone calls and letters that it has received in the past six months have referred to it. There is no suggestion that the floodgates will be opened and that local authorities will be swamped as a result of the new provisions.

The Government's amendment sends out the wrong signal to older people—it appears that they do not count. Older people were concerned about being excluded from the independent living 1993 fund—although they had been included before and had demonstrated that they could manage their own care packages and cope with their budgets without difficulty. I believe that only a minority of older people would want to do so. The Bill creates an anomaly by allowing some people to continue their existing schemes and by preventing others from coming forward.

The Government should at least give a firm commitment about the timetable. They seem to be concerned only with numbers. They changed the provisions to allow people with learning disabilities to be included as the numbers were small. However, they have excluded those aged over 65. The responses that the Government have placed in the Library send out a one-way message. I have referred already to the response from Avon county council. I have spoken to the Minister about the views of my local authority and I wrote to him to confirm those points. The director of social services in Bolton says that there is no reason why people over the age of 65 should be restricted from receiving benefit. If he thinks that he can cope with that pressure, why does the Secretary of State believe that he knows better? At the end of the day, the scheme will be administered by the local authorities.

In its response, the Association of District Councils says:

"There appears to be no justification for limiting eligibility on grounds of age".

The Association of County Councils says that it is not

"appropriate to limit eligibility for a direct payment to those under the age of 65."

The Association of Directors of Social Services wishes the introduction of direct payments to be "positive and enabling". It continues:

"The way forward is to agree to local determination of eligibility as well as local discretion regarding the introduction of Direct Payment schemes."

The Association of Metropolitan Authorities says:

"Potential eligibility for direct payments should be drawn as widely as possible".

Other organisations, such as Arthritis Care, are concerned that many of their members aged over 65 will be excluded.

I ask the Government to think again. They should allow local authorities to accept their responsibilities and not exclude people aged over 65 for no logical reason. The Government should have faith in the system and allow all people to enjoy the benefits of the Bill. Those benefits are being provided in a number of local authority areas—there is no need for any more pilots as they have been conducted for some years. The Government are being over-cautious. They should allow local authorities to accept the responsibilities that are rightly theirs and not press the amendment tonight.

6.45 pm

Mr. Kirkwood: It has been an interesting debate and the Minister has listened attentively to all the speeches. The hon. Member for Monklands, West (Mr. Clarke) sketched out concisely and lucidly the work that was done in the Standing Committee. I have examined that work and I believe that the Standing Committee discharged its duties admirably in canvassing all the aspects and perspectives of that important part of the Bill. The hon. Gentleman made that clear—certainly to my satisfaction, as one who did not serve on the Committee.

The right hon. Member for Manchester, Wythenshawe (Mr. Morris) has a peerless reputation as a defender of the interests of disabled people. The hon. Members for Brighton, Kemptown (Sir A. Bowden) and for Bolton, North-East (Mr. Thurnham) have good reputations in terms of discharging their duties and of being particularly jealous of the interests of people with disabilities and of the organisations that seek to serve them. They have persuaded me—if any persuasion were necessary—that the Government are wrongheaded about the matter.

The hon. Member for Bolton, North-East penetrated to the heart of the Government's position, which is very difficult to understand. He reviewed all the evidence and concluded that the Government are simply worried about numbers. The House of Commons has a duty to consider that point very carefully. If we create a precedent that legislative change should be determined on the basis of numbers and easy cut-off points, that fault line could be introduced into any social legislation. That is wholly inimical to the development of social legislation.

That is very worrying. It is not a minor point or an administrative, bureaucratic detail: it is an important principle that the House must address. If it does not do so this evening, it could have repercussions for future Governments of whatever political stripe—whether the Minister or the hon. Member for Monklands, West becomes Secretary of State. Should we accept the Minister's argument that, because many people aged over 65 will be affected, we should delay extending the provisions to them in order to ascertain whether there are any difficulties? That is an appalling prospect. The Minister is a sincere man, but to say that this does not involve an element of discrimination is absurd and unconvincing.

The House wants to make progress. This is an important part of the Bill. I want to ask the Minister a question and to make a suggestion. Clause 7(2), the commencement clause, states:

"This Act, except section 6"—

which deals with Northern Ireland and properly so because there are different legislative arrangements for the Province—

"shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint".

That is fine. There is then a semi-colon and the words:

"and different days may be so appointed for different purposes."

Why cannot the Minister use clause 7(2) to deal with the question—which he seems to have in his mind, but which no one else has asked—about the prospect of chaos and confusion if too many people are admitted to the provisions of Bill, as he seemed to argue, if I understood his argument at all? Why cannot he use subsection (2) of the implementation and commencement clause to deal with that point? It is possible to admit an ordered admission of different waves, as he put it, of people to the benefit that is afforded by the Bill's provision. It may be a pedantic legal point—perhaps I am a pedantic lawyer—but the House deserves an answer why clause 7(2) cannot be a mechanism to deal with the point that is troubling the Minister.

The suggestion is this. Some technical rule or technical reason may come from behind the Minister and enlighten him in the rest of the debate, but I cannot for the life of me understand why he does not refer to the pilot point that was again made effectively by the hon. Member for Bolton, North–East and that I tried to raise in an intervention. If the Minister were to say at the end of this debate that he would specifically allow a series of targeted pilot projects that were properly looked after, reviewed and pump-primed, in financial terms, by the Department during the early stages of Bill, I would take a slightly different view.

That is very much a second best. In clause 7(2), the Government have the means of controlling potential worries on administration. If even that does not work, if the Minister said that he would give the House a guarantee that pilot projects for over-65s would be run in the first year, I would be willing to change my view of this matter. As things stand, however, the points made by the hon. Members for Bolton, North–East, for Monklands, West and for Kemptown and the right hon. Member for Wythenshawe persuade me that, as things stand, the Government have got this substantially wrong.

Mr. Rowe: The frank and open countenances of my right hon. and hon. Friends the Ministers conceal wounds and scars internally. They belong to an Administration who have seen expenditure on the family fund and on housing benefit rise exponentially and unpredicted. Whether they are right or wrong in logic, they are undoubtedly reflecting that wound in what they have brought to the House tonight. Their perception of the Bill is that, in some way that is not terribly easy to define precisely, it will run out of control unless they regulate it. They have found some local authorities with anxieties about their capacity to manage something that other local authorities manage perfectly well to reinforce them in that anxiety.

There is no logic in excluding people aged over 65, but I am wholly confident that this Bill's unstoppable logic will take over the moment that it becomes law. It will be demonstrated beyond peradventure that the number of people who want to take advantage of this undoubted right will be small, that the vast majority of local authorities are capable of managing the scheme in the way in which the pilot local authorities have already done, and that the quality of life of a large number of disabled people who take up this opportunity will be improved out of all recognition. It will become impossible for either the Government or local authorities to refuse the pressure that will instantly mount to include over-65s.

Mr. Thurnham: Does my hon. Friend imagine a position where a local authority, which by mistake—perhaps even by mistake on purpose—provides direct payments to someone aged over 65, being prosecuted by the Secretary of State for Health?

Mr. Rowe: Having inadvertently demonstrated the illegality of schemes that had been running satisfactorily for a while by asking the Secretary of State for Social Services at the time whether she should generalise particular legislation, I feel unwilling to answer that question. It will be shown not to have been necessary to limit the number of people eligible for this opportunity, but if the Government are that worried about it, there is little to be lost in allowing them their particular private fears. I am willing to support them in this matter.

The other matter is, in some respects, more important. As my hon. Friend the Minister pointed out, organisations such as the National Schizophrenia Fellowship may ask the Secretary of State to take back the discretion to exclude certain people from this opportunity because they are deeply anxious about some individuals making a complete mess of it and there is no powerful reason why that should not be done. For both those reasons, I am prepared to support the Government on the matter.

This opportunity has been a long time coming. It is a necessary and valued opportunity for disabled people to take. It is not an easy opportunity for them to take. As Jane Campbell, one of the unsung heroines of this campaign, has pointed out, the regulations and rules governing it and the knowledge that one has to have of employment law and other elements are considerable, so not many disabled people will, in my view, rush to take up the opportunity. However, for all the reasons that I have given, I am prepared to support the Government.

I hope that the review will be started the day that the Bill becomes an Act. I hope that my hon. Friend the Minister will assure me that there will not be a huge difference between a review where the reviewer is appointed 12 months after the Act becomes law, and a review in which the reviewer reports on information collected during those first 12 months.

Mr. Heppell: I congratulate the Minister on steering the Bill through the House in the way in which he has, except in one respect: his steering of Government amendment No. 11. The Bill's return to the Chamber has been delayed, it arrives on the day when many hon. Members from the minority parties are in another place, and the Government know, as I do, that all those people would have voted against the amendment. The Government may think that that is clever, but disabled people and groups that represent them will view it as cynical. I will ensure that they know how cynical it was.

People would have voted against the amendment because it is arbitrary, discriminatory and illogical. The Minister says that no discrimination is involved in preventing 65-year-olds from receiving direct payments, but what could be more discriminatory than that? What if people over 65 were not allowed to have operations in hospital, or could not consult their GPs without a

[Mr. Heppell]

12-month delay? In this instance, however, we are not talking about even a 12-month delay; people are being told that their cases will be looked at again in 12 months' time.

7 pm

Earlier, I cited my authority's views. The Minister began by speaking of floodgates, but tonight he has spoken of waves. According to him, the waves will come in one after another. My authority certainly had no ideas about phasing or waves. I find it difficult to accept the concept of waves. The Minister may claim that he has succeeded where King Canute did not—that, following the first wave, the second may never come.

I urge the hon. Members for Bolton, North-East (Mr. Thurnham) and for Mid-Kent (Mr. Rowe), who spoke so well in Committee and made all the points that I would have made tonight if I had had time, to—as it were—put their money where their mouths are, and vote for what they spoke of then.

Mr. Bowis: I do not think that I will go down the "wave" route. If I remember rightly, Canute actually proved to his rather silly courtiers that the waves do go on coming; perhaps that is the lesson that we should learn. I am sorry that the hon. Member for Nottingham, East (Mr. Heppell) did not stop after his first sentence, which I liked: that would have summed up the debate nicely, following what was said by my hon. Friend the Member for Mid-Kent (Mr. Rowe). I commend my hon. Friend as very much the father of the legislation, and feel that we would do well to listen to him, acknowledging the concerns that exist and viewing the amendments as sensible.

I believe that the House is at one in seeking to improve the lot of people with disabilities, and introducing new flexibility, independence and dignity for those people, irrespective of their age when the measure is in place and can be introduced sensibly and effectively. The only issue on which we disagree is the pace of change.

I listened carefully to my hon. Friends the Members for Brighton, Kempton (Sir A. Bowden), for Bolton, North-East and for Exeter (Sir J. Hannam), as I always do. Similar issues have been raised by hon. Members on both sides of the House. There is an underlying worry that some form of discrimination or exclusion is attached to the measure, but I assure the House that that is not the case. The only question is who will benefit first, and who will benefit in subsequent waves of eligibility. The warnings are there; we have seen them in the report by the Policy Studies Institute, which I commend to Opposition Members.

I think that the point made by the right hon. Member for Manchester, Wythenshawe about keeping down costs was answered by hon. Members on his own side, who made the valid point that fewer costs were expected as a result of the new arrangements. I acknowledge that his point about the Technical Advisory Group is important. I shall want to continue to benefit from the group's advice, not least on the guidance that we shall be issuing. As for the question of "pacing", I think that it is possible to "pace" a clause only if the Bill contains a discretion that can be used for the purpose. That discretion was removed from the Bill in Committee, so I do not think that the right hon. Gentleman's proposal would work, because the regulations would not be part of the proposals linked to the measure.

I believe that we all share the aim for direct payments to be available to all who can benefit from them, and wish to do so.

Mr. Rowe: Will my hon. Friend answer my question about when the review will start?

Mr. Bowis: My hon. Friend is right: in a sense, it will start on the day of implementation. At that point, we shall be working closely with the TAG and others to complete the details of the guidance. We shall be working on the regulation, and working to set up the monitoring arrangements. We shall assess the experience of local authorities, through questionnaires or other methods. That will start from day one of the Bill; after that, we shall move into the period of a year that I promised my hon. Friends.

I believe that pace is crucial. Wave will follow wave. But it is important for the waves to follow at a pace that will allow the local authorities, social services departments and voluntary organisations that have helped to set up the scheme to get it off the ground. I want a successful scheme, and I believe that the House does as well. I commend the amendments.

Question put, That the amendment be made:—

The House divided: Ayes 296, Noes 280.

Division No. 138] **[19.04 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain

Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Timothy Wood and
Mr. Simon Burns.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bowden, Sir Andrew
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald

Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hall, Mike
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ilsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jenkin, Brian
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Dr Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Emma *(Devon West)*
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Greg Pope and
Mr. Jon Owen Jones.

Question accordingly agreed to.

Amendments made: No. 13, in page 1, line 10, leave out 'pay' and insert 'make'.

No. 14, in page 1, line 10, leave out from 'him' to first 'of' in line 11 and insert ', in respect'.

No. 15, in page 1, line 12, at end insert

', a payment of such amount as, subject to subsections (2) and (3) below, they think fit.'.

No. 16, in page 1, leave out lines 13 to 20 and insert—

'(2) If—

(a) an authority pay under subsection (1) above at a rate below their estimate of the reasonable cost of securing the provision of the service concerned, and

(b) the payee satisfies the authority that his means are insufficient for it to be reasonably practicable for him to make up the difference,

the authority shall so adjust the payment to him under that subsection as to avoid there being a greater difference than that which appears to them to be reasonably practicable for him to make up.

(3) In the case of a service which, apart from this Act, would be provided under section 117 of the Mental Health Act 1983 (after-care), an authority shall not pay under subsection (1) above at a rate below their estimate of the reasonable cost of securing the provision of the service.'.—*[Mr. McLoughlin.]*

Mr. Tom Clarke: I beg to move amendment No. 2, in page 1, line 24, at end insert—

'(4A) A person in receipt of a payment under subsection (1) above may secure the provision of the service to which it relates from a person, notwithstanding that that person is of a description specified in regulations under subsection (4) above, provided that the authority are satisfied that the person by whom the services are to be provided is an appropriate person.'.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss amendment No. 5, in clause 4, page 3, line 20, at end insert—

'(3A) A person in receipt of a payment under subsection (1) above may secure the provision of the service to which it relates from a person, notwithstanding that that person is of a description specified

in regulations under subsection (3) above, provided that the authority are satisfied that the person by whom the services are to be provided is an appropriate person.'.

Mr. Clarke: I am delighted to present the amendments to the House. I must again say that I regret that the Government deliberately staged this business on a day when we had very important talks in Northern Ireland. Without that devious approach, we could have had a very different result on the previous amendment.

My hon. Friend the Member for Darlington (Mr. Milburn) has already drawn attention to some of the inconsistencies between cash payments under the Bill and those under the independent living fund and the ILF transfer, in relation to some of the financial issues. There is another area where the Minister has failed to deal with inconsistency between the two types of cash payment. Under the ILF and its successors, disabled people may not employ close relatives as paid carers if they live in the same household. Payments are allowed when recipients live alone or when the person with whom they live is unable to meet all the care needs. The Minister has made it clear that he will use his regulation-making powers under subsection (4) to exclude a long list of family members, whether or not they live in the same household. It is an arbitrary list that includes sons-in-law, but not nephews; stepsons' wives, but not nieces; grandparents, but not great-aunts and uncles. Putting that right would be welcome, even though it would be contrary to the Government approach today, when they have resisted all logical argument.

Rather than having an arbitrary list defining who is and who is not a close relative and barring them from receiving payment as carers under the Bill, we should apply the same common-sense approach to this issue as applies under the independent living fund. We should give local authorities greater discretion than the Minister intends, to allow the employment of a close relative where that is clearly the independent choice made by the disabled person and where allowing that choice is clearly in the disabled person's best interests.

I entirely accept, as do local authorities, that disabled people should not be exposed to undue pressure from family members to spend their cash payments on employing relatives. Likewise, close relatives must be protected from pressure to give up other work to be paid to care for a disabled person. It is for those reasons that we accept that there should be a general presumption against turning informal care into paid employment. However, in the context of that general assumption, the scope for local authorities to exercise their discretion should be wider than the Bill proposes.

The Minister made it clear in Committee that he intends to issue section 7 guidance to exclude employment of close relatives. First, he proposes:

"local authorities should not make direct payments where the recipient intends to employ or contract with close relatives who live elsewhere".

Secondly, he proposes:

"Local authorities must give effect to the policy as manifested in such guidance, but they have discretion to make exceptions where the circumstances merit it. Where they do not act in accordance with such guidance they may be subject to legal challenge unless they can show good reason for making an exception."—[*Official Report, Standing Committee D*, 2 April 1996; c. 103-4.]

The Government have said that they will recognise

"good reason for making an exception"

where a user lives in a sparsely populated rural area or where a person might want to employ a family member for religious or cultural reasons. Those are good reasons, but there will be other cases, as the experience of users of payments from ILF sources has shown. The ILF published a report in 1992, "Cash for Care", which summarised much of that valuable experience.

The evidence is that some disabled people choose to employ relatives because of a fear of being taken advantage of by a stranger coming into their homes or because they found it less embarrassing to have a relative assist them in certain areas of their very personal day-to-day lives. Indeed, those are some of the considerations that might prompt disabled people to take up direct payments in the first place. It is surely deeply inconsistent to introduce a Bill to give people greater choice and control in the provision of their own care and then to deny them the choice of employing a relative to provide personal care, which may be what they most want and need.

Disabled users told the authors of the ILF report that employing a relative allowed them to relax immediately; that they benefited from having a carer who was familiar and trusted; that they could benefit from an extra degree of flexibility from the carer; and that they could rely on a greater degree of consistency and commitment. Those are all important points; none of them applies across the board. Just as there are disabled people who would greatly prefer to employ a family member, so there are others who would not choose to employ a close relative under any circumstances.

The key is not whether people do or do not wish to employ family members; it is that they should have the freedom to make that choice. Our amendment does not give them unlimited choice. They still have to satisfy the local authority making the direct payment that their choice is a sound one. That is a good deal better than what the Government propose. It makes the decision on who should be employed subject to the same local authority discretion and the same professional assessment by social services staff as the decisions on how much care is needed and whether direct payments are appropriate in the first place. That is how it should be.

As with eligibility to receive direct payments, eligibility to be employed should not be a matter for blanket exclusions by the Secretary of State, with exceptions allowed only in the most exceptional circumstances. It should be a matter for the free and considered judgment of the disabled person and the discretion and professional judgment of the local council.

7.30 pm

Mr. Alfred Morris: Amendment No. 2 is a well-justified attempt to stop the Government excluding certain people from being hired as helpers because they are so-called "close relatives" or because they are living in the same household as the disabled person. The amendment provides effectively for an easing of the currently proposed ban on them.

The problem with the Government's list of who can and cannot be hired—as my hon. Friend the Member for Monklands, West explained—is that it includes some relatives who, in the real world, cannot really be termed "close". The surviving partner, a stepson, an aunt or a grandparent are examples.

[Mr. Alfred Morris]

It might be reasonable to exclude anyone who is already providing assistance to a disabled person and for whom extra help is being sought from the local authority, but that could exclude people receiving invalid care allowance and would not be appropriate in all cases. This raises the issue of how the invalid care allowance will be treated in relation to direct payments. About that there has been an ominous official silence which should now be ended.

Care will need to be taken in deciding who to classify as a partner. Is the classification to include gay or lesbian couples? How will disabled people be protected from a local authority that is over-officious or intrusive in determining whether a partner is indeed a partner?

To avoid the difficulty that the Government describe as "creating pressure for informal care to be put on a formal contractual basis" while also avoiding a hard list of excluded relatives, it might be possible to put the onus of proof on the local authority to show that the person the disabled person seeks to pay would provide the requisite care informally.

In relation to lodgers and other persons living in, the wording used throughout the passage of the Bill has been very worrying to many disabled people. As explained in paragraph 24 of the consultative paper and by Baroness Cumberlege, in Committee in another place, such people could not be paid

"unless they are people who have been specifically recruited to be live-in personal assistants."—[*Official Report, House of Lords*, 15 January 1996; Vol. 568, c. 411.]

That would preclude a person who has someone other than a close relative living in the household—a lodger or a friend, for example—from arranging with that person to become her or his helper.

The wording suggests that that person would have to be hired as a helper and then given accommodation. That is far too restrictive. It would rule out direct payments to people taking in lodgers whom they subsequently decide to hire as helpers. There would be nothing improper in such a situation and, in my view, it should be allowed.

As far as the relative not living in the same household is concerned, it ought to be possible without treating it as an exceptional case—as proposed in paragraph 24 of the consultation paper—to employ a close relative who is and remains living elsewhere. The practice of employing family members not living in the same household has worked well with the independent living fund. Why should it not work with direct payments? Indeed, if complications are to arise in the case of direct payments being made to top up payments from the ILF, I should have thought it essential that the same rule should apply to direct payments as those applied to ILF payments.

An additional and most important point concerns the Government's requirement, set down in the consultation paper—in section G on emergency cover, at paragraph 33—that disabled people will have to make sensible arrangements so that they have adequate cover in an emergency—for example, if one of their usual assistants is taken ill. What more normal course of action could there be than to ask a relative to stand by for emergencies? The current proposals would preclude payment to the relative in those circumstances. That is not reasonable.

The amendment, in my opinion, sensibly opens the door to improvements in all these areas by giving local authorities discretion to take account of individual circumstances. That must be the right course to take.

Mr. Bowis: I can reassure both the hon. Member for Monklands, West and the right hon. Member for Wythenshawe that their worries have been taken into account. I understand the mystification that can occur when different funds and different benefits have different rules. There are, of course, similarities with the independent living fund, but there are also differences. The ILF provides funding for personal care for a small group of severely disabled people. With direct payments in lieu of community services, services will go much further—including such services as day care outside the home, provision of aid and adaptations and residential care.

The hon. Member for Monklands, West is quite right. In Committee, I announced the results of our consideration of the consultation exercise and announced that we would proceed with the regulations and the guidance. Those are two separate matters, to which I shall return to address the points made by the right hon. Member for Wythenshawe.

The regulations which we propose will prevent people from using direct payments to employ close relatives living in the same household. The guidance will also tell local authorities not to make direct payments in cases where the recipient intends to use them to secure services from a close relative living elsewhere or from someone else living in the same household, unless that person has been recruited as a live-in personal assistant. Local authorities will be able to make exceptions to the guidance when they are satisfied that there is no satisfactory alternative.

The problems that we are seeking to avoid are the difficulty of enforcing contracts with relatives and the pressure to employ a relative who would not necessarily have been the disabled person's first choice—a problem that can arise whether or not the relative shares the home and whether or not someone sharing the home is a relative. On the basis of those problems, the people whom we consulted on this matter reached the conclusion—the conclusion that we have reached—that we must have restrictions. That is why we have decided to proceed with the guidance and the regulations.

Local authorities will have discretion to make exceptions to the guidance when circumstances merit it. The hon. Member for Monklands, West mentioned two circumstances: sparse population and strong cultural preference. I stress that exceptions can be made for other reasons and are not limited to those two. The guidance will make that clear.

In contrast, the amendment would weaken the presumption against someone who falls into one of those categories and would allow local authorities to disregard the regulations. If we were to accept these amendments, that would seriously undermine the restrictions that we propose. The discretion that we intend to allow will be sufficient to make exceptions when there are no suitable alternatives.

It would not be appropriate to make exceptions to the restrictions in regulations. I do not believe that a straightforward employer-employee relationship is possible between two close relatives sharing the same household.

The restrictions we propose will protect disabled people's independence and were supported by responses to the consultation exercise. I believe that they will create the best framework for direct payments. I hope that I have been able to satisfy the hon. Member for Monklands, West and the right hon. Member for Wythenshawe.

Mr. Tom Clarke: Being generous of nature, I would like to tell the Minister that he has satisfied me, but I would be less than truthful if I did. However, we have carefully considered what he said, and I think that discussions on this matter will continue. As we are well on the way to enacting the Bill, it will be useful to consider what happens at local level, particularly in relation to this matter. I am sure that the dialogue that the Minister has conducted—of which we are aware and have tried to emulate—will continue.

I look forward, perhaps in a year's time, to having perhaps some influence on the review that will consider the Bill. In that very generous spirit, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Milburn: I beg to move amendment No. 9, in page 1, line 24, at end insert—

'(4A) The Secretary of State shall issue guidance to local authorities to provide for procedures to be adopted for the assessment and review of any financial contribution which may be required from the person under subsection (2) above, and for the amount of any such contribution to be notified to the person after the direct payment has been made to him but before any such contributions are deducted.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 10, in clause 4, page 3, line 15, at end insert—

'(2A) The Secretary of State shall issue guidance to local authorities to provide for procedures to be adopted for the assessment and review of any financial contribution which may be required from the person under subsection (2) above, and for the amount of any such contribution to be notified to the person after the direct payment has been made to him but before any such contributions are deducted.'.

Mr. Milburn: The amendments return us, once again, to the principle of fairness which we have debated during much of this afternoon's proceedings and they cover issues that we discussed at length in Committee. They are of concern to a number of disability organisations, including RADAR—the Royal Association for Disability and Rehabilitation. Their worry is straightforward.

The Bill would discriminate against direct payment recipients because it would give them different treatment from that accorded to the equivalent service user. The service user will continue to be provided with the service if there is a dispute with the local authority about the scale of the charges it seeks to make as a contribution towards that service. Indeed, service users will be able to appeal against the assessment made by the local authority on the basis of its reasonableness. Services will continue to be provided during the appeal because they are legally protected.

By contrast, deducting charges from direct payment recipients in advance, which is what the Bill allows, could jeopardise the provision of the services that they have bought. Under the amendments, any deduction or any assessment of an individual's financial contribution against the level of a direct payment would take place only once the payment had been received; otherwise there is a risk that services could not be bought or that the direct payment recipient, unlike the service user, would have to foot the additional bill without any right of appeal.

The amendment addresses some inconsistencies in the Bill and is designed to establish a level playing field between direct service users and direct payment recipients. It is designed to uphold the dignity of disabled people by allowing them full control over their own financial affairs rather than giving power back to the local authority. We believe that it is consistent with the principles of the Bill and I hope that it gets a fair wind from the Minister.

Mr. Bowis: I am grateful to the hon. Member for Darlington (Mr. Milburn) for the way in which he moved the amendment. It calls, first, for guidance on procedures for assessment and review of the financial contribution that the local authority expects people to make and, secondly, for direct payments to cover the full cost of the services to which they relate and for any contribution from recipients to be recovered later rather than deducted at source.

We have already discussed the discretion that local authorities have over the assessment of how much people should contribute to the cost of their non-residential care. I have explained why the Government do not wish to restrict that discretion and, more particularly, why it is not appropriate to use the Bill to lay down procedures for assessment.

If people feel that they are being expected to contribute too much to the overall cost of their care, the first step is for them to ask the authority to adjust the level of the direct payment, as provided for under Government amendment No. 16, which will insert a new subsection (2) in clause 1. If the local authority refuses to adjust the payment and the person remains dissatisfied, he or she will have access to the community care complaints procedure. If people do not think that they can manage at all, they may refuse to accept the direct payments, in which case they will receive services instead. If, on the other hand, the difference is small or they have already begun to receive direct payments before they realise that the amount is inadequate, they may decide to accept the direct payments while their complaint is being considered. The fact that they have not withdrawn their consent does not prevent them from using the complaints procedure or, ultimately, the ombudsman.

Those are adequate and appropriate review procedures. It would be cumbersome and bureaucratic to create an additional procedure in respect of financial contributions from people who receive direct payments only.

I now turn to the proposal that direct payments should cover the full cost of the services to which they relate, with any contribution from recipients being recovered later. That seems to me to be a much more bureaucratic system and more open to abuse than our proposal for making direct payments net of any contribution from the recipient.

I realise that the hon. Member for Darlington seeks to reflect the situation for services, where the local authority is required to provide the service that it assesses someone as needing before seeking to recover any charge for that

[Mr. Bowis]

service. I do not think that it follows that local authorities should pay out more cash than they have judged appropriate and then seek to recover a contribution from the individual. Incidentally, the amendment does not create any power for the authority to recover the individual's contribution once it has assessed it. The amendment might, in fact, prevent authorities from securing any financial contribution where they make direct payments. Again, the level playing field would be out the window. [*Laughter.*] I said that I would get that phrase in again.

Direct payments are not a benefit to be added to the recipient's income. The money is paid to the individual to enable that individual to secure the services he has been assessed as needing. There is no reason why a local authority should be required to pay someone more money than it judges he needs to enable him to secure him those services. I hope that the hon. Gentleman will not press the amendment.

7.45 pm

Mr. Milburn: I rather like the Minister's idea of throwing the level playing field out the window. Perhaps that would have avoided all the discussions and debates we have had over the past couple of months. They seem to have been about level playing fields and little else. That may be a fitting way in which to end our discussions on the meat of the Bill before we move to Third Reading.

Concerns have been expressed by disability organisations about the way in which, potentially at least, direct payment recipients will be treated in relation to direct service recipients. However, I am sure that we shall return to the issue when the Bill is implemented. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 4

DIRECT PAYMENTS

Amendments made: No. 12, in page 3, line 8, after 'Act,' insert

'and

(b) the person is of a description which is specified for the purposes of this subsection by regulations,'.

No. 17, in page 3, line 8, leave out 'pay' and insert 'make'.

No. 18, in page 3, line 9, leave out from 'him' to second 'of' and insert ', in respect'.

No. 19, in page 3, line 10, at end insert

', a payment of such amount as, subject to subsection (2) below, they think fit.'.

No. 20, in page 3, leave out lines 11 to 15 and insert—

'(2) If—

(a) an authority pay under subsection (1) above at a rate below their estimate of the reasonable cost of securing the provision of the service concerned, and

(b) the person to whom the payment is made satisfies the authority that his means are insufficient for it to be reasonably practicable for him to make up the difference,

the authority shall so adjust the payment to him under that subsection as to avoid there being a greater difference than that which appears to them to be reasonably practicable for him to make up.'.—*[Mr. Bowis.]*

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. Bowis.]*

7.47 pm

Mr. Tom Clarke: This is one occasion when I am happy to agree with the Minister. I am sure that we are quite relieved to have reached this stage; despite our robust debates, we are anxious to see the Bill move to another place and be enacted. Many people outside are looking forward to that opportunity as well. I hope that, although only a minority of councils are involved at the moment in indirect payments, many other councils will see the opportunities in the Bill. It is very much in their interest and in the interest of community care generally.

One of the most important points made this afternoon was that by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood). Although I fully understood why the Minister did not feel free to give an immediate response, there may be a case for giving a bit more study to pilot schemes.

Some problems remain, such as the problems of the independent living fund and family carers. My hon. Friend the Member for Darlington did a fine job in Committee and on the Floor of the House in dealing with the important issues of residential care, domiciliary care and other matters. Likewise, my hon. Friend the Member for Wakefield (Mr. Hinchliffe) did a great service to us all this afternoon.

I congratulate the Minister on the competent way in which he has handled the Bill. He has given us many good ideas for what we intend to do in 12 months' time. I look forward to the assistance, research, guidance and wisdom that both sides of the House have received from disability organisations, from elderly people, from organisations for elderly people and, of course, from local authorities. In that spirit, I look forward to seeing the Bill enacted. I know that, despite its limitations, it improves the prospects of better delivery of care in the community.

7.49 pm

Mr. Bowis: I simply want to respond to the gracious comments with which the hon. Member for Monklands, West has concluded for the Opposition. I appreciate them. We have had some good discussions and debates not only in the House but in Committee. I thank all hon. Members who served on the Committee. I am also grateful to members of the Technical Advisory group, who have contributed to our discussions and helped to produce a good Bill. The Bill represents an idea whose time has come. We are moving forward with a measure that will give independence, dignity and choice to disabled people and enable real advancement. The House can be proud of what it has achieved today.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

Arbitration Bill *[Lords]*

As amended (in the Standing Committee), considered.

Order for Third Reading read.—[Queen's and Prince of Wales's consent signified.]

7.50 pm

The Minister for Competition and Consumer Affairs (Mr. John M. Taylor): I beg to move, That the Bill be now read the Third time.

I am grateful for the support that hon. Members have given the Bill, which has made for its smooth passage through the House. The fact that the Bill has completed its stages with such ease is due in no small measure to the care with which it was prepared and drafted.

I pay tribute once again to Lord Justice Saville and members of his advisory committee for all their work in advising my Department on the Bill's policy aspects. The advisory committee brings together a considerable weight of expertise on arbitration matters and its support has been invaluable. I also thank the draftsman for the magnificent way in which he has reflected the agreed policy with such clarity.

We made some minor technical amendments to the Bill in Standing Committee. Those have refined the text on the question of the courts and jurisdiction for arbitration matters. That will give us flexibility in the allocation of arbitration business that may not have been possible under the previously proposed arrangements.

I am pleased to have been responsible for steering the Bill through the House. It is an important Bill and its technical nature should not blind us to the benefit that it will bring to those who make use of arbitration throughout England, Wales and Northern Ireland. It is the responsibility of Government to ensure that business has access to a cost-effective and speedy mechanism to resolve disputes that crop up in the course of its activities. The Bill will much improve matters. It sets out the law more comprehensively and clearly, which is in itself a great improvement, and condenses the law into a single document.

Mr. Nigel Waterson (Eastbourne): I should perhaps mention an interest as a solicitor who has long practised arbitration law in the City of London. Is my hon. Friend aware how much the Bill will reinforce London's paramount position as a world centre for arbitration, especially maritime arbitration; how much it is supported by my colleagues in the London Maritime Arbitrators Association; and how much they and I endorse his kind remarks—although justified—on Lord Justice Saville's contribution?

Mr. Taylor: I thank my hon. Friend. He expressed his remarks handsomely. I am glad that they are on the record and, with his permission, I shall not attempt to gild the lily.

The Bill also provides for a system that offers finality and the minimum involvement of the courts. At the same time, it offers the parties the maximum opportunity to decide how the arbitration will be conducted. I hope that business will take advantage of that possibility to shape the arbitration process to meet its needs.

The Bill will also help to strengthen the competitiveness of the arbitration industry. I feel sure that as well as attracting arbitration business from companies here, the Bill will enhance the attractiveness of London as a venue for international arbitrations. International arbitrations are a lucrative source of foreign earnings, but the business is highly mobile. I am confident that the Bill will do much to give London a more secure position in that competitive world and, indeed, advance London as the capital of the arbitration world.

I know that many people are looking forward to the Bill's enactment. Even as we speak, there is much activity across the country as preparations are being made for enactment. Even as we deliberate, books are being written and seminars are being held to explain the Bill's provisions. In the circumstances, we should wish the Bill well on its way to the statute book.

7.55 pm

Mr. Stuart Bell (Middlesbrough): I am grateful to the Minister for Competition and Consumer Affairs for his brief eulogy to the Bill. How nice it is to be at the Dispatch Box with you, Mr. Deputy Speaker, in the Chair.

Sir Fergus Montgomery (Altrincham and Sale): Creep.

Mr. Bell: I shall not repeat the hon. Gentleman's sedentary intervention, but I remind him of Lord Jenkins's comment that flattery is not such a bad thing as long as one does not breathe in. I believe and have long since supported that.

I was intrigued by the Under-Secretary's remarks about all the books that are going to be written. Having done an annotated version of the Children Act 1989 some years ago, it is of great relief that no one has asked me to do an annotated version of the Arbitration Bill *[Lords]*.

The Under-Secretary said that the principles behind the Bill are clear. They restate existing legislation on arbitration while, at the same time, codifying principles established by recent case law. They introduce certain changes in the law that are designed to improve arbitration as a fair, speedy and cost-effective way in which to resolve disputes. If I may use the more eloquent—almost grandiloquent—language of Lord Mustill, the Bill combines thoroughness and accuracy in all its contents with remarkable facility, felicity and clarity of expression.

Practitioners, too, have welcomed the Bill, on which the hon. Member for Eastbourne (Mr. Waterson) touched. I have seen such descriptions as "user-friendly language" and "logical layout" which would certainly have appealed to the House, practitioners in the City of London and to King Solomon. One might ask what King Solomon is doing in our debates. His wisdom has been passed down the ages. He had to arbitrate in a particular non-commercial dispute. He had before him two women and a baby. Each woman declared the baby to be hers. Solomon offered to cut the baby in two to please both women. The real mother thought that that was a dreadful idea, the false mother did not mind half the baby, and Solomon entered his judgment accordingly. Lord Justice Saville, who chaired the committee and has been a leading light in the Bill's preparation, to which I shall return, might say that that was an example of adjudication rather

[Mr. Bell]

than arbitration. The Under-Secretary, who was a solicitor, and I will leave that semantic argument for another day.

I am glad that the Under-Secretary referred to Lord Justice Saville, and I should like to refer to him, too. Lord Justice Saville, the Court of Appeal judge who formerly headed the commercial court, has, in the words of *The Times*, "almost single-handedly" rewritten all law on arbitration into a single statute. He has also modernised procedure in line with the trend towards more user-friendly ways in which to settle disputes. If he is following our proceedings with care, which I am sure he is, his honours fall thick on him.

According to the consultation document issued by the Department of Trade and Industry, the Bill's purpose is to restate the major aspects of the current law on arbitration in a clear and accessible so way that it is readily understandable to all those who are considering using arbitration. The Department of Trade and Industry hoped that the Bill would do something that present legislation does not—explain the main provisions of English arbitration law in non-legalistic English so that those who are contemplating arbitration and those who are engaged in such arbitration will know what that entails without the need to consult experts.

I have seen some criticism—not much, I grant—that ordinary persons will not understand the Bill's language, and that, therefore, it has failed. I imagine that most ordinary persons would not understand the intricacies with which the parliamentary draftsmen have to deal, and I am grateful to the parliamentary Under-Secretary for giving praise where it is due to the draftsmen. In this instance, we are not talking about ordinary persons, but with ordinary persons who have a dispute and wish to resolve it without going to court. It has been said that people may unwittingly be deprived of their right to go to court, but those who accept binding arbitration in a contract separate from the main agreement—as the Bill permits—will understand that that means that they can avail themselves of a route designed to be less costly and speedier than the route through our courts.

The Parliamentary Under-Secretary of State referred to the flexibility of the Bill. We prefer that Bills be flexible rather than inflexible. We do not want to fill the statute book with "thou shalts", but rather with "thou mayests". Indeed, the Bill has been praised by practitioners, who applaud its flexibility. They are attracted to its mandatory and non-mandatory provisions, where the parties are encouraged to make their own rules and provisions. Only in so far as they do not does the Bill then provide a model set of rules for the conduct of the arbitration that the parties can either include, exclude or rewrite as they wish.

In addition to clarity and certainty in the law as it relates to arbitration, it is hoped that the codification of past law and its fusion with case law will ensure that the City of London remains the world centre for the resolution of commercial disputes—a fact to which the Under-Secretary and the hon. Member for Eastbourne referred. In this sense, the Bill brings together current statute law which has hitherto been spread across three Acts of Parliament—the 1950, 1975 and 1979 Acts. It fuses into statute law the case law of the past few years. The Bill, among other things, is designed to ensure that the City of London does not lose its pre-eminence in relation to arbitration. A large proportion of arbitrations within the United Kingdom involve one or more foreign partners. The benefit—incremental no doubt, for who would wish to benefit from disputes—runs into many millions of pounds.

In the global economy; in the age of the Internet; in an age when communications span the planet with such rapidity and, sometimes, with such force; and in an age of domestic and international issues—to which the Under-Secretary referred—it is clear that our arbitration services need to be able to adapt. They need to be speedy and as low in cost as possible. As the European Union develops and—I can say this to such an empty House—moves towards the era of a single European currency, and as other European countries adapt their own laws to be able to compete within the Union, with arbitration, as with everything else, we cannot and should not be left behind.

I mentioned earlier the judgment of Solomon, which reminds me of the famous trip that Napoleon took to St. Helena, where he spent much of his time settling disputes between his cook and his butler. Perhaps it was at that time that he coined the famous phrase:

"There is only one step from the sublime to the ridiculous."

Perhaps Lord Justice Saville will tell me whether Napoleon arbitrated or adjudicated, without having the clarity of this Bill, as Lord Mustill put it. Upon this piece of useless and irrelevant information, I commend the Bill to the House.

8.4 pm

Sir John Stanley (Tonbridge and Malling): This is a lengthy and extremely complex Bill of 110 clauses and four schedules. It is rare that the House has the opportunity to consider legislation in this complex and important area. That being the case, I believe that there is a real obligation on this House, and the other place, to give every opportunity for those outside to be able to convey their views to Members at all stages of the Bill's passage.

For those outside, the most important stage of a Bill's proceedings is its Committee, as that is in effect the only point at which amendments tabled that are in order are automatically debated. I make no criticism of the members of the Standing Committee that the Committee stage of this Bill took a total of 36 minutes, as that is a matter for them. But this House gave those outside much less than a fair opportunity to have amendments considered in Committee by the minimum gap between the appointment of the Committee members and the commencement of the Committee.

A constituent who is a practitioner in the field of arbitration and a member of the Chartered Institute of Arbitrators, Mr. Adrien Sturgeon, indicated to me at an early stage that he wished to raise a number of amendments with members of the Committee. I obtained the details of the membership of the Committee at the earliest possible moment when they appeared on the Order Paper on the Thursday, the day after the Committee of Selection had met. I sent those details to Mr. Sturgeon, who very rapidly wrote to all members of the Committee. The fact that the Committee sat the following Tuesday and for only 36 minutes meant in effect that the members of the Committee had no opportunity to consider Mr. Sturgeon's amendments. In effect, the Committee's proceedings concluded before the members could consider the amendments.

I make no criticism of my hon. Friend the Under-Secretary because these matters are not in his hands, but I believe that there is a serious and substantive issue for the House to consider. There was no need in terms of the timetable for this Bill for it to be as speedily expedited as it was. The Committee Corridor is more or less deserted at this time of a Session, and in no way can the Bill be said to require the maximum accelerated progress. For such Bills, it would be infinitely better if a clear week elapsed between the selection of the Committee members and the commencement of the Committee's proceedings. I personally regret—and ask the House to note—that there has been a material inability in our democracy for expert members of the public to have their amendments considered by Standing Committee members.

Mr. Bell: I sympathise with the right hon. Gentleman's constituent in this matter, and I agree with him about the procedures of the House. He will be aware that the Bill was given a thorough hearing in the other place, where it began its life. It was then proposed that it should be sent to a Special Public Bill Committee in the other place, and that motion was discharged. The Bill was then considered by the whole House in the Moses Room. Every opportunity was available in the other place—a part of our institution—to give the Bill a thorough airing. Of course, the proceedings did not stop at Committee. They came to Report, when there were additional opportunities for Members—had they so wished—to table amendments.

Sir John Stanley: I am aware of the Bill's proceedings and the procedure in the other place. I make my point in relation to this Bill, but I believe it may have wider application. It is a desirable step that there should be a reasonable period between the selection of a Standing Committee and the commencement of the Committee proceedings for those outside the House to be able to contact members of the Committee, and for the members themselves to take a considered judgment as to whether they wish to table amendments at that stage. The House will understand that I wish to bring my remarks to the attention of the Chairman of the Procedure Committee for consideration by that Committee.

8.8 pm

Mr. John M. Taylor: By leave of the House, I had not intended to reply to the debate, but my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley) has raised a point to which it would be discourteous of me not to respond. It is a matter of record that Lord Justice Saville's committee consulted very widely. However, not every representation won the day. Like my right hon. Friend's constituent, some were disappointed, but Lord Justice Saville's committee dwelt on the issues for more than a year. The total gestation period of the Bill has been no less than five years, including extensive consideration in the House of Lords.

I do not know whether it is seemly to refer to my right hon. Friend's constituent by name, but I should let him know that Mr. Sturgeon wrote to me. He made a number of points that I considered carefully and I replied to him at some length as to why we would not accept his proposals.

On a happier note and to bring my remarks to a conclusion, I omitted one name from the credits that I gave in support of the Bill. It was, of course, my hon. Friend the Member for Croydon, South (Mr. Ottaway), who worked closely as Parliamentary Secretary with the predecessor of my right hon. Friend the President of the Board of Trade. Having repaired that omission, I shall resume my seat.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

HEALTH

Ordered,

That Mr. Richard Spring be discharged from the Health Committee and Lady Olga Maitland be added to the Committee.—*[Sir Fergus Montgomery, on behalf of the Committee of Selection.]*

Heron Line

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

8.11 pm

Sir Alan Haselhurst (Saffron Walden): I am grateful for the opportunity to discuss the future of the Heron line. I should point out straight away that the Heron line is a railway. I am glad that the Minister replying to the debate appreciates that fact, but not all those who made inquiries about the title of the debate appreciated that I was talking about a railway. Those who got nearest to the right answer thought it was a bus route, and others who were nowhere near it thought that it might have ornithological connections.

The Heron line is part of the network run by the West Anglia Great Northern railway company, or WAGN as it is somewhat inelegantly known. It is principally the service between Liverpool Street and Cambridge and it passes through my constituency. There are five stations in my constituency: Stansted Mountfitchet, Elsenham, Newport, Audley End and Great Chesterford. There is also the station at Stansted airport. Although its route uses most of the Heron line, it is now called the Stansted skytrain service, but it is very much part and parcel of the West Anglia section of the WAGN railway company.

I was disappointed that, in shaping the franchises, the opportunity was not taken to split West Anglia from Great Northern so that we would have had competing services from King's Cross to Cambridge and from Liverpool Street to Cambridge. It was one of the natural opportunities that arose for competition in the privatised railway, but it was decided otherwise. I shall not reopen that issue tonight. However, the decision to include both services to Cambridge within the same franchise has certain consequences.

I regard tonight's debate as timely as there are concerns in my constituency about the future of the Heron line and how it will fare as part of a railway franchise, as it is clear that the premier service to Cambridge is seen as the one that departs from King's Cross. There is now an excellent service—railway operators call it the Cambridge cruiser—that enables people to travel between the two cities in 52 minutes—a time that cannot be matched on the Heron line. So questions naturally arise in the minds of my constituents that, in the longer term, the stations on the Heron line will become less attractive to the railway operator. Of course they go on to think the worst. Therefore, I thought it might be useful to make a number of points ahead of the publication of the passenger service requirement for the franchise, and more particularly, the award of the franchise.

I should like to make a few points about the shape and scope of the franchise, mentioning the future impact of the Thameslink 2000 project—I am delighted that the Government have given approval to that project. It is of strategic importance to provide improved services north-south through the capital, but it seems that the possibility of making those additional north-south journeys will not be available until early in the next century—perhaps around 2002. Therefore, my first question is what length of franchise will be considered appropriate for WAGN, as the big question mark of Thameslink 2000 is hovering and that and other connected franchises might be reconfigured in the light of Thameslink 2000. If, in order to keep options open, the franchising director goes for a short franchise for WAGN at the outset, the chances of certain improvements taking place in the service—to which I shall allude in a moment—seem somewhat reduced if it is envisaged that another franchise operator will take over once the Thameslink 2000 concept is realised.

My second consideration is whether trains operating on the Heron line from Cambridge through the stations in my constituency will have access to the Snow Hill tunnel which—according to the Thameslink project—allows trains to travel through London from north to south. Although there would have to be minor infrastructure changes to allow that physically to happen, it would seem that if it does not, there will be no opportunity to travel from Audley End to Guildford and Brighton on a direct train service, whereas that opportunity will be open to people travelling from Cambridge through the stations served by the line into King's Cross. That would further the impression that the Heron line is of less importance.

I recognise that the alternative opportunity for passengers on the Heron line was originally seen as the east-west link through London known as crossrail, but I do not have to remind my hon. Friend that there is doubt about the future of crossrail at the moment, so the opportunities for my constituents being able to travel directly through the tunnel into Liverpool street to the stations that were planned on the crossrail line seem somewhat diminished. Obviously, I hope that it will be possible to resurrect the crossrail project, but in the absence of that certainty, it appears that some of the advantages that will flow to passengers using the Cambridge-King's Cross service will not benefit passengers using the service through my constituency.

I hope that the franchising director will want to include in the franchise the potential of Stratford as an alternative terminus for trains. It will not be many years now before Stratford will provide an interconnection with the cross-channel rail services and with the Jubilee line, providing a faster connection to the west end. I certainly hope that the prospect of services to Stratford along the Heron line from Cambridge will be included.

To look further ahead, I wonder whether the franchise would be enhanced if the line between Ely and Peterborough were electrified. Those passengers wishing to travel to Peterborough and further on the east coast main line would benefit if there were a direct service that did not require them to change at Cambridge or Ely. I hope that such a suggestion might bolster the potential of the franchise.

The scope of that franchise should also include improvements to the infrastructure, particularly the signalling. I am not a technical expert on railway engineering by any stretch of the imagination, but the type and age of the signalling facilities south of Bishop's Stortford towards Liverpool Street is such that the newer types of rolling stock cannot use it. That is disappointing. If the Liverpool Street and the King's Cross services to Cambridge are included in the same franchise, that means that there cannot be commonality of rolling stock. It would be advantageous if the railway operator who wins the franchise were able to use his rolling stock on either line, as it suited him.

The system is inherently inflexible if one cannot use the same rolling stock on both lines. At the moment, perversely, the same rolling stock is used on both lines, but later this year the Great Northern line is due to switch to the new type 365 Networker trains. Surely that switch will offer a glaring example to my constituents of what the haves have in relation to the have-nots. The haves will enjoy faster services in new rolling stock, whereas the Heron line will still have 20-year-old rolling stock. That does not seem sensible. If there is a justification for having a combined franchise, one should take advantage of that and ensure that there is commonality of stock. That cannot be achieved unless the state of the signalling is attended to in the near future. I want to know whether that will be a condition of the franchise.

Such improvements would have the advantage of providing a diversionary route from Peterborough. If there were any difficulties on the Great Northern section of the east coast main line, it would be possible to run trains from Peterborough on electrified track all the way to Liverpool Street. That would also offer the further possibility of enlarging and enhancing the catchment area for employees of Stansted airport, because people would then be able to use a fast, reliable service to the airport from Peterborough.

Certain questions must be asked about the scope of the franchise. I should also like to comment on the quality of the service that my constituents may expect. They will be left with 20-year-old type 317 rolling stock. I hope that the franchising director will consider it important, whatever the length of the franchise he decides to award, bearing in mind the considerations that I have mentioned that may be in his mind, too, to promise at least refurbished rolling stock on that line. It would be unacceptable to continue to run unaltered 20-year-old rolling stock. It is daft not to hold out the promise of new rolling stock once it is possible for it to use the Heron line.

At the moment, it is galling to my constituents that some of the stations on the Heron line are closed on a Sunday—some are located in my constituency and others are south of it. The reason for that is that engineering works on the Great Northern line preclude a fast service from Cambridge on a Sunday. In order to provide a faster service, trains travel on the Heron line, but, to achieve that fast service, certain stations on that line are closed on a Sunday. People therefore cannot take advantage of those train services. That is not satisfactory and I hope that those Sunday services will be reconsidered as part of the franchise.

I must mention late-night services. It would be wrong to instance the needs of a Member of Parliament, trying to get away from this place at 10.15 pm, if he is lucky, who must catch either the 10.33 pm or the 11.33 pm. The gap between those services is lengthy, especially at Liverpool Street station, which may be beautiful to look at but is not beautiful to dwell in for a long time. There are just about 20 seats on the entire concourse at that station, so it is not an hospitable place late at night. If we are to encourage people to use the railway to come into London for an evening function, the cinema, the theatre, concerts or whatever, they must have the prospect of getting back home at a reasonable hour. The 10.33 pm train is a bit too early, and if they miss that they have an hour's wait. If people go out for a meal after an evening function they are not sure even that they can catch the 11.33 pm service. That does not encourage people to use the railways. I hope that late-night services will also be examined when the franchise is being considered.

I have already mentioned the possibility of links between Stansted airport and Peterborough. When the airport was opened, we went to great expense to build a spur northbound from the airport towards Cambridge, in addition to the southbound spur to carry passengers from London. It was thought sensible and useful to provide such a northbound spur, connected to the Heron line up to Cambridge. The service was run by the Regional Railways. I am afraid that in the early days of the airport, it did not attract many passengers and Regional Railways lost money. It decided to take advantage of regulations whereby it runs just one train a week—effectively no service.

There is a great interest in my constituency in seeing that service reinstated. I do not see why that should not be done by the franchise operator of the West Anglia Great Northern railway. That service should be examined when awarding that franchise. If we are to take the pressure for new housing off the rural part of my constituency and overcome the threat posed to it by urbanisation, it makes great sense to give people north of Stansted the opportunity to travel to work at that airport. I am thinking not just about passengers but about potential employees at the airport. Employment opportunities at the airport are growing steadily by the year. We should make use of the northbound spur, having gone to great expense to build it.

It is also important to consider the impact of the railway on airport employees from stations to the south of Stansted. The Stansted skytrain stops at Tottenham Hale and possibly one other station to provide the fastest possible service for airport passengers. What about the possibility of picking up employees at some other stations on the line? The pressure for new housing and the congestion on roads would be relieved if that service could scoop up more airport employees at those stations.

I have laid before my hon. Friend some of my concerns about the shape of the franchise, and what services it might include, and I have also put down some markers about what my constituents will be looking for, and are entitled to look for. I believe that some of those decisions should be thought through now and not put off until the next century. We should not award a franchise on certain assumptions and change them once Thameslink is operational or we have made a fresh decision on crossrail.

We should not perpetuate a situation in which my constituents are kept waiting, longer than they need, for the delivery of a better service with new rolling stock. They, too, should enjoy the benefits of privatisation that are already apparent from the franchises that have been awarded. Those benefits are the product of the Government's privatisation policy. I want my constituents to share that to the full and I have tried to outline the way in which that can best be done.

8.29 pm

The Minister for Railways and Roads (Mr. John Watts): I congratulate my hon. Friend the Member for Saffron Walden (Sir A. Haselhurst) on initiating a debate on the future of the Heron line. As he said, the debate is timely. He and I have discussed the issues before, and I know that he is concerned that his constituents receive a high standard of passenger rail services.

[Mr. John Watts]

I pay tribute to my hon. Friend's work on the Transport Select Committee, where he has clearly demonstrated his commitment to see that the Government's railway policy is translated into benefits for passengers and taxpayers alike. My hon. Friend expressed the concern felt by some of the Heron line's customers in the West Anglia half of West Anglia Great Northern, who feel that they are the poor relations and fated always to see improvements on the Great Northern route that are not matched on their route.

The Government do not view any passengers as poor relations. Indeed, I note that almost half WAGN's passenger revenue comes from the Heron line and its branch lines. Furthermore, performance in terms of punctuality and reliability is very impressive. The performance consistently exceeds the passengers charter standards and it is marginally better than that of the Great Northern section of the franchise. Clearly, the line is an important and integral part of West Anglia Great Northern, and it is the intention of the train operating company and of the franchising director that it should remain so.

My hon. Friend has expressed concern on previous occasions that West Anglia Great Northern might be left at the tail end of the programme to franchise the 25 train operating companies. He has been keen to avoid any risk of the Heron line going into decline in the interim period, while its customers have to wait an unduly long time before enjoying the improvements from franchising already being seen elsewhere on the network.

There is no question of the current British Rail management retrenching on the Heron line pending franchising. I am glad to confirm that passengers on the Heron line and the other routes on WAGN will not now have long to wait until the benefits associated with franchising are introduced. The franchising programme is moving forward with increasing momentum. On 25 April, the franchising director issued an invitation to potential bidders to apply to pre-qualify to receive invitations to tender for WAGN and six other train operating companies.

I am pleased to see that, yet again, tremendous interest has been shown. A total of 91 applications have been received from 28 different organisations, with at least 10 applications for each company. The companies are bidding competitively for the right to operate the West Anglia Great Northern franchise. My hon. Friend can be assured that there will be a healthy competition for the right to run the services.

I understand that the draft passenger service requirement for WAGN is likely to be issued later this month and, as with previous PSRs, the appropriate local authorities and the rail users consultative committee will be consulted. Furthermore, I shall draw to the attention of the franchising director the views that my hon. Friend expressed this evening. Invitations to tender are likely to be issued later this summer and, on the experience of the franchises let to date, WAGN is likely to be transferred to the successful bidder by early next year.

I refer to the specific issues raised by my hon. Friend. In relation to the modernisation of infrastructure, Railtrack has carried out a series of measures in recent months to modernise infrastructure on the Heron line to good effect. The results can be seen in the excellent performance in respect of punctuality and reliability—consistently above the passengers charter standards—of services on the Heron line. I understand that WAGN will shortly be discussing with Railtrack the potential for greater operational flexibility, which can be fully achieved only through upgrading the infrastructure.

My hon. Friend spoke of the interrelationship between Thameslink 2000 and WAGN. The Thameslink 2000 project, which is planned to commence operations in the year 2002, will enhance services on WAGN by linking stations such as Peterborough, Cambridge and King's Lynn with stations in the south, via central London. The Office of Passenger Rail Franchising will consult the Rail Regulator and other interested parties when determining the most appropriate service specification.

However, as Thameslink 2000 will operate from King's Cross-St. Pancras, it will not serve the Heron line, for which the terminus is Liverpool Street. There would have to be a new link across north London for that to be facilitated. If the operator believes that the demand is there for such a service, and if a commercial deal can be struck with Railtrack, that might be considered in the future. As my hon. Friend reminded the House, it will be some years before the additional capacity provided by Thameslink 2000 is available. It is a £600 million project and it will take some time to deliver.

My hon. Friend also referred to crossrail. Crossrail is expected to come after the Jubilee line extension, Thameslink 2000 and the channel tunnel rail link in the sequence of major new rail projects for London. That sequence of projects takes account of affordability and disruption—it is clearly not sensible to have too much upheaval at one time on London's transport system.

My hon. Friend referred to services to Cambridge. I am sure that the competition for the West Anglia Great Northern franchise will secure benefits for passengers served by the intermediate stations on the lines to Cambridge. The franchising director will be looking for the best deal, and he anticipates healthy competition for the service. In addition, the passenger service requirement will safeguard services to intermediate stations to Cambridge, as well as to Cambridge itself. My hon. Friend will be aware of the instruction to the franchising director, in comparing bids for franchises, to take account of those that offer service levels and enhancements over and above the levels that he specified.

I recognise the frustration that passengers on the Heron line must feel at having to use class 317 rolling stock, while passengers on Great Northern are served by new class 365 stock. Unfortunately, considerable work on infrastructure—such as the replacement of old-fashioned track circuits, platform lengthening and improvements to track and signalling—would be necessary before class 365s could use the Heron line.

I recognise that that has all been undertaken already on Great Northern, but a significant factor was that the line was also used by Eurostar services and the costs were shared with the international operator. The cost of similar work on the Heron line would be borne by WAGN alone. That is an important consideration to bear in mind. Any operator will have to think carefully before committing to such investment. However, if I may give some hope to my hon. Friend, some previous franchise awards have included commitments to refurbish existing rolling stock.

If the existing rolling stock on the Heron line is not replaced, it may be that potential bidders for WAGN will look hard at ways in which it can be improved for the benefit of passengers. A feature of virtually every franchise that has been let so far has been the commitment to new rolling stock or to substantial refurbishment.

WAGN originally cut back on Sunday stopping services on the Heron line in 1994, in a successful attempt to build on the tourist market—particularly passengers wanting to travel quickly from London to Cambridge. It is true that fast through services are now timetabled from King's Cross following improvements to that line. However, I understand that Railtrack needs to carry out even more extensive engineering work on Great Northern on Saturday evenings and Sunday mornings, to avoid disruption to weekday services. The only way to maintain the burgeoning tourist market is to maintain the Sunday through trains on the Heron line, but WAGN has promised to reassess the situation when the engineering work on Great Northern is complete. I am sure that it will have listened with interest to what my hon. Friend said this evening.

Matters such as late-night services can be addressed extremely well during consultation on the PSR if my hon. Friend, his constituents, local authorities and the rail users consultative committee are not satisfied with the level of service specified in the PSR.

Clearly, services to Stansted airport are important, particularly in the context of our overall transport policy, through which we wish to encourage people to travel to airports by rail rather than making them feel forced to use their cars. WAGN is currently working on proposals to enhance services to and from Stansted through the southern part of the Heron line by extending off-peak services from Liverpool Street to Bishop's Stortford.

As my hon. Friend said, such proposals would particularly benefit shift workers at the airport who use the Heron line. The proposals would be introduced in the May 1997 timetable, and WAGN will consult the local authority and rail user groups later this summer. In addition, along with BAA, Stansted Airport Ltd. and Essex and Cambridgeshire country councils, WAGN has commissioned a study looking at the feasibility of reintroducing services to and from Stansted to the north of the line. I understand that it expects to receive that report in the near future.

My hon. Friend also mentioned electrification of the Ely to Peterborough line. I understand that Railtrack and the local authorities have been looking at possible options for improving the Ely to Peterborough cross-country route to accommodate more freight traffic to and from the port of Felixstowe. It will be a commercial matter for Railtrack and the new owners of Freightliner—the company that moves container freight via Felixstowe—to consider whether to pursue any of the available options. My hon. Friend will be aware that the new owners of Freightliner have explained that they have plans to increase their volume of business by 50 per cent. over the next five years.

In addition, the Felixstowe to Holyhead route is represented on the draft rail and combined transport trans-European networks maps. Therefore, any project that Railtrack wished to pursue on that route would in principle be eligible for assistance through the TENs programme. But it would, of course, be in competition with other projects for limited funding, both in this country and on the continent of Europe. My Department would give careful consideration to any such future bid from Railtrack, but Railtrack has not yet come forward with a bid for TENs funding for that route from this year's budget. Therefore, it is difficult to argue that there are firm proposals for developing that route which would justify categorising it as a TENs priority.

My hon. Friend also mentioned the potential for connections with Stratford station and the channel tunnel rail link. Clearly, the growth of docklands and the enhancement of services through the forthcoming Jubilee line extension might well make it feasible for WAGN to serve Stratford from the Heron line. I understand that it intends to keep its options open on that matter and to assess whether it becomes a viable option.

As my hon. Friend recognises, privatisation is about improving quality and taking advantage of commercial opportunities to enhance services. It is about establishing contractual safeguards that will guarantee the future of every line and station on the network. In the light of what we are seeing throughout the rail network as an increasingly large proportion is transferred to the private sector, I hope that I can reassure my hon. Friend not only that the Heron line's future is safeguarded, but that its future under privatisation is in fact brighter than before. The persistence and eloquence with which my hon. Friend advances the case for better services on the line for his constituents and the detailed knowledge that he has of the services provided and the potential for new services will help to guide the beneficial development of services into the future.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Nine o'clock.

House of Commons

Tuesday 11 June 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

Procurement Projects

1. **Mr. Congdon:** To ask the Secretary of State for Defence what recent discussions he has had with European partners about defence procurement projects. [30882]

The Secretary of State for Defence (Mr. Michael Portillo): British Ministers frequently discuss collaboration and defence projects with Ministers in Europe and, indeed, the rest of the world.

Mr. Congdon: Given the importance of the defence industry to the British economy, does my right hon. Friend agree that collaboration with our European partners on defence projects can lead to economies of scale and larger markets? Does he also agree, however, that we must not forget the strategic importance of our relationship with the United States, and that any decisions on defence procurement should therefore be based on cost-effectiveness?

Mr. Portillo: I agree with both parts of my hon. Friend's proposition. The fact is that, if the United States produces weapons for its own market, it may have a production run 10 times as long as any single European state can have. Therefore, getting together to agree our specifications and requirements in Europe offers great benefit, but to cut ourselves off from the United States, which has a technological edge in many of these areas, would of course be absurd. Therefore, our policy should be to achieve a balance between collaboration in Europe and collaboration with the United States. Of course, value for money and the effectiveness of the product for our services should also be important considerations.

Mr. Spellar: We note once again that the criteria that the Secretary of State just outlined, ignored the key question of the maintenance of Britain's defence industrial base. Will he now assure us that it will be a key priority in procurement decisions?

Mr. Portillo: I am astonished by the ignorance of the hon. Gentleman, who is meant to follow these matters. I made a speech in Paris last week in which I made it clear that it was one of the very important criteria for the United Kingdom that we should maintain a British industrial base. However, I am concerned about what we heard in the debate on the Royal Air Force last week, when we heard from the Labour party about its intention to shut off exports of defence products from this country. That would be extremely damaging to jobs in this country and would also make procurement from British industry much more expensive. The time has come for Labour to say just how it intends to restrict our exports of defence products so that people may know how many jobs will be lost and where they will be lost.

Mr. Mans: Does my right hon. Friend agree that collaborating with our European partners means that we can maintain our research and development base but that it should not mean the creation of a European armaments agency run from Brussels, which would be of no use whatever to this country?

Mr. Portillo: Clearly, there is a need for getting together with other countries in Europe to see what agreement we can reach on specifications. For some time, a group has been working within the Western European Union—that is the appropriate place for it to be, not the European Union—to see whether we can bring 13 countries together. There is a bilateral effort involving the French and Germans, which we are now joining, to see whether, between those three big players in Europe, we can reach some accord on specifications. That is the right way to proceed, but if my hon. Friend is saying that there is not a role in this for the European Community, the European Commission, the European Parliament or the European Court of Justice, I entirely agree with him.

Redundancies

2. **Mr. Mike O'Brien:** To ask the Secretary of State for Defence what proposals he has for further compulsory redundancies in the armed services; and if he will list the numbers in each service to be made redundant in each of the next three years. [30883]

The Minister of State for the Armed Forces (Mr. Nicholas Soames): No further redundancies are planned beyond those already announced.

Mr. O'Brien: Does the Minister recall that the 1992 Conservative party manifesto said that cuts of 27 per cent. would devastate our conventional forces? How does he reconcile that analysis with the fact that, through progressive salami slicing that has undermined morale, his Government have cut the armed forces by more than one third?

Mr. Soames: I know that it might have escaped the hon. Gentleman's notice, but since that time the cold war has ended, the Berlin wall has come down, the Warsaw pact has gone home and we are operating in a totally changed and entirely different strategic environment. To suggest that the services could have remained still and unchanged against such a background is idle folly. May I remind the hon. Gentleman that his party is presently proposing to take £4.5 billion out of the defence budget, a conference decision that is binding on the Labour party?

Mr. Trotter: Is not the strength of our forces based on our spending more than the European average on defence? Would not the cut of £4,000 million a year that was

approved by the Labour party at its conference and is supported by many Opposition Members lead to a great reduction in the strength and capability of our forces and many redundancies, not only in the services but in the industry that supports them?

Mr. Soames: My hon. Friend makes a devastating case on his own account. He is absolutely right. Such a move would be deeply damaging, not only to Britain's strategic and commercial interests, but to the very fibre and backbone of the nation. Our armed forces are a golden asset for the United Kingdom. The Conservative party has looked after them well and will continue to do so.

Industrial Participation

3. **Mr. Roy Hughes:** To ask the Secretary of State for Defence what is his Department's policy towards industrial participation. [30885]

The Minister of State for Defence Procurement (Mr. James Arbuthnot): Where we invite bids that involve significant overseas work, we routinely invite bidders to offer proposals that would provide equivalent work in the United Kingdom. That helps to ensure that similar defence work is available to United Kingdom companies.

Mr. Hughes: Can the Minister confirm that, under the Conservative Government, no fewer than 345,000 skilled workers have lost their jobs? Does he accept too that the Government's hands-off approach to Britain's defence industry needs have betrayed those thousands of workers who served Britain so well for many years?

Mr. Arbuthnot: Far from it. Our defence industry is going from strength to strength and we take something like 19 per cent. of the world export market. We are second only to the United States. It is second only to our best ever achievement in the world. That is a pretty good achievement for British industry.

Sir Michael Shersby: Will my hon. Friend be kind enough to look at another variety of industrial participation—participation by civil aviation interests in a military aerodrome, Royal Air Force Northolt, which has a special place in the armed services? Will he give me a robust assurance that RAF Northolt will remain a military aerodrome and not become a feeder-reliever airport for Heathrow, as was proposed by the Select Committee on Transport?

Mr. Arbuthnot: My hon. Friend will no doubt have read the remarks by my hon. Friend the Minister for the Armed Forces in the RAF debate last Thursday. RAF Northolt is already a heavily used military base and it would be difficult for it to take very much more.

Ships (Construction Programme)

4. **Mr. Viggers:** To ask the Secretary of State for Defence if he will make a statement on the construction programme of ships to replace HMS Fearless and HMS Intrepid. [30886]

Mr. Arbuthnot: We asked for tenders for the replacement of HMS Fearless and HMS Intrepid and contract negotiations with VSEL continue. The timing of any order is subject to the satisfactory outcome of those negotiations. We hope to conclude them shortly.

Mr. Viggers: Does my hon. Friend agree that we can take enormous pride in the manner in which we have re-equipped our armed forces in recent years? Every member of the armed forces must give thanks every day that we have not had a Labour Government, because they would have raped the procurement programme in their search for a peace dividend. Does that success not make it even more surprising that there have been delays in the acquisition of replacements for HMS Fearless and HMS Intrepid? What is the latest date by which a contract must be agreed in order for those vessels to enter service by the planned date of 2001?

Mr. Arbuthnot: I do not want to give my hon. Friend the latest date for which he asked, because I do not wish to tie my hands in negotiations. However, I hope that he will agree that, as we have the youngest Navy since the second world war, we have indeed equipped our Navy very well, as my hon. Friend said in the opening part of his question. I hope that he will also have listened very carefully to the way in which I phrased my earlier answer, because I gave him news that I have never before given: we hope to conclude the negotiations shortly.

Mr. Hutton: Although I welcome any progress in the placing of orders for those vital ships for the Royal Navy, does the Minister agree that the procurement contract has been subject to extensive and totally unacceptable delays, which have not only compromised the Royal Navy's amphibious capability but threatened many jobs in Britain's shipbuilding industry?

Mr. Arbuthnot: No. What would threaten jobs in British industry would be the cutting of £4 billion from the defence budget. We have managed to maintain a very young Navy. In the negotiations over the landing platform dock replacement, we have also been achieving a good deal for the Ministry of Defence, the taxpayer and the company involved, since we are improving its management practices at the same time. We hope to conclude the negotiations shortly. This country's amphibious capability is not in doubt. I need point only to the recent launch of HMS Ocean and all the extensive capability that that implies to prove exactly that.

Mr. Peter Griffiths: Does my hon. Friend agree that the difficulty of maintaining HMS Fearless during the recent operation in the Atlantic shows the urgency of the need for a replacement, but more importantly, that the Government accept the need for two replacements for two ships? That is the important issue.

Mr. Arbuthnot: I am sorry to say that I do not agree with my hon. Friend that there was a great difficulty in maintaining HMS Fearless during the Purple Star exercise. She performed extremely well. There was a highly successful amphibious off-load from her, which was one of the highlights of the exercise. She remained operational throughout and is now leading an amphibious

task force in the Caribbean. She is doing very well and is in a better material state than she has been for very many years.

Officers' Children (Education)

5. **Mr. Simpson:** To ask the Secretary of State for Defence how much is being spent in the current year on private education and support of officers' children in the armed forces; and if he will break down this figure between male and female children. [30887]

Mr. Soames: The total cost to my Department of the boarding school allowance for the academic year 1994-95 was £107 million. Information concerning the breakdown of that by boys and girls is not recorded.

Mr. Simpson: I am sorry that the latter piece of information is not available, but it is good to see that the Government are not averse to all forms of public subsidy. How would the Minister justify that subsidy to schools in the east midlands, which can barely afford to cover their running costs and where at least one is having to seek commercial sponsors for its toilets and toilet rolls? Would not the subsidy policy make more sense if the Government shifted it from heavily pampered schools to those that are barely provided for?

Mr. Soames: That is an outrageous question. I hope that the services heard what the hon. Gentleman said. The boarding school allowance is not an education subsidy. It is a function to allow service personnel access to education. It is paid to assist service families in providing a stable education for their children in the face of an extremely turbulent and frequently mouvementé service life, which can lead to great difficulties for service families. The allowance is paid regardless of rank and it is an extremely important part of service life.

Mr. Bill Walker: Does my hon. Friend agree that one of the ways to recruit and retain capable people—the leaders of tomorrow—is to ensure that they know that their children will have a stable education that is paid for by their employer during the critical stage of their schooling? There is nothing odd about that, especially since we have asked them to go off to Bosnia at short notice.

Mr. Soames: I am grateful to my hon. Friend, who understands the importance of the scheme to the overall ethos of service life. It is extremely important that soldiers, sailors and airmen—of whom a great deal is asked—have the assurance that their families are being well cared for. That is something that we can do to help service families during what is frequently a turbulent period in their lives.

Mr. Murphy: Does the Minister accept that the Opposition agree with the boarding school allowance for those who are genuinely eligible, especially those men and women serving on UN peacekeeping missions abroad? Is he aware that many of us are deeply worried about the poor standards of some of the private schools in the scheme? Will he introduce a more thorough inspection system to exclude some pretty rotten schools?

Mr. Soames: In the light of what the hon. Member for Nottingham, South (Mr. Simpson) said, the hon. Gentleman will not be surprised to hear that we accept no such proposition. We watch the intellectual gymnastics of the Labour party with admiration. Effectively, the hon. Gentleman is saying that everything Labour has said for 15 years has been wrong, and it has made a terrible mistake. We will not buy that, nor will the country.

Sir Geoffrey Johnson Smith: In his supplementary question, the hon. Member for Nottingham, South (Mr. Simpson) referred to the people who benefit from the boarding school scheme as "pampered". Will my hon. Friend remind the House that those people serve this country and risk losing their lives?

Mr. Soames: I am happy to do so. I am grateful to my hon. Friend for pointing out what the hon. Member for Nottingham, South said, which I thought was disgraceful. We owe much to our service men and women, who serve in serious and extremely dangerous conditions. They have every right to know that their families are well provided for, and the Conservative party will ensure that that remains the case.

Sri Lanka (Training)

6. **Mr. Gerrard:** To ask the Secretary of State for Defence what discussions he has held recently with the Government of Sri Lanka regarding the provision of training to the Sri Lankan armed forces. [30888]

Mr. Soames: In March the then commander of the Sri Lankan army visited the United Kingdom to discuss a range of issues with the Chief of the General Staff and others. More recently a British Army officer has visited Sri Lanka to discuss training matters. Details of the discussions are confidential between Governments.

Mr. Gerrard: Is the Minister aware of the reports that Vietnam veterans from the United States are now in Colombo training the Sri Lankan army in guerrilla warfare? Will he confirm that British Army personnel will not get involved in such training? Instead, should we not say to both Sri Lanka and the US that a military solution to the Sri Lanka's problems is not possible and that they should be looking for a negotiated settlement?

Mr. Soames: I am happy to confirm that that is so. The United Kingdom has provided low-level training assistance, including developmental and technical courses for Sri Lanka. I endorse what the hon. Gentleman says about the prospects of peace. My right hon. and learned Friend the Foreign Secretary continues to monitor the situation closely, and we all hope that a peaceful negotiated settlement can be arrived at shortly.

Mr. Ian Bruce: Does my hon. Friend appreciate that the negotiations started by the new President and Prime Minister in Sri Lanka were disrupted by bombs? Does he realise that the Sri Lankan army is in great need of the expertise that the British Army can provide in training officers to work against a guerrilla army? That would ensure that the civilian population could be properly protected in the Jafna peninsula. Will my hon. Friend look carefully at the recommendation from our embassy in Sri Lanka that we increase the military advice and aid that we give to Sri Lanka?

Mr. Soames: My hon. Friend will realise that I study all such applications with great care. There is immense demand for access to United Kingdom military training, both at home and abroad. Last year, 4,270 students from 117 different countries attended training courses in the United Kingdom. That illustrates the high regard in which our armed forces are rightly held throughout the world and the excellent reputation of our military training. I take note of what my hon. Friend said.

Rapid Deployment Force

7. **Sir Dudley Smith:** To ask the Secretary of State for Defence what assessment he has made of the benefits of a joint rapid deployment force. [30889]

Mr. Portillo: The joint rapid deployment force will enhance our fighting capability by creating a force trained and equipped to respond effectively and speedily to future crises. The JRDF will be drawn from a range of assigned units from all three services, enabling the permanent joint headquarters to assemble a force appropriate to any particular operation.

Sir Dudley Smith: Does my right hon. Friend agree that there is a role for the Western European Union to play in that context, especially in the light of the combined joint task force agreement that was arrived at in Berlin by the NATO council only last week?

Mr. Portillo: I am not sure whether I have ever had the opportunity to pay tribute to my hon. Friend's work as president of the WEU assembly. He does a wonderful job, much to the credit of his country.

My ambition is that the joint rapid deployment force be a thoroughly flexible force that is available for national contingencies, for NATO and as part of a combined joint task force within NATO. Thanks to the agreement made in Berlin last week by NATO Foreign Ministers, it could naturally play a part in a combined joint task force under the political control of the WEU, should there be a Europe-only operation.

Mr. Hardy: While I associate myself with the Secretary of State's comments about the work of the hon. Member for Warwick and Leamington (Sir D. Smith) in the WEU, does he expect us to believe that, given the Government's enormous cuts in the manpower of Her Majesty's forces in the past few years, any rapid deployment force could be immediately viable or exist other than on paper?

Mr. Portillo: Yes. It is going to exist. It is being brought together at the moment. It will be a highly effective force based on 3 Commando Brigade and 5 Airborne Brigade. It will have available all the support units that it may need. It will be carried forward in such a way that training between the various components will be a matter of routine. The hon. Gentleman should not be misled; this will not be a paper exercise but an important new capability for the British armed forces. He should direct his attention to his party's proposals to cut defence from where we are now by a further £4.5 billion.

Mr. Churchill: May I, through my right hon. Friend, pay tribute to the superb job that British forces are doing in Bosnia through their participation in IFOR? Will my right hon. Friend ensure that, in all future rapid deployments overseas, British forces, where appropriate, are provided with air-portable, air-conditioned and air-filtered operating theatres? The Defence Select Committee had that lack drawn to its attention during our recent visit to Bosnia.

Mr. Portillo: I am grateful to my hon. Friend for his remarks. It has been a magnificent and highly successful operation. We are in danger of forgetting how complex it has been, how much planning was necessary, how successful was the logistical support, how much risk there was and how well it has been done. I believe that our forces have had at all times the appropriate medical back-up, but I agree that, when one is engaged in an operation of such size, it is sensible to take stock of the lessons that can be learned. I am keen to make sure that we learn the lessons for the medical and other fields. I undertake to consider that carefully.

Bosnia

8. **Mr. Jack Thompson:** To ask the Secretary of State for Defence what contingency plans are being prepared for the withdrawal of British forces from Bosnia after 20 December. [30890]

Mr. Portillo: IFOR's mandate expires at the end of the year and we intend to withdraw UK forces at the same time as our NATO allies.

Mr. Thompson: Does the Secretary of State agree that the current situation in Bosnia does not bode well for the withdrawal of our troops on 20 December? Perhaps the whole situation needs to be re-examined. That date is only six months ahead. The families of British forces in Bosnia regard 20 December as a significant date because it is close to Christmas. Many expect that the serving forces will be back home for Christmas. Would it not be appropriate to renegotiate with our allies in Bosnia and seek a more distant date to take account of the present situation?

Mr. Portillo: First, I should be frank with the hon. Gentleman and say that 20 December is the date on which the IFOR mandate ends. He should not read into that that the forces will be home on that date. That is the day that the operation ends. I anticipate that the ending of IFOR will lead to a withdrawal of troops over weeks, and possibly months, after that.

The hon. Gentleman is right to say that many aspects of the Bosnian situation do not bode well. What is important is that the international community develops an overall political strategy to deal with the many parts of that problem—humanitarian problems, the need for reconstruction, the need to rebuild the economy, the need to prop up the Croat-Muslim federation, and the need to provide police forces and training. As a small part of that, we need to consider what, if any, need there may be for a military presence in 1997. It would, however, be premature to reach conclusions about that now.

Mr. Colvin: Will my right hon. Friend confirm that British troops will continue to be involved in the implementation force in Bosnia after the 20 December

deadline only if, first, it continues to be a NATO operation, and if, secondly, there is a substantial involvement on the part of our United States allies?

Mr. Portillo: Yes. I cannot conceive of any operation in Bosnia of a military sort that is not a NATO operation. I believe it is essential that in any NATO operation in Bosnia the United States should be involved alongside, and on the same terms as, her allies in the alliance.

Mr. Menzies Campbell: The Secretary of State will recall that the purpose of deploying NATO forces, including British troops, in former Yugoslavia was to bring peace and stability, and to assist in the reconstruction of the civilian infrastructure of that country. If, without undue risk to British troops, we can continue to help to fulfil those objectives as part of a NATO force, should we not now express our willingness to do so? That of itself would assist stability and civilian reconstruction.

Mr. Portillo: Although I respect the hon. and learned Gentleman's point of view, I think that the point is debatable. I am not sure that announcing an open-ended commitment to a military presence in Bosnia would be helpful in creating stability. On the contrary, it might stop the necessary concentration of minds among the former warring factions on the idea that eventually they have to make a peace for themselves. I also believe that what the implementation force was set up to do will have been achieved by December: the forces will have been separated, they will have gone back to barracks and they will have surrendered their weapons, which will be in points of storage.

The question is: what is needed in 1997? As I have already said today, what is most needed is an overall political strategy; as part of that we can consider whether any military operation is necessary.

Mr. Renton: I have listened carefully to what my right hon. Friend has just said, but is there not a real problem to do with the fact that, of the moneys pledged for the reconstruction of Bosnia, only about 20 per cent. has thus far appeared? Does not that mean that, at the end of the year, the situation in Bosnia may be such that it will be difficult for IFOR troops to withdraw? Will my right hon. Friend therefore urge all his colleagues in government to bring pressure to bear on the countries that are not paying the moneys that they have pledged to reconstruction, so that they get on and pay up promptly?

Mr. Portillo: My right hon. Friend reinforces my point that we need not just a military option for Bosnia but a total package of international help, including money and reconstruction. While it is possible to conceive of a 1997 military operation which is part of a political strategy, it would be unacceptable to conceive of a 1997 military operation instead of a political strategy.

Dr. David Clark: Has the Secretary of State had time to read today's excellent Select Committee report on Bosnia, outlining serious inadequacies in medical provision, the provision of housing and the provision of sanitary facilities? Will he assure the House that the MOD's shortcomings outlined in the report will be rectified and that the mistakes experienced in the IFOR operation will not be repeated—if it proves necessary and desirable, as I believe it will, that British troops have to stay on in Bosnia after December 1996 in order to continue their peacemaking activities?

Mr. Portillo: I fear that the hon. Gentleman has shown a lack of feel for the complexities of a military operation. It is outstanding that, within a one-month period—between December last year and January this year—we deployed approximately 13,000 soldiers, in the dead of winter, in the interior of Bosnia. We got them there, we kept them supplied and we provided them with ammunition, equipment, housing, sanitary facilities and medical facilities—and the hon. Gentleman has said that they were not exactly what he would have liked them to be. We learn lessons from every military operation, and we shall learn lessons from this one. For the hon. Gentleman to give the impression that this operation has been anything but an outstanding success for our forces and for the logisticians who supported them is unworthy of him.

Former Yugoslavia

9. **Mr. Winnick:** To ask the Secretary of State for Defence if he will make a statement on the current role of the implementation force in former Yugoslavia. [30891]

Mr. Portillo: IFOR has made excellent progress in implementing the military aspects of the Dayton peace agreement. It is now putting increased effort into supporting civil programmes, such as the rebuilding of schools, hospitals and public utilities.

Mr. Winnick: Given the good work of IFOR, does the Secretary of State agree that it is important for the future of Bosnia that the notorious war criminals, Karadzic and the general, as well as some war criminals on the Croatian side, are brought to justice? Will IFOR undertake that task? Does the Secretary of State accept that the chief prosecutor at the war crimes tribunal in The Hague has stated time and time again that war criminals who are wanted for terrible crimes against humanity should be brought to justice as quickly as possible?

Mr. Portillo: Yes, they should be brought to justice. I can conceive of no lasting peace in Bosnia-Herzegovina unless those people are brought to justice, unless the evidence against them is heard and unless a verdict is reached in each case. As the hon. Gentleman has heard during the course of these exchanges, IFOR has a primary duty: the separation of the forces and now the provision of a secure environment in which the elections can be held. Within IFOR's mandate, IFOR has made it perfectly clear that it recognises its duty to hand over war criminals to the authorities so that they may be brought to justice.

Mr. Key: Given the outstanding success of Britain's contribution to IFOR, will my right hon. Friend ensure that, in future deployments in peacekeeping and peace enforcement, notice will be taken of, and advice will be sought from, the protection and life sciences division of the Defence Evaluation and Research Agency? We would then have the best possible and the healthiest troops in the field, which would avoid some of the minor problems that were encountered by our forces in Bosnia.

Mr. Portillo: My hon. Friend has made a valuable suggestion. He speaks with great authority and with the benefit of having visited Bosnia. In addition, he has the long experience of a large number of service people in his constituency. I will consider what he said very carefully.

Mr. Donald Anderson: Is it not clear that, without the military's backing, the work of IFOR in underpinning its work and all the grand civilian work of reconstruction could not proceed, and the peace would disappear? Is it not clear that an IFOR mark 2 or some form of military backing must continue after December if peacemaking and reconstruction are to continue?

Mr. Portillo: I respect the hon. Gentleman's views, but I cannot go any further than I already have this afternoon in my statements. I ask the hon. Gentleman to recognise that, if it is his view that there can be no proper civil operation without military back-up, it is my view that there could not be a military operation with any chance of success unless it were part of an over-arching political strategy by the international community.

Anti-ballistic Missile System

10. **Mr. David Atkinson:** To ask the Secretary of State for Defence if he will make a statement on progress of the feasibility study on an anti–ballistic missile defence system. [30892]

Mr. Arbuthnot: Our national pre-feasibility study on defence against ballistic missiles, which was conducted by a consortium led by British Aerospace, has recently been completed and we expect to receive its final report shortly.

Mr. Atkinson: Does my hon. Friend accept that it is entirely conceivable that Europe and Britain will come within range of long-range ballistic missiles supplied by North Korea and possibly China to north African and middle eastern pariah states long before the medium extended air defence system is put in place to defend Europe as planned in 2005, and that the need for a ballistic missile defence of Europe is now urgent? What discussions has he had in sharing this sense of urgency with his NATO and Western European Union colleagues? What has been the outcome of these discussions?

Mr. Arbuthnot: We are concerned about the emerging risks and we are doing something about that, both nationally and with our allies. Only a fortnight ago, I was fortunate to visit the national test facility and the ballistic missile defence office in the United States, where I was enormously impressed by the important and very interesting work that is being done. We expect to take decisions by the end of the year.

Mr. Dalyell: What are the consequences of the Ariane catastrophe for anti-ballistic missile research?

Mr. Arbuthnot: I believe that there are none at the moment.

Mr. Duncan Smith: Does my hon. Friend agree that at this stage we should talk up the real threat posed by the proliferation of nuclear weapons and, most important, by the ability of some countries to launch nuclear, chemical or biological threats beyond their own borders? Does he agree that it would be a gross dereliction of duty on the part of this or any other Government not to notify the public of the serious and growing threat to this island?

Mr. Arbuthnot: My hon. Friend takes a close interest in the matter. There are two issues involved: the defence of our troops in theatre and the defence of our national integrity. Both issues are important, but we believe that the first must have priority at the moment.

Operation Purple Star

11. **Mr. Turner:** To ask the Secretary of State for Defence how many merchant vessels chartered by his Department to take part in Operation Purple Star were British–registered. [30893]

Mr. Soames: Madam Speaker—

Mr. Trickett *rose—*

Madam Speaker: Order. The hon. Member for Hemsworth (Mr. Trickett) must resume his seat when another hon. Member is asking a question.

Mr. Soames: The answer is none, Madam Speaker.

Mr. Turner: Does the Minister agree that history reminds us of the heroic role played by the British merchant fleet in the life of this country? Does he agree further that that proud naval history is under threat because the Government have betrayed the British merchant fleet by not engaging one British ship? They have commissioned the ships of virtually every other country in recent times.

Mr. Soames: I cannot agree with the hon. Gentleman's proposition. The Government have taken many positive steps to improve the competitiveness of British shipping and to encourage more shipowners to fly the red ensign. They include generous funding for training, liberalisation of officer nationality requirements, changes in registration laws and the introduction of roll-over relief on capital allowances.

Only 37 British—flagged ro-ros—the roll on/roll off ships to which the hon. Gentleman refers—are militarily useful, and all of them are currently on extended charter. I am quite sure that the hon. Gentleman is not suggesting that we should disrupt their charters in time of peace simply for the sake of buying British. We believe that we have a very satisfactory system for chartering ships through the Baltic exchange. We will continue to use that to gain best value for money for the taxpayer and the best possible use for our armed forces.

Mr. Devlin: One civilian ship that we do not have to charter in time of war is the royal yacht, Britannia. I urge my hon. Friend to consider commissioning a fast, modern replacement ship which Her Majesty could use, which could be utilised in our trade promotion work around the world and which could be built in the north-east of England.

Mr. Soames: My hon. Friend tempts me down a path that I am reluctant to tread. No decisions have yet been made about the future of Britannia. However, the hon. Gentleman clearly has a formidable case to make regarding the north-east of England and I am sure that the House has noted his comments.

Procurement Decisions

12. **Mr. Chisholm:** To ask the Secretary of State for Defence what assessment his Department makes of the industrial implications of procurement decisions. [30894]

Mr. Arbuthnot: We have always taken industrial factors into account in defence procurement decisions. We have recently taken steps to ensure that that happens in a more systematic way.

Mr. Chisholm: I am glad that there has been a slight improvement recently. Is it not high time that the Government took account of this country's employment and industrial base in awarding defence contracts and abandoned the hands-off approach that they have adopted in the past 17 years? Is the Minister aware that more than 300 jobs at GEC-Marconi Avionics in my constituency depend on the awarding of the Sea King airborne early warning contract? The rival bids involve far more development and manufacturing work that is being done overseas. *[Interruption.]*

Mr. Arbuthnot: The hon. Gentleman's question was clearly greeted with enthusiasm. He makes his constituency point in the way in which I would expect him to do, but I remind him that some 90 per cent. of work by value done for the Ministry of Defence is won by British companies in this country.

Mrs. Ann Winterton: Does my hon. Friend agree that defence procurement contracts awarded to this country are vital to the maintaining of our manufacturing capacity? Will he continue to look favourably on Royal Ordnance at Radway Green in my constituency, which is operating successfully at home, in Europe and overseas to win contracts in the face of stiff and—it must be said—not always fair competition?

Mr. Arbuthnot: I was pleased to be able to announce recently the award of a contract for Royal Ordnance—partly, if I may say so, on the urging of my hon. Friend, who has worked so hard for her constituents in this regard.

PRIME MINISTER

Engagements

Q1. **Mr. Mullin:** To ask the Prime Minister if he will list his official engagements for Tuesday 11 June. [30912]

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Mullin: Has the Prime Minister heard today's admission by the hon. Member for Stafford (Mr. Cash) that Sir James Goldsmith is helping to fund his faction within the Conservative party? Does it strike the Prime Minister as odd that a foreign-based millionaire—[HON. MEMBERS: "Billionaire."] Does it strike him as odd that a foreign-based billionaire who has set up his own political party and is running candidates against official Conservative candidates is also funding his own fifth column within the Conservative party? Has the right hon. Gentleman any plans to do anything about this extraordinary situation?

The Prime Minister: I had not seen that statement by Sir James Goldsmith, but of course Sir James is a man of independent mind. Sir James is of course entirely free, if he wishes, to field his own candidates at a general election—I suppose that anyone with £20 million to spend can afford to do that—but he is not going to change our policy.

Mr. Dykes: May I thank my right hon. Friend for his plans to put some backbone into some of our colleagues who seem to be irrationally obsessed with Sir James Goldsmith, and very scared about him as well? That, presumably, is why my right hon. Friend authorised the attendance of four members of the Government at last night's bizarre proceedings.

The Prime Minister: My hon. Friend may himself think that he requires authorisation to attend particular meetings, but I assure him that all my hon. Friends will use their own independent judgment about the meetings they attend, and about the judgments they take from those meetings.

Mr. Blair: It may seem indelicate to intrude on private grief, but may I ask the Prime Minister what we are to make of the political party in government when a former Cabinet Minister hosts a reception for a former Chancellor of the Exchequer and his campaign manager, to advocate withdrawal from the European Union—in the presence of Ministers—to the leader of a different political party altogether, whose objective is to remove Conservative Members of Parliament at the general election?

The Prime Minister: I must say that the right hon. Gentleman has a very selective memory. He entered the House on a programme of leaving the European Union.

Mr. Blair: The problem is that the right hon. Gentleman's political party is now moving towards advocating that programme. *[Interruption.]* It is. Let us put it to the test. Will the Prime Minister now join me in saying that the real agenda of many of those who will support the Referendum Bill today is to push Britain to the point of withdrawal from Europe? Will he join me unequivocally in saying that the views of those people who will make that case today are wrong?

The Prime Minister: The right hon. Gentleman can invent his own policies: he should not invent policies for my party. I have made it clear in speech after speech and in the recent White Paper that this country's role lies within the European Union, fighting for the sort of European Union that is amenable to this country. That remains the position. We intend to try to provide, within the European Union, a set of circumstances that is right

for this country. That does not mean that we accept every element of policy that our European partners propose, and it does not mean that we would never be isolated, unlike the right hon. Gentleman. It does not mean that we would give up the veto, unlike the right hon. Gentleman. We are there to fight for British interests, not to follow the policy that the right hon. Gentleman would follow and surrender British interests.

Mr. Blair: Why cannot the right hon. Gentleman stand at that Dispatch Box as Prime Minister and say that the views of those people are wrong? If he carries on running from them, they will carry on chasing him and the losers will be Britain, our jobs, our industry and our influence. When will the Prime Minister finally stand up and take a lead?

The Prime Minister: I have told the right hon. Gentleman. The right hon. Gentleman is putting views in the mouths of my hon. Friends that are not theirs, and my hon. Friends have made that clear time after time. If the right hon. Gentleman really wants to sort out problems on Europe, he might make it clear that he disagrees with those 50 of his Back Benchers who have issued their own manifesto disagreeing with every element of the leader of the Labour party's policy on Europe. Perhaps he will make it clear that he disagrees with them. Our policy is to be within Europe, fighting for British interests, disagreeing with our European partners when we must, and agreeing with them when it is in the interests of this country.

Mr. John Greenway: Will my right hon. Friend join me in welcoming the announcement by the National Lottery Charities Board of £150 million of grants today, mostly to help young people? Does that not show that the House was right to make the charities board one of the recipients of national lottery funding and is that not the true image of the lottery in this country?

The Prime Minister: I very much welcome many of the awards that have been made today. They cover a wide range, including money for Childline, the British Red Cross, an ex-service men's association and the Samaritans. They will all have widespread support across the country. Having studied the list of all the awards made today, a small number of the awards do not in my judgment reflect the way in which Parliament and the public expected the lottery money to be spent. That is true of a minority of awards. The freedom to make those awards was given to the individual boards by the House and they have responsibility for the awards that they make. Overwhelmingly, they exercise that responsibility well. From time to time, they make awards that are ill founded and ill judged.

Q2. **Mr. Barry Jones:** To ask the Prime Minister if he will list his official engagements for Tuesday 11 June. [30914]

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Jones: I have given the right hon. Gentleman previous notice of my question. Will he revoke his policy on market testing as it affects military units such as the 1,800-strong RAF Sealand in my constituency, where large-scale redundancies are feared? Does the right hon. Gentleman agree that there is no level playing field when predator contractors compete against the in-house bid in RAF Sealand, such as GEC and Brown and Root?

Will the Prime Minister give consideration to making my part of the world a market-testing-free zone on the basis that, if something is working, one should not fix it? Why put profit before the national interest? Does the right hon. Gentleman agree that, in the Falklands and Gulf wars, RAF Sealand gave magnificent service to Britain? That is all that it wants to continue to do.

The Prime Minister: I am grateful to the hon. Gentleman for giving me notice of the matter that he wished to raise. The hon. Gentleman has been assiduous in his support for RAF Sealand and has raised it with a number of my hon. Friends in the past. Our intention is to ensure that the armed forces get the highest possible quality of support at the best value for money for the defence budget. An announcement on the winning contractor is expected towards the end of the year. I am not proposing to revoke our present policy in any way—it is the right policy—but I give the hon. Gentleman the assurance that the in-house bid will be evaluated against precisely the same criteria as the two external bids and that the judgment will be made on value for money.

Mr. Peter Bottomley: I join the Leader of the Opposition in putting to my right hon. Friend some things that are wrong. Would it not be wrong to oppose the Family Law Bill, which has provisions on domestic violence? As to that measure's marriage elements, is it not right to get rid of quickie divorces? Ought we not to tidy away the problems of first marriages before letting people get on to second marriages, and would it not be wrong to oppose the Bill because of that as well?

The Prime Minister: My hon. Friend makes his purpose in asking that question entirely clear. I hope that we shall see some leadership on those issues from individuals who might, for spurious reasons, object to a Bill that I believe is in the interests of the people of this country.

Q3. **Mr. Davidson:** To ask the Prime Minister if he will list his official engagements for Tuesday 11 June. [30915]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Davidson: Does the Prime Minister accept that drug dealing and money laundering are major difficulties in this country? Is he aware that a Scottish newspaper reported at the weekend that a journalist had approached a major Scottish organisation and offered it money as a donation, and was advised how that money could be laundered? Is that not a particular cause of concern for all of us? Is it not of particular concern for the Prime Minister, when the organisation involved was the Scottish Conservative and Unionist party?

The Prime Minister: This Government have taken more action against drug dealing and money laundering than any previous Government, and we continue to do so. I doubt that the hon. Gentleman's allegation has any

foundation, but if he is prepared to give me details, of course I will have it examined—so that it can be repudiated.

Q4. **Mrs. Peacock:** To ask the Prime Minister if he will list his official engagements for Tuesday 11 June. [30916]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mrs. Peacock: Will my right hon. Friend welcome the recent fall in unemployment, which is a sign of good economic management? Will he join me in congratulating Layeezee Beds in Batley, which recently recruited 60 new members to its work force because of demand for that company's products?

The Prime Minister: I am delighted to hear that good news from my hon. Friend's constituency, which is reflected in many constituencies throughout the country. The economy is in better condition than at any time for a generation, which is why we were able to reduce interest rates yet again last week—simply because we have been successful in keeping inflation under control. Our policies are working, inflation is falling, unemployment is falling, growth is beginning to accelerate and this country has better economic circumstances than for many years past—and they are better than in many of our competitor countries on the continent.

Mr. Benn: How can the Prime Minister justify disfranchising 116,000 voters in the election that he called in Northern Ireland when they voted for Sinn Fein, which is committed to the six Mitchell principles? When there was a ceasefire nearly two years ago, no all-party talks were called for 18 months. Had other Governments followed that principle, there would have been no peace process in the middle east or settlement in southern Africa.

The Prime Minister: Sinn Fein disfranchised itself. It had every opportunity to take part in the talks. Had there been an unconditional ceasefire by the IRA, Sinn Fein could have been a part of the talks process, as I had hoped it would be. Its representatives cannot sit down in a talks process with a bomb on the table and a gun under the table and the threat that, if they do not get their own way in negotiations, they will revert to type and the habits of the past 20 or 30 years. Sinn Fein's exclusion from the talks is its fault. That is the position of this Government, the Irish Government and the overwhelming majority of people in Northern Ireland, and that situation will not change. It is in Sinn Fein's hands. A ceasefire and the end of violence, which should have occurred anyhow, quite apart from the talks, and the way would be open for Sinn Fein to join the discussions.

BILL PRESENTED

Sexual Offences Against Children (Supervision of Offenders)

Mr. John Hutton, supported by Ms Janet Anderson, Mr. David Alton, Mr. Kevin Hughes, Mr. Alan Milburn, Dame Jill Knight, Ms Ann Coffey, Mrs. Jane Kennedy and Mr. Julian Brazier, presented a Bill to make provision for the courts to impose an offender supervision order on persons convicted of certain sexual offences against children; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 12 July and to be printed. [Bill 146.]

Referendum

3.30 pm

Mr. William Cash (Stafford): I beg to move,

That leave be given to bring in a Bill to provide for the holding of a referendum on the need for changes to the treaty on European Union affecting the United Kingdom's continuing membership of the Union and its participation in European monetary union and a single currency; to provide for the action to be taken consequent on the results of the referendum; and for connected purposes.

My Bill is not about whether the United Kingdom should be "in or out", as the federalists claim. It is about the national and European interest and about what sort of Europe we are in, where we are going and whether the British voters should be allowed to have their say before it is too late. Nor is it a matter of left or right, as my list of sponsors shows clearly. They properly range across the national political spectrum, Conservative and Labour, including Privy Councillors, former Cabinet Members and the leader of the Ulster Unionists. The Democratic Unionist party also supports the Bill, as do many others who cannot be here today.

As recent opinion polls show, British voters want to remain in the European Community for trade and political co-operation, but they do not want a federal Europe. The Prime Minister is right when he says that, if member states insist on federalism, Britain will not follow them. The problem is that, under the Maastricht treaty, we are surfing on a tide of federalism. Even today, France, Germany and the other member states are pressing for the removal of the veto for foreign and defence policy.

The treaty does not allow us to prevent other member states from going ahead with a single currency and states that it is irrevocable. Even if Britain were, say, to exercise its opt-out, which the Government are not at present prepared to do, a future Government could still join.

The prescription, therefore, is for an irreversible move to monetary union, and thus political union too. No wonder the electorate is confused, particularly since the original White Paper of 1971 stated that we would not give up the veto or our sovereignty and that we would not become part of a federation—although that is now denied by the Euro-fanatics. Even Lord Howe of Aberavon refers to the Government's position as taken to an "unsustainable extreme" and says:

"There is no such thing as a European people."

The outbursts from the unelected official, Jacques Santer, over the beef crisis illustrate my case and reveal the underlying and deeper problem of democratic legitimacy. Mr. Santer says that the hour of truth has come. In the words of William Blake, I would reply to him:

"A truth that's told with bad intent
Beats all the lies you can invent."

The question is who governs Britain and how.

There are fundamental reasons for holding a proper referendum in the United Kingdom before the intergovernmental conference is concluded, after our general election next year. Who represents Britain at that conference will be crucial to the national interest. The Government have already properly agreed in principle to hold a referendum, but only if a Conservative Cabinet says yes to a single currency. That qualification is, or ought to be, unthinkable, because a single currency would destroy our parliamentary democracy. Furthermore, Chancellor Kohl and the Euro-federalists' obsession with political union and the consequences of a hard-core Europe would also undermine the single market.

In the light of the present failings of the European Union and the exchange rate mechanism, which almost destroyed the British economy, the situation is made worse by the Government's White Paper on Europe, which is faithfully endorsed by those on the Opposition Front Bench. It states:

"If we were to press ideas which stand no chance of general acceptance, some others would seek to propose an integrationist agenda which would be equally unacceptable from our point of view."

In other words, we will not insist on, let alone propose, treaty amendments to rule out monetary union, and a single currency and the fundamental elements of a federal Europe. Hence the referendum question in my Bill.

The official Opposition are running away from the problem. The official Labour party position is in favour of managed exchange rates and monetary union, so it would press on with failed policies, generating massive unemployment for those who would be duped by them.

The Liberal Democrats say that they want a referendum, but only after the next IGC, when the fundamental question of a single currency for Europe is embedded in the Maastricht treaty itself. On the question of a federal Europe, the Liberal Democrats are not even supported by those who vote for them. It is hurting, but not working.

Since the Maastricht treaty was signed, evidence has multiplied that EU policies—for example, on unemployment and on Bosnia—are not working. Europe and the United Kingdom are now faced with damaging uncertainty and instability. We are in danger of being caught up in an unaccountable, introverted and collapsing Europe which fails to address modern problems of international competitiveness. A responsible IGC would address all those questions.

The electorates are increasingly opposed to the main proposals laid down at Maastricht by the political elite. In Germany, a majority of the electorate are now opposed to a single currency, and no one could suppose that in France the electorate would now vote in favour of Maastricht. In Spain, unemployment is running at 23 per cent.

Britain has a responsibility to use the IGC to put forward political amendments to the treaty, to avoid European government and to re-evaluate where all this is going. Britain must take a lead. The beef crisis is symptomatic of the deeper malaise affecting Europe, including German domination—which looks like leaving Britain on the outer rim of a federal Europe. If we insist on fundamental amendments to the treaty, not least to monetary union and the proposed single currency, we can open up the vital questions, throughout the electorates of Europe, about Europe's future before it is too late.

By reducing the competences of European government, largely conferred by Maastricht, we would prevent a federal Europe and curtail the power of the European Court of Justice to adjudicate on political issues, including those arising from monetary union. A federal Europe involves surrendering the levers of national democratic government to central unelected officials and a remote and unrepresentative European Parliament.

We should insist that the UK's decisions about its national interests be made before the conclusion of the IGC and not by the Maastricht timetable. The Government and the official Opposition both decline to propose those fundamental amendments to the treaty, which are necessary in our own and in Europe's interests, to ensure that we can govern ourselves in the areas that really matter. A proper referendum is required of those who will be most affected—the voters themselves. The judgment of the people is now required.

I urge the House to support my Bill.

3.38 pm

Mr. Tony Banks (Newham, North–West): I oppose the motion on a number of grounds. The hon. Member for Stafford (Mr. Cash) said that it was not the intention of the Bill to secure the withdrawal of this country from the European Union. I think that he is being totally disingenuous. There are many people on the Conservative Benches—and, perhaps, one or two on the Labour Benches—who have a scarcely hidden agenda to have this country withdraw from the European Union.

Europhobes are now in control of the Conservative party. It was scandalous to see the way in which the Prime Minister refused to stand up for this country inside the European Union and to stop running. He was invited by the Leader of the Opposition to stand and fight, but he did not. He is letting his party be run by Conservative Europhobes.

The hon. Member for Stafford mentioned BSE and fishing, but the issue is not BSE and fishing—it is about the position of this country in the European Union. Those issues are being used as a way of attacking this country in the European Union, and it is totally disingenuous of the hon. Gentleman to suggest otherwise.

The Government have got themselves into an impossible position over BSE. One could see it coming. The Government have made it quite clear that they want the European Union to back down, but the European Union is not going to back down. Jacques Santer was quite right to remind the Government that other European Union countries are not prepared to let us walk all over the European Union—*[Interruption.]* Yes, to walk all over the European Union, and to refuse to agree with the proposals that we ourselves introduced in the Council of Ministers. It is an absurd situation, and the Government have not allowed themselves an escape route.

The European Union is a free association of independent and sovereign nations, and, sooner or later, they are going to say to Britain, "If you do not like the rules, there is the door. You can walk out and you can leave." If that were to be the case—if Conservative Europhobes were to get their way—it would be disastrous for this country. There is no future for this country, economically or politically, outside the European Union—*[Interruption.]* It is about time that that was recognised.

The final point—*[Interruption.]*

Madam Speaker: Order. The hon. Gentleman will be heard. He does not have to be listened to, but he will be heard. There is a very important distinction between those two.

Mr. Banks: Madam Speaker, he will be listened to and he will be heard by Conservative Members.

I am not one of those who opposes the idea of a referendum. I want the argument about Britain's future in the European Union to be taken out of here and into the country so that the matter can be properly argued. There is too much discussion among the chattering classes about Britain's future in the European Union. I should be quite happy and prepared to debate the issue outside, with my constituents and with the constituents of any Conservative or Labour Member.

I do not like this ten-minute Bill because I do not want the House and our democracy to be dictated to by a rich greengrocer, and I do not care how rich or distinguished a greengrocer he is. I do not understand why someone who is a member of the European Parliament—in France—who apparently lives in Mexico and who pays no taxes in this country can go out and start buying up our political process. I do not care whether Tory Members of Parliament are defeated, but I want to ensure that they are defeated properly—at the ballot box by British people—and not by greengrocers over in France, who live in Mexico.

On all those grounds, I oppose leave to introduce the Bill.

Question put, pursuant to Standing Order No. 19 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 95, Noes 1.

Division No. 139] **[15.43 pm**

AYES

Aitken, Rt Hon Jonathan
Alexander, Richard
Arnold, Jacques *(Gravesham)*
Baker, Rt Hon Kenneth *(Mole V)*
Beggs, Roy
Bendall, Vivian
Benn, Rt Hon Tony
Biffen, Rt Hon John
Body, Sir Richard
Boyson, Rt Hon Sir Rhodes
Brazier, Julian
Brown, M *(Brigg & Cl'thorpes)*
Budgen, Nicholas
Butcher, John
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Carlisle, John *(Luton North)*
Carttiss, Michael
Cash, William
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Colvin, Michael
Corbyn, Jeremy
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge Hl)*
Day, Stephen
Duncan Smith, Iain
Dunn, Bob
Evans, David *(Welwyn Hatfield)*
Field, Barry *(Isle of Wight)*
Forsythe, Clifford *(S Antrim)*
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Gill, Christopher
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Harvey, Nick
Hawksley, Warren
Hunter, Andrew
Jessel, Toby
Key, Robert
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Livingstone, Ken
Lord, Michael
Lynne, Ms Liz
McNair-Wilson, Sir Patrick
Madden, Max
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Mills, Iain
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Nicholls, Patrick
Nicholson, David *(Taunton)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, Ray *(Ogmore)*
Redwood, Rt Hon John
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Shaw, David *(Dover)*
Shepherd, Richard *(Aldridge)*
Simpson, Alan
Skeet, Sir Trevor
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Spearing, Nigel

Spicer, Sir Michael *(S Worcs)*
Steen, Anthony
Stewart, Allan
Sumberg, David
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Townend, John *(Bridlington)*
Tracey, Richard
Twinn, Dr Ian
Vaughan, Sir Gerard
Walker, Bill *(N Tayside)*
Wardle, Charles *(Bexhill)*
Whittingdale, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*

Tellers for the Ayes:
Mr. David Wilshire and
Mr. Graham Riddick.

NOES

Banks, Robert *(Harrogate)*

Tellers for the Noes:
Mr. Neil Hamilton and
Mr. Rupert Allason.

Question accordingly agreed to.

Bill ordered to be brought in by Mr. William Cash, Mr. John Redwood, Mr. David Trimble, Mr. Peter Shore, Mr. John Biffen, Mr. Norman Lamont, Mr. Jonathan Aitken, Sir Peter Tapsell, Mr. John Townend, Mr. Iain Duncan Smith, Mr. Richard Shepherd and Mr. David Martin.

REFERENDUM

Mr. William Cash accordingly presented a Bill to provide for the holding of a referendum on the need for changes to the treaty on European Union affecting the United Kingdom's continuing membership of the Union and its participation in European monetary union and a single currency; to provide for the action to be taken consequent on the results of the referendum; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 12 July and to be printed. [Bill 147.]

Mr. Robert G. Hughes (Harrow, West): On a point of order, Madam Speaker. As I understand it, it is an important tradition of the House, which you have upheld on many occasions, that if a Member opposes a motion or a Bill, he or she is obliged to vote against it. My understanding is that the solitary Member who voted against the Referendum Bill was not the hon. Member for Newham, North–West (Mr. Banks) who opposed it. There were several shouts of "No". Surely—if they had any courtesy—the hon. Members involved should apologise to the House.

Madam Speaker: No, that is not quite correct. An hon. Member who opposes a Bill need only raise his voice in opposition and does not have to go through the No Lobby. It is a matter of raising one's voice.

Mr. Robert Banks (Harrogate): On a point of order, Madam Speaker.

Madam Speaker: I hope that it is not another bogus point of order.

Mr. Banks: No, Madam Speaker. Although I have the same name as the hon. Member for Newham, North–West, who opposed the Bill, I was the one who voted against it.

Madam Speaker: How very enlightening. I would like more points of order like that. Are there any more? No, so we shall move on.

Orders of the Day

Opposition Day

[14TH ALLOTTED DAY]

Standards in Education

Madam Speaker: I have selected the amendment in the name of the Prime Minister.

3.56 pm

Mr. David Blunkett (Sheffield, Brightside): I beg to move,

That this House believes that raising standards in schools is essential for the economic prosperity and social cohesion of the nation; notes the appalling disparity in skills between the UK and other developed nations; condemns the Government's obsession with structures at the expense of standards; and further urges Ministers to concentrate their efforts on providing excellence for all rather than returning to the divisions of the past.

I must commiserate this afternoon with the Secretary of State for Education. It is one thing to have one's Back Benchers against one; it is quite another to have the chairman of one's party and the Prime Minister against one. When the Secretary of State makes a statement tomorrow to the Confederation of British Industry conference about discipline, detention and dealing with bullies, perhaps she could start with her own party and make it clear that she is not prepared to put up with the bullying tactics of the Minister without Portfolio, the right hon. Member for Peterborough (Dr. Mawhinney), who throws his weight about in suggesting that the Prime Minister, having given a particular task—*[Interruption.]* I am sorry if I am keeping Conservative Members awake—

Mr. Anthony Coombs (Wyre Forest): Not very successfully.

Mr. Blunkett: If I am not doing so very successfully, a little whole-class teaching, which I intend to give this afternoon, is needed.

When the Prime Minister gave the Secretary of State the very simple task of quietening down education issues and asked her to ensure that there was quiet in the teaching profession and that the divisions caused by her predecessor were set to one side, obviously she genuinely believed that he meant it. Over the past few months, we have seen quite the opposite. It was intended that the Secretary of State should come out fighting, with a right-wing agenda, to repeat exactly the performance of her predecessor with a set of proposals that had already been rejected not only by parents, governors and teachers, but by her own party. I commiserate with the Secretary of State because it is impossible for her to know exactly what is expected.

What is absolutely certain is that 17 years of failed Tory policies, floundering, disarray and waste have undermined the chance genuinely to lift standards, opportunity and excellence for all children in this country.

Mr. Patrick Thompson (Norwich, North): I am totally astonished that the hon. Gentleman has so much sympathy

for the Government. Has not the Labour party changed almost every policy that it has put forward in the past 20 years, never mind 17 years?

Mr. Blunkett: As I shall show this afternoon, every time Labour announces a policy, the Secretary of State comes up with her own version of it a few days later. *[Laughter.]* I am delighted to share in the amusement of Conservative Members. The opinion polls should suggest a different story to those who find the matter funny. With Labour having a 39-point lead on education and an even bigger lead on the issue of standards, I do not think that the Tories have anything to laugh about at all. We are trouncing the Conservative party on every single issue in education, because—after 17 years of failure—we are concentrating entirely on lifting standards, achievement and opportunity for all our children in every school in every community in Britain. We are not concentrating on providing a privileged education for a few, and mediocrity for the many.

Mr. Jacques Arnold (Gravesham): Will the hon. Gentleman give way?

Mr. Harry Greenway (Ealing, North): Will the hon. Gentleman give way?

Mr. Blunkett: I will give way in a moment. *[Interruption.]* I am being heckled by junior members of the Secretary of State's education team, who are being threatened by the chairman of the Conservative party. He is suggesting that a rabid right winger is needed in the Secretary of State's team to bring a little sharpness to the debate. I look forward to the reshuffle that may take place in July, when I shall find out who that rabid right winger might be.

Mr. Dennis Skinner (Bolsover): Bill Cash.

Mr. Blunkett: I doubt that it will be the hon. Member for Stafford (Mr. Cash), on the grounds that that would be going one step too far in terms of European union. The Tory party should be making more effort to match the standards that exist in other European countries. The indictment is that, on every single statistical estimate available, the Conservatives have failed to match what is happening in other developed countries around the world.

Mr. Greenway: Does the hon. Gentleman agree that education is run locally? Is he aware that the Labour party has been in charge of many local authorities for 50 or 60 years, and that standards in those authorities, which include Hackney and Islington, are deplorably low? How can he pretend that the Labour party stands for higher standards, when in practice it achieves absolutely nothing?

Mr. Blunkett: I thought that the Government had announced that they had decentralised and devolved responsibility from local education authorities to schools. I thought that they took pride in the local management and local funding arrangements for schools, and in the fact that they had taken away what they describe as the "control" of local authorities.

Now, as with everything else, someone else is to blame for what has happened in the past 17 years. They are the BSE Government—the "blame somebody else" Government. They will not take responsibility for anything. Who has been directly in charge of the teacher training colleges and institutions that the Secretary of State will be dealing with, if not tomorrow, certainly in the forthcoming White Paper? Who has been responsible for not providing a clear curriculum within teacher training institutions? Who is responsible for the failure to provide a minimum level of time for teaching the basics in teacher training? Who has been in charge of those teacher training institutions that have failed to equip teachers to provide discipline and a disciplined environment in the classroom? Who is responsible for the failure to deliver the essential, basic provision to five, six and seven-year-olds? It is certainly not local authorities or Labour councils; it is entirely because of 17 years of successive Conservative Secretaries of State being removed in a desperate effort to try to improve the situation that they have messed up.

Mr. Graham Riddick (Colne Valley): If a Labour Government were elected, would it retain the services of the current chief inspector of schools, Mr. Woodhead?

Mr. Blunkett: The question rests with the Secretary of State, who is in danger of having someone declare a by-election in what might euphemistically be termed a Conservative safe seat to allow the head of Ofsted to step into Parliament and take her place, for which several Conservative newspapers have called recently. If I were Secretary of State, I would make a decision that would ensure that everyone responsible co-operated. I would not divide the service. I would concentrate not on selection, grant-maintained status or structure but on the key task of giving our children the same life chance that they would have if they lived in France, Germany or Switzerland.

Several hon. Members *rose—*

Mr. Blunkett: I shall give way in a moment.

The statistics are clear. A third of our 11-year-olds are falling two or more years behind those countries on maths or literacy. The National Institute of Economic and Social Research programme shows that, even with children spending more time in education, compared with the Swiss they are falling two years behind in maths by the time they reach 11. GCSE and A-level results show that we reach only half the performance levels of the French or Germans or some of our south-east Asian competitors. We have everything to be ashamed about and little to be proud of in respect of the way in which the Government have mismanaged the education service. I shall give way to the hon. Member for Gravesham (Mr. Arnold), who has been very persistent.

Mr. Jacques Arnold: On education policy U-turns, does the hon. Gentleman recall his attack in the *Sheffield Star* only 18 months ago, when he condemned people who

"preach one thing and send their children to another school outside the area."

Is the fact that the Leader of the Opposition and the hon. Member for Peckham (Ms Harman) have done so the reason for the hon. Gentleman's U-turn?

Mr. Blunkett: I dealt with that silly question in the previous education debate, when the hon. Gentleman

[Mr. Blunkett]

asked it in exactly the same terms. I understand now why the electorate are so unenamoured of the Government. They hear the same old tripe week after week, and month after month. Let me talk about what people want to hear about—the real lessons of education.

Several hon. Members *rose—*

Mr. Blunkett: No, I shall make some progress before I give way again.

The key lesson is that we should never ration excellence. If excellence is rationed to the few, the talent of the many will eventually inevitably be excluded from the opportunity for excellence. The second lesson, which follows directly from that, is that selection has failed. It failed historically and it is failing in the present climate. We have only to take the Prime Minister's word for it. Only a few months ago he said:

"The top 15 per cent. of youngsters who come out of our schools are equal to anything you will find anywhere in the world. The other 85 per cent. frankly are not."

Not only is that an indictment of 17 years of Conservative Government, but it shows what happens when children are segregated so that high standards and quality are provided only to the few and not to the many.

All this explains why the Secretary of State is so opposed to grammar schools. It is why, during her term as education chair in Norfolk, she did not review or reverse any of the proposals implemented over the previous four years, under a Conservative Government and a Conservative county council, to remove grammar school status and provide comprehensive education. It is also why, except for the eccentric right, no one wants to bring grammar schools back, and why selection is anathema. It is why the idea of a grammar school in every town is laughable. Spending between £2.5 billion and £3 billion on providing grammar schools for 5 per cent. of the population, while 19 out of 20 children will then inevitably attend what would become secondary modern schools, is an insult to the intelligence of parents.

This is why we reject the idea, why parents have rejected it for the past 30 years, and why the former Prime Minister spent so much of her time as Education Secretary ensuring that she removed grammar schools. Just 10 days ago, the right hon. Member for Mole Valley (Mr. Baker) was reported in *The Times Educational Supplement* as saying that "Margaret" had signed the closure of more grammar schools than any other Minister. He added that when he had pointed this out to her once or twice,

"she glared at me and changed the subject."

Of course she did, because Tory party policy at the time was clearly against grammar schools and selection, and in favour of introducing comprehensive education.

The problem is—the past 17 years are a good example of this—that under Conservative Governments children have not been provided with the sort of comprehensive schooling that gives everyone an opportunity to succeed.

Dr. Robert Spink (Castle Point): I think I heard the hon. Gentleman say that grammar schools would not be allowed under a Labour Government. He must be aware that his party's leader has said that parents whose children currently enjoy the benefits of grammar schools can vote to retain them if they so wish. Does he support his leader's policy; if so, does he believe it inconsistent to allow those who enjoy the benefits of grammar schools to retain them but not to allow others to vote for those benefits by voting for new grammar schools in their areas? If choice is to mean anything, people must be given that choice.

Mr. Blunkett: I was not sure—I gather from radio broadcasts that Ministers are not sure either—that Tory party policy would allow local populations to vote on the matter, thereby reopening all the votes in local elections of the past 30 years to remove grammar schools and ensure open access and admission policies. But let me answer the question directly: I wrote the policy, so of course I am in favour of it. I wrote the policy, suggesting that we will not permit selection, but where grammar schools already exist, parents with a direct interest in their children's admission to them will have a vote. That seems perfectly fair to me.

We already know what people think and feel. Although the Secretary of State is engaged in a battle with Cabinet colleagues over whether there should be 15, 20, 25, 40, 50 or 100 per cent. selection for all schools, an experiment is already taking place. Grant-maintained schools are allowed to select up to 10 per cent. of their intake by examination, yet only 43 of them have chosen to take up the option. So the notion that the percentage to be selected is the big issue of the moment is nonsense.

The issue of the moment is how we can transform our education system—how we can get to the point where every 11-year-old who does not have a specific special educational need can read, write and add up to the level of their chronological age. The issue is how we can transform our education system, through nursery provision and through primary education, so that every child has the ability to reach their full potential and thereby to make selection an absolute irrelevance.

Mr. Robert G. Hughes (Harrow, West): Is not the problem that some rich and powerful parents are able to exercise selection by bussing their children from one side of London to the other? That being the case, what choice would the hon. Gentleman give to parents in west London, for example, who would expect to be able to feed into the Oratory school but are unable to because some parents bus their children in from the other side of London? They have no choice; they have no selection. What would the hon. Gentleman do about that? What would he say to those parents?

Mr. Blunkett: When the Conservative Government introduced the London Government Act 1963, they permitted people across the then Inner London education authority to choose—as denominational parents have done over the decades—to send their children to the school of their preference. I did not know that Conservative Back Benchers were against that; I did not know that they would be arguing against Catholic parents being able to choose a Catholic school, whether it is voluntary aided or otherwise. Let me make it absolutely clear that the whole task of lifting standards rather than meddling with structures is to ensure that parents can make genuine choices, because real opportunity exists, because every single school is performing at its best.

I shall be clear about rich and powerful parents—they are the ones who buy private education.

Mr. Hughes: Middle-class left-wingers.

Mr. Blunkett: No, I am not talking about middle-class left-wingers; I am talking about the 20 out of 23 members of the Cabinet, from the Prime Minister down. Those in the Cabinet who have not bought private education are desperately fighting to stop the education system of this country being completely divided and ruined once again by a squabble over structure—including, apparently, the Secretary of State, who is losing hands down.

Let me be absolutely clear about privilege. If we abandon state education and give up on it because we cannot achieve those levels, because we cannot get every 11-year-old up to the level of their chronological age and because we cannot ensure that every comprehensive school delivers the goods, we would do exactly what the Government have done. We would say to people—as the Deputy Prime Minister has said—"We will allow you to 'escape' from the inadequacies of inner-city education under the Tories."

What have the Government done? They did not lower class sizes and they did not intervene to help bring about real change—they doubled the assisted places scheme. They undermined state education and then encouraged people to leave it. What sort of confidence and faith can anyone have in a Government who doubled the assisted places scheme instead of attracting people into the state sector? The Government should have said to middle-class people, "We will save you money. You will not have to spend your hard-earned pounds on buying private education because we will invest in making it good enough for your children." Instead, they doubled the assisted places scheme at a time when we have record numbers of classes with more than 30 pupils in primary education.

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Robin Squire): No, we do not.

Mr. Blunkett: The junior Minister has said that we do not. There are now 1.6 million children in primary education who are being taught in classes of more than 30. Pupil-teacher ratios have risen for the fifth year running. The statistics would have hit the headlines if the Government had got them right the first time round. The Government cannot add up, nor can they spell. They have issued press releases that have misspelt the Isle of Wight—it has been spelt "White". The Government are not literate or numerate. Is it any wonder that the rest of the population are struggling? The most indictable statistic is that more than 41,000 young men and women left our schools last year at the age of 16 without any qualifications.

Mr. Squire: I am grateful to the hon. Gentleman for giving way. I know that he intends to move on, but it is important to put on record the fact that, according to the latest figures that I have seen, there are fewer primary school pupils in classes of more than 30 and 35 than there were in 1979.

Mr. Blunkett: Which set of latest statistics is the Minister talking about? Some 1.6 million children are desperately seeking a Government who will pay not for a handful of people to go to the private sector but for lower class sizes at the key infant stage in order to ensure that all five, six and seven-year-olds learn to read, write and add up. Teachers need the time and the space to do the job. The Government will achieve that end not by providing a paper promise of nursery education, but by providing genuine, free, professional and high-quality nursery places. That should be followed by teaching the basics in classes that are small enough to manage. Targets must be set throughout primary education following a baseline assessment that is made when a child enters a reception class. In that way we shall begin to transform our education system.

We propose to change teacher training, to set targets and to establish a task force and we are committed to achieving those aims by the second parliament under a Labour Government. That programme represents the beginning of a process of matching the achievements in the rest of the world.

Sir Donald Thompson (Calder Valley): Nursery education in my constituency is at 94 per cent.—and it has been at that level for the past 20 years. That figure has been achieved through the co-operation of local authorities of all political colours. Predominantly Conservative Governments—at least for the past 17 years—have provided enough money to pay for 94 per cent. of nursery education. My local authority has chosen to make that provision while other local authorities have chosen to waste their money in other ways. Consequently, we have had to ring-fence the money for nursery education by giving it to the parents so that local authorities that do not have high nursery education priorities cannot cheat them any longer.

Mr. Blunkett: I knew that the intervention would be a good one. The hon. Gentleman should reflect not upon what the Conservative Government have given to Calderdale, but upon the way in which the local authority—comprising parties of all political persuasions—has prioritised nursery education. It did so against the backcloth of a letter that the hon. Gentleman received from the Secretary of State 18 months ago suggesting that expenditure on nursery education was a diversion from real expenditure on mainstream schooling.

I remind the hon. Gentleman that, under the Government's voucher scheme, money will be clawed back from Calderdale for the four-year-olds for whom it provides in order to offer a paper promise in areas where there is no existing provision. If we couple that with the fact that administration costs could go directly to providing new places, we find that the hon. Gentleman is arguing my case for me. I am very grateful to him.

We have announced a range of measures in recent months. On truancy and exclusion, we emphasise the importance of tackling disaffection and of allowing schools the option of a one-term exclusion rather than 15 days or permanent exclusion from the school. Ten days later the Secretary of State announced not three months, but 45 days. That announcement was 10 days late and three weeks short of our own announcement.

At the end of May, I said that something drastic should be done about teacher training. I called for an immediate project to ascertain what has happened to those who have

[Mr. Blunkett]

undergone teacher training in the past five years. The Secretary of State is to say something about teacher training tomorrow. There is a major shortage of English and maths teachers. The number of teachers who are qualified to teach those subjects has dropped dramatically by 22 per cent. and 25 per cent. respectively. Last year's GCSE results saw a drop of 1.9 per cent. in maths, and a 2.8 per cent. drop in English.

Last year, we announced that we considered head teacher training to be a crucial prerequisite for anyone taking a headship; the Secretary of State then announced the same. We announced baseline assessment targets and home-school contracts; the Secretary of State announced them a few days later. We made an announcement about education for 14 to 19-year-olds at the end of March; the Secretary of State made the same announcement 10 days later, on the back of the Dearing inquiry. We have announced that we are in favour of extending local management of schools, and I gather that the White Paper will probably follow us.

Mr. Nick Hawkins (Blackpool, South): Will the hon. Gentleman give way?

Mr. Blunkett: Certainly. Perhaps the hon. Gentleman can add his own examples.

Mr. Hawkins: I have been following Labour education policy for many years. Is not the hon. Gentleman's attempt to rewrite history a complete travesty? During the past few months, he and the leader of his party have tried to apologise for everything that Labour and the militant teachers it has supported have stood for for over 17 years. Is he not really admitting today that the Conservatives have been right all along, and trying to rewrite Labour policy in the Conservative shadow?

Mr. Blunkett: I find it difficult to take anything seriously from someone who is abandoning his constituency for the chicken run because he knows that education policy, and Tory party policy generally, will result in his losing his seat. Let me deal with the issue head on, however.

Seventeen years of Conservative government have led us to announce a series of programmes and changes that the Conservatives have failed to introduce during those two decades. We are announcing programmes because the Conservative Government have not done so; we are talking about changes and improvements in standards because they have not happened. I could name many more improvements that are needed—for instance, the repair and renewal of buildings. It will be interesting to see whether the Secretary of State has anything to say about that, in the White Paper or elsewhere.

Let me repeat that we will ensure that the £3 billion backlog of repair and maintenance of schools throughout the country—a Tory legacy of neglect—is dealt with directly through a new public-private partnership which will not be exclusive to grant-maintained schools, but will be available to every school in the country. We will ensure that teachers teach, and children learn, in classrooms that are warm, safe and fit to work in, and that everyone has the opportunity of a decent education, wherever they live and whatever their background.

We are talking about transforming the life chances of our people. We are talking about transforming access to further and higher education. We are talking about our "Target 2000"—our aim to ensure that by the year 2000 every 18-year-old will have reached at least qualification level 2. We will transform and replace youth training in order to achieve that goal, and offer every young person who has been out of work, education or training for more than six months the opportunity of a job, a learning place or a position in the voluntary sector.

With £1 billion allocated from a windfall tax, we will transform young people's life chances. We will tackle head on the skills shortage that the Government will reveal as the biggest own goal of Euro 96 when they announce on Thursday, that, after 17 years, they are falling further and further behind our European partners and our competitors across the world. There are skills shortages at a time of high unemployment; and the Government are failing to match, or even begin to match, their own targets. Forty per cent. of people have advanced qualifications, compared with a target of 60 per cent. That is a failure unequalled anywhere in the developed world.

We are not talking simply about revealing failure—about league tables and inspections that tell us what is going wrong, but do nothing to put it right. We are talking about rectifying as well as revealing: about ensuring that we intervene, and spread excellence and achievement from one school to another and from area to area. We will use the education authority as the voice and advocate of parents, not to control, but to support and to work with schools in achieving their goals. The family of schools should share resources and specialisms, and link through new technology to make it possible to ensure that, instead of rationing to a few, we are able to open up opportunities to the many.

Mr. David Lidington (Aylesbury): I accept the implication of the hon. Gentleman's comments that national initiatives must be translated into best practice, school by school and classroom by classroom. Will the hon. Gentleman take the opportunity now to say that he and his party have full confidence in the independence, integrity and programme of work of the current chief inspector of schools?

Mr. Blunkett: I am sorry, but it is not my job to answer questions about the chief inspector of schools. It will be my job shortly, God willing, and I will then answer questions. Is it not interesting that a Secretary of State under siege, who is doing her best to fulfil the mandate that she was originally given, is now taking second place to an appointed official? Is it not a shame that Conservative Back Benchers have to ask me, the shadow Secretary of State, what I will do about the chief inspector of schools? It is the chief inspector's job to reveal the inadequacy, the failure and the abysmal performance of 17 years of Tory government, and it will be our job to do something about those problems.

We will offer support as well as pressure. We will unite parents, teachers and governors with their education authorities, schools and central Government, to do the job. The Government have failed to do that job, as, I am sorry to say, has the Secretary of State. When we get the chance, we will unite this country to make education the key to economic prosperity and social cohesion. That is

the pledge from the Labour party—not structure, not status, not muddle and not selection, but excellence and standards for everyone.

4.31 pm

The Secretary of State for Education and Employment (Mrs. Gillian Shephard): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'welcomes the measures which Her Majesty's Government has introduced to raise educational standards through greater diversity and parental choice, the establishment of a common framework for the curriculum, assessment and regular testing, greater self-government for schools and colleges, and enhanced accountability through inspection and the publication of performance information; and welcomes the increases in achievement and participation which have followed.'.

I am grateful to the Opposition for tabling this debate. It is a pity that they thought fit to devote only half a day to educational standards, but of course they have always been rather half-hearted on the subject. Consider the double-speak we have just had to endure from the hon. Member for Sheffield, Brightside (Mr. Blunkett). He has been so little in evidence over the past few days that *The Times* has taken to describing him as Labour's health spokesman. The hon. Gentleman may wish he was, because it is obvious that he has an impossible task.

In the confused shambles that constitutes Labour's education policy, the hon. Member for Brightside cannot reconcile the words or the actions of his Front-Bench colleagues or the structure of education with his own views, with those of the left-wing Campaign group of his party or with those of the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) and the hon. Member for City of Durham (Mr. Steinberg), or—since the hon. Member for Brightside talked a lot about polls—with those of 74 per cent. of Labour parliamentary candidates. *[Interruption.]* I am grateful to the hon. Gentleman for his sympathy, but he should save it for himself.

The hon. Member for Brightside is confused, and who can wonder? He opposes grant-maintained schools, but the Labour leader is sending his son to one. The hon. Gentleman opposes grammar schools, but now he finds that the shadow health spokesman—the real one—has chosen to send her son to one. To cap it all, the hon. Gentleman thought he was safe in opposing cuts to child benefit, until he found that the shadow Chancellor had overruled him.

Nor can the hon. Gentleman reconcile his new-found enthusiasm for standards with the practice of those town halls up and down the land where Labour has long held sway. The hon. Gentleman's seemingly interminable speech clearly demonstrated the hypocrisy and plain humbug of Labour's so-called education policy. It is difficult to know how the hon. Gentleman kept a straight face. He must surely know which party presides over the worst educational standards in the land. I will remind him.

Labour controls the boroughs of Islington, Tower Hamlets and Southwark, where 20 per cent. of seven-year-olds are illiterate—a fact exposed by the recent Ofsted report. Labour controls Islington, which also has the poorest GCSE results in the country. Some caring parents living in Islington—such as the right hon. Member for Sedgefield (Mr. Blair)—choose schools for their children outside that borough, which is not quite a vote of confidence in the Labour comrades. One wonders who took part in the opinion poll about which we heard so much from the hon. Member for Brightside—not, I think, Islington parents, who vote with their feet.

Who is in power in Tower Hamlets, which has the highest truancy rates in the land? Labour, of course. Who controls Nottinghamshire, where last year the local education authority denied 11-year-olds the right to sit their standard assessment tests although that is the law of the land? Who deprived those pupils? It was Labour. At Hackney Downs, the LEA reduced a once outstanding grammar school to the state where it had to be closed—although there were only eight pupils per teacher and it cost nearly three times the national average to educate each pupil. Who is in charge in Hackney? Labour.

Mr. Jack Thompson (Wansbeck): Will the Secretary of State comment on Labour-controlled Northumberland, where only two schools have gone grant-maintained? One did so by two votes, with the opposition of most of the parents when they realised what that decision meant. The other school went grant-maintained because there was a proposal to close some primary schools in the county because of its sparse population. Northumberland is at the opposite end of the scale that the right hon. Lady mentioned. Can she say anything critical about Northumberland and its education authority?

Mrs. Shephard: Last year, Northumberland county councillors complained that their education budget fell short by £700,000, but awarded councillors £500,000 in increased meal and travel allowances. They also should have known that the case of Hackney Downs shows convincingly that there is no connection between resources and results. There may be some connection between Labour councillors and higher meals and mileage allowances.

The lack of a connection between resources and results can be seen in the 10 LEAs that produced the poorest GCSE results—Islington, Knowsley, Tower Hamlets, Southwark, Manchester, Lambeth, Newham, Hackney, Liverpool and Haringey. Every one of them produced results way below the national average, and most incurred expenditure per pupil above the national average—nine out of the 10 with Labour in control.

If the hon. Member for Brightside and his colleagues are so concerned about standards, opportunities for all our children and Britain's competitiveness, why do we not hear from the hon. Gentleman outright condemnation of those of his Labour comrades who have allowed such scandalous situations to develop? We hear not a word. All we hear are the footsteps of Labour Front Benchers opting out for their own children and voting with their feet.

Mr. Charles Hendry (High Peak): I implore my right hon. Friend not to move on without referring to Derbyshire, which was omitted from her list. Is she aware that places such as Bolsover and Chesterfield have one nursery school for every 6,000 or 7,000 of the population, whereas High Peak and the Derbyshire dales have one nursery school for up to every 22,000? Does my right hon. Friend agree that those figures reveal not only reprehensible management but show that downright political bias determines Labour education policy?

Mrs. Shephard: The story of Derbyshire's local authority would fill a book, or many books. I am delighted

[Mrs. Shephard]

that my hon. Friends lose no opportunity to expose the extraordinary goings-on and the extraordinary identification of priorities that we have seen in that authority.

Dr. Spink: Will my right hon. Friend make it clear that she is criticising the political control of the LEAs, not the teachers, who are professional, dedicated and do an excellent job? Will my right hon. Friend acknowledge that the increase in the number of youngsters in higher education from one in eight to one in three is one of the greatest achievements of the Government, and that it would be put at risk if she were to adopt policies that Labour advocates, such as doing away with the student grant and child benefit?

Mrs. Shephard: It is extraordinary that, while claiming that they want to give incentives to young people to continue in education and training, Labour Members use as their means a tax on parents of £560 per child. The increase in numbers going into higher education represents a welcome increase in standards of achievement over the past 16 years. However, as I am always ready to admit, there is a great deal more to do.

I am glad that my hon. Friend the Member for Castle Point (Dr. Spink) paid a graceful compliment to good teachers. He is right to do so. However, it is a fact that Labour Administrations cannot deliver. Labour equals poor leadership, which allows poor teaching, and the result is abysmally low standards of achievement and millions of children deprived of their right to a good education.

Mr. Blunkett: I should like to clarify this, because it is important for the months and years ahead. Is the Secretary of State suggesting that it is not possible for teachers to teach well, for heads to lead or for education officers to give support if the councillors are not of the best in those individual authorities? I should be grateful for a straight answer.

Mrs. Shephard: The straight answer is that I have given the House illustrations of bad achievement in Labour-controlled local authorities, which have been backed up by examples given by my hon. Friends and which, alas, illustrate all too well the prospects for education, training and competitiveness in this country in the unlikely and appalling event of a Labour Government being elected.

Mr. Blunkett: With the right hon. Lady's indulgence, let us pursue this a little further. Is she suggesting that the political complexion of the elected members of an authority is affecting the teaching of children in the classroom, the quality of head teachers or the work of officials in those authorities?

Mrs. Shephard: The record of the authorities I have quoted speaks for itself, and there is no need to go into more detail. It is obvious that, in badly managed, Labour-run authorities, everyone's job is more difficult.

Let us look at what the Government have put in place to raise education standards. As I have said, there is always more to do and higher levels to achieve. Let us look at what we have already achieved against continuous resistance and hostility from the Labour party. At every step, the Labour party and its comrades in the Labour town halls have fought every measure to raise standards.

Ms Joan Walley (Stoke–on–Trent, North): May I refer to the difficulties that the hon. Lady seemed to be presenting to the House in her last comments? If head teachers, councillors and local education officers can monitor what is needed in a particular area, the Secretary of State should be receptive to those needs. In my authority of Staffordshire, there is a clear and urgent need for capital spending on school buildings. Despite extensive building repair and improvements, there are schools in my constituency with classrooms that should not be used. Repeated bids to her Department have not provided the funding we need to bring the classrooms up to an acceptable level. Surely that will affect education standards. Can we abandon this party political approach that the right hon. Lady seems to be adopting, and recognise what is needed in our nation's schools?

Mrs. Shephard: I am delighted to abandon the party political approach for one moment by telling the hon. Lady a fact—spending on capital programmes has been increased for this year by 7 per cent., which should help Staffordshire and every other local authority in the land. Perhaps I might remind the hon. Lady of the party political activity undertaken by her colleagues in the House and elsewhere who have opposed everything that the Government have sought to put in place to improve standards in education.

Mr. Patrick Thompson: My right hon. Friend has been talking about the measures that the Government have taken to improve education standards. The hon. Member for Sheffield, Brightside (Mr. Blunkett) referred to the assisted places scheme. Will my right hon. Friend confirm that that excellent scheme is designed to help poorer families, not the better-off, as the hon. Gentleman wrongly alleged in his speech?

Mrs. Shephard: I am delighted to confirm that the assisted places scheme is designed specifically to help children from disadvantaged families take advantage of a good education within the independent sector. It extends the choice and diversity that have been the key notes of this Government's education policies.

What have we put in place? We have introduced the national curriculum, the national system of testing and assessment for children at seven, 11 and 14, and more freedom for schools to manage themselves, with local management for LEA schools and over 1,100 grant-maintained schools, which act as beacons of excellence to promote ever higher standards. We have introduced more accountable schools. The national system of rigorous inspection means that, for the first time, all schools will have their strengths and weaknesses made known to parents and to taxpayers. We are providing much more information for parents.

Dame Elaine Kellett–Bowman (Lancaster): Will my right hon. Friend be kind enough to congratulate the headmaster, staff, governors, parents and children at Ripley St. Thomas school in my constituency, which has recently become a specialist language centre, having

raised vast sums from everybody in the locality? One of these days, would my right hon. Friend pay a visit to the school, because I am sure that she would enjoy it?

Mrs. Shephard: I am sure I would, especially if my hon. Friend were the guide. I am delighted to congratulate those responsible for the school, because that example illustrates precisely the greater choice for parents and the greater diversity that we have sought to put in place.

We have introduced grant-maintained schools, grammar schools, city technology colleges, specialist schools and colleges and, of course, assisted places.

Ms Margaret Hodge (Barking): Will the right hon. Lady explain to the House why, when she was a member of Norfolk county council's education committee, she voted for the closure of all the remaining grammar schools in the county, including the one that she attended, North Walsham girls high school? Why did she do that, and what has changed her mind since then?

Mrs. Shephard: The hon. Lady will find that her chronology is a little wrong. She will find that I may well have been working for the council at that time, but I am glad that the hon. Lady mentioned Norfolk, because an entirely new choice for parents has been introduced by the Government with the introduction of vouchers for four-year-olds. The hon. Lady has made quite a campaign of trying to rubbish what is going on with nursery vouchers in Norfolk, and I am delighted to tell her the result of some research that we are producing today. It shows that 86 per cent. of Norfolk parents are delighted with the nursery voucher scheme. I am sure that the hon. Lady will be thrilled to hear that.

We have also introduced effective action to improve the least successful schools.

Mr. John Garrett (Norwich, South): Will the right hon. Lady give way?

Mrs. Shephard: No, not at the moment. I must make progress.

We have also introduced effective action to improve teaching. We are establishing 25 literacy and numeracy centres to tackle basic skills teaching in primary schools. We are introducing more stringent teacher training for reading and arithmetic. We are introducing training and an entirely new qualification for head teachers, and, of course, the Teacher Training Agency was set up specifically to improve the quality of teacher training.

What is the record of the Labour party? We have heard a great deal about intentions and about the activity over the past couple of months, but when we legislated in 1979 to save the remaining grammar schools, who voted against it? Labour. When we legislated in 1980 to establish the principle of publishing exam results and to bring in the assisted places scheme, who voted against? Labour did.

When we carried through the Education Reform Act 1988 to establish the national curriculum, national testing and assessment, grant-maintained schools, city technology colleges and the abolition of ILEA, who voted against it? Labour did. When we legislated in 1992 to free further education colleges from local authority control, who voted against? Labour did. That legislation included the establishment of a rigorous system of school inspection, but Labour voted against that, too.

When we legislated in 1993 to make it easier for schools to go grant-maintained and to establish the Funding Agency for Schools, who voted against? Labour did. When we legislated in 1994 to reform teacher training and to set up the Teacher Training Agency, who voted against? Labour did.

That is a long record by the Government of achievement in raising standards, and a long and shameful record by Labour of opposition to every measure to raise standards—a record that Labour and *Hansard* cannot deny. Labour was so busy opposing that it has not even noticed what it voted against over the past 16 years, as the hon. Member for Brightside made clear. It is no good trying, hopelessly, to put it right over two or three months.

Mr. Garrett: The right hon. Lady earlier drew comparisons with Labour local authorities. Will she cast her mind back to the time when she was a leading light in Norfolk county council's education authority? She may even have been the chair of that authority for a time—*[Interruption.]* Does she recall that, when she played a leading role in Norfolk education, it was probably the worst authority in the country? It was at the bottom for the league for expenditure on books, for expenditure on pupils and for class sizes, for expenditure on buildings. Independent observers held it up as an authority—*[Interruption.]* Its results were very poor, too—*[Interruption.]* I keep being interrupted, Mr. Deputy Speaker.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): It is a rather long intervention, but it is not helped by sedentary interventions from Conservative Members.

Mr. Garrett: Does the Secretary of State admit any responsibility for that deplorable level of performance, while we are on the subject of comparing councils?

Mrs. Shephard: The hon. Gentleman has helpfully and usefully provided a perfect example of Labour's usual attitude, which is that resources equal good results.

Dame Elaine Kellett-Bowman: Will my right hon. Friend give way on the subject of Norfolk?

Mrs. Shephard: This must be the last intervention for some time.

Dame Elaine Kellett-Bowman: Does my right hon. Friend recall that I had five children at the village school, at which she appointed the school head, at the time that she was a school inspector? All my children received an exceedingly good education.

Mrs. Shephard: I thank my hon. Friend.

In the days when Labour Members voted against every measure to put standards in place, at least they were consistent. The puzzling thing now is that some of them oppose one thing, some another. The hon. Member for Brightside, for example, does not like selection in schools. Just a few weeks ago, he said about children:

"Creaming them off and putting them in schools that provide excellence—that's the theory—you give excellence to a very small minority and you write off the rest."

[Mrs. Shephard]

Of course, his view is not shared by the hon. Member for Peckham (Ms Harman) or several other Labour Members, who are very happy for their children to belong to that "very small minority".

The hon. Member for Brightside has many times voiced his opposition to grant-maintained schools. But he goes further than that—he objects to parents choosing any school not in their own local authority, as my hon. Friend the Member for Gravesham (Mr. Arnold) pointed out. I am sorry that he is no longer in his place. The hon. Member for Brightside should really take to task the hon. Members for Blackburn (Mr. Straw) and for Barking (Ms Hodge), just two of the Labour Members who have made that choice using the powers that Government policies have given them—while, of course, seeking to destroy those policies lest other people's children should gain from them.

Last Friday, the right hon. Member for Sedgefield announced his support for streaming and his opposition to mixed-ability teaching. Yet not only has Labour promoted those educationally harmful mixed-ability classes for many years, but only last December, in a policy paper, it said:

"schools have rightly rejected forms of streaming which have labelled some children as failures throughout their schooling."

Do hon. Members remember the hon. Member for Brightside saying, "Watch my lips—no selection"? How curious that the views of the shadow spokesman for education seem so different from those of other hon. Members, not only in his party but on his own Front Bench.

The Labour Party reminds me of that old Tuscan army,

"Where those behind cried 'Forward'!

And those before cried 'Back'!"—

and some no doubt went sideways, just like the Labour party which is trying to go in all directions at once—wherever the magnet of an opinion poll leads it. By the way, for the avoidance of any doubt, the Tuscans lost.

This Government have already carried through the most radical programme of change for our schools in living memory, but we have to go further. The Dearing 16-to-19 review heralds a wider and more rigorous range of vocational and academic qualifications. On Thursday, we shall publish the third competitiveness White Paper, setting out plans for education and training policies to equip Britain to face the future.

The skills audit addresses what has been a chronic problem for this country for 120 years. It is this Government who have had the courage to do that; it is this Government who have brought forward the measures to deal with the deficiencies. We shall continue to do so, because it is this Government alone who understand the challenge of global competition.

Later this month, I will publish a White Paper to extend self-government in all schools, to give more freedom to grant-maintained schools, and to give all parents more choice of schools—including grammar schools. In September, I will launch a thoroughgoing reform of teacher training to ensure that new primary teachers are better equipped in future to teach the three Rs. We shall be bringing legislation before the House to support better school discipline and to give powers to Ofsted to inspect the work of LEAs in raising educational standards. Those measures are essential if pupils are to learn effectively.

I shall predict Labour's response to that programme to raise standards ever higher. It will fudge, it will oppose—not just us, but each other. Labour Members will doubtless seize eagerly on the advantages of our policies for their own children, while denying those opportunities to the children of others. Some of them may pay lip service to the cause of higher standards—we heard some of that this afternoon—while allowing their local authorities to lower standards at every turn. In other words, they will practise the creed which socialism has used throughout its history—"Do what I say, not what I do." People will see behind the smiling face of new Labour the class envy and mediocrity of old socialism.

This Government will continue their programme to give the people of this country the finest education in the world. I urge the House to support the amendment.

4.58 pm

Mr. Mike Hall (Warrington, South): I congratulate my hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) on a tour de force this afternoon on Labour party policies and the way in which we will try to lever up education standards. His speech was in stark contrast to the bereft performance of the Secretary of State. We heard little of what the Government propose to do about the crisis in our schools that has come about after 17 years of Conservative government. All we heard was an onslaught on the Labour party in local government. I am tempted to ask whether the right hon. Lady will accept responsibility for her Department's activities. Which of her five predecessors does she blame for the problems in our schools today?

What is happening in our schools today is a direct result of the dictations of the 1988 education Act—wrongly titled the Education Reform Act—which was put on the statute book by the then Secretary of State, the right hon. Member for Mole Valley (Mr. Baker). The Government had high expectations of that Act. On Second Reading the right hon. Gentleman described the legislation in the following way:

"This Bill will create a new framework, which will raise standards, extend choice and produce a better-educated Britain."—[*Official Report*, 1 December 1987; Vol. 123, c. 771.]

Yet, according to figures produced on the performance of our education system, problems in schools today show that the expectations of the Act are not being realised. In fact, school standards may have suffered as a direct result of the Act because of the nature of the national curriculum and of standard attainment tests, which were so flawed and so poorly introduced.

The Secretary of State said that the Labour party has opposed all the Government's so-called "reforms", the national curriculum and national testing, but she is wrong. If she reads the Second Reading speech by my hon. Friend the Member for Blackburn (Mr. Straw) on the 1988 Bill, she will know that that he warned that the manner in which the national curriculum and the standard assessment test were being designed would lead to the national curriculum being over-prescribed, making it unable to deliver the goods that the Government intended it to deliver.

The pronouncement of my hon. Friend the Member for Blackburn was prophetic—what he warned of has come to pass. Those two crucial criticisms about the fatally flawed nature of the SATs and over-prescription have been borne out by the investigation of none other than Sir Ron Dearing. He was brought in by the Government to sort out the mess of the national curriculum—a twice-revisited national curriculum, with twice-revisited tests. In 1993, he said:

"The National Curriculum is fundamental to raising educational standards. Urgent action is needed to reduce the statutorily required content of its programme of study and to make it less prescriptive and less complex. A closely co-ordinated review of all the statutory curriculum Orders should immediately be put in hand, guided by the need to:

i reduce the volume of material required by law to be taught;

ii simplify and clarify the programmes of study;

iii reduce prescription so as to give more scope for professional judgement;

iv ensure that the Orders are written a way that offers maximum support to the classroom teacher."

On key stages 1, 2, and 3, which are fundamental to our primary education, he said:

"The primary purpose of the review at Key Stages 1, 2, and 3 should be to slim down the National Curriculum; to make the Orders less prescriptive; and to free some 20 per cent. of teaching time for use at the discretion of the school."

We would not be in our current position if the Government had listened to my hon. Friend the Member for Blackburn and piloted their national curriculum and standard assessment test. As a direct result of their not listening, since 1988 near chaos has reigned in our schools as teachers have become demoralised and our children's education has suffered.

As Secretaries of State for Education came and went, Sir Ron Dearing was brought in to try to bring some order where chaos reigned. His report, published in December 1993, vindicates the Labour party's advice to the Government during the passage of the 1988 Bill. Had the Government listened, today we might have higher school standards. We might also have saved the £750 million that they wasted on the introduction of the national curriculum, which they had to revise twice to get it right, making it less prescriptive and more directed to the needs of children.

It is not the first time in our educational history that we have seen the so-called "twice-revised codes". We saw them at the beginning of education, when we had payment by results, and now we see it revisited in the redrawing of the national curriculum. I still do not think the Government have it right. Those are the rewards of the 1988 Act, which are there for all to see.

The Prime Minister was quite right. As a direct result of those reforms introduced by the Government, he admitted that

"the top 15 per cent. of youngsters who come out of our schools are equal to anything you will find anywhere in the world. The other 85 per cent. frankly are not."

That is a frightening admission of complacency by the Prime Minister about the quality of our state education. It is a condemnation from the very top of Government of the quality of education received by 85 per cent. of our pupils.

It showed absolute complacency for the Secretary of State to go to the Dispatch Box and fail to address those concerns, but spend most of her time trying to bash Labour-controlled local authorities, which are doing their level best to provide decent education for the children in their area.

The Secretary of State did not attempt to answer the question asked by my hon. Friend the Member for Brightside about the responsibilities of head teachers and teachers to teach the children in their care. The Prime Minister was absolutely right to draw attention to that failing, but his Government must now act.

Not only have Labour Members drawn attention to the problems in schools today, not only does the Prime Minister admit that there are problems and not only has Sir Ron Dearing tried to straighten out the national curriculum, but the Office for Standards in Education—the Government's organisation—has drawn attention to problems in our education system. Ofsted stated:

"Far too many children were found, however, not to be making the progress which they should."

That quote is from 1996, after 17 years of Conservative government. It has been 17 years of a Government who have tried to dictate from the centre what is taught in our schools, how it is taught and how teachers are trained. There has been a range of issues, and legislation after legislation, but the Government have not yet produced the improvement in standards that we desire for all our children who are being educated in the state sector. That quote is another condemnation of the Department for Education and Employment, under a Government who have had 17 years in office and who still fail to take responsibility for their actions.

It is absolutely disgraceful that the number of pupils leaving our schools with no passes at GCSE rose from 7 per cent. in 1993 to 7.8 per cent. in 1995. According to a recent parliamentary question tabled by hon. Friend the Member for Brightside, 41,389 pupils left school last year without a single GCSE pass. That is another demonstration of the Government's failure in education. Sir Geoffrey Holland—who, until recently, was the permanent secretary at the Department for Education and Employment—said that 13-year-olds in English schools lag two years behind their continental cohort, and that they never catch up.

The Government have recently published results that demonstrate another important problem. There is a huge achievement gap between the ages of 7 and 11. In English and mathematics, about 20 per cent. of pupils were below level 2 at the age of seven, whereas more than half were below level 4 at the age of 11. That is a very worrying trend in our pupils' achievements.

Mr. James Pawsey (Rugby and Kenilworth): Will the hon. Gentleman give way?

Mr. Hall: No, I shall not give way. The Secretary of State did not give way to me, so I am not sure why I should give way to the hon. Gentleman. He can make his own speech in his own time, Mr. Deputy Speaker. I am sure that he will catch your eye if he behaves himself.

Ofsted has found that, in key stage 2 generally, there has been a slowing in pupil progress, particularly in years 3 and 4, and that that is a worryingly persistent feature of inspections in recent years.

My hon. Friend the Member for Brightside drew attention to the fact that, in the past five years, pupil-teacher ratios have worsened. That is a poor record

[Mr. Hall]

of government, and I must ask: who is to blame for this sad state of affairs? We heard from the hon. Member for Castle Point (Dr. Spink)—he has left the Chamber—in a debate on education last Wednesday. He blamed teachers; he blamed parents; he blamed pupils; he blamed the Labour party. He exonerated the Government—fancy that.

Sir Rhodes Boyson (Brent, North): It is the Labour party's fault.

Mr. Hall: The right hon. Gentleman says from a sedentary position that it is the Labour party's fault. He must have been asleep for the past 17 years. He sat on the Back Benches in government, taking no responsibility for the problems that they have created in our state education system.

We see that the Government have once again deployed the BSE strategy—blame someone else. After 17 years, it is really time that they held up their hands and said, "We have made mistakes in education. We recognise the failings and are prepared to do something about them." All we get instead are attacks on Labour-controlled local authorities.

One of the interesting things about standards in schools is that teachers, and teaching methods in particular, have been singled out for criticism. Anyone in the teaching profession who has reached the age of 65 may well have entered the profession in 1952 and given 44 years of loyal service. The Conservatives have been in power for 33 of those 44 years; they still blame the Labour party for the teaching methods employed in our schools, whereas teaching methods have been adopted and approved by successive Governments, Labour and Conservative. It is important that that is recognised. Anyone who has entered the teaching profession in the past 17 years has known nothing other than Conservative control and seven Acts of Parliament and the interference that they brought with them.

On a local note, Cheshire county council—my local authority—is controlled by the Tories and Liberal Democrats. It has a very poor record on education in terms of pupil-teacher ratios. It is 97th in a league table of 109. In spending terms, it is 96th out of 109, spending only £1,483 per pupil, which is far below the national average and much below the exemplars for education. A pupil-teacher ratio of 24:1 is far too high.

Mention has been made of the interest in the level of funding for the state education system. The difference between the amount received by Westminster city council for education and that received by Cheshire county council is iniquitous. Both are Tory-controlled, but one receives far more than the other. If my local authority received the same amount as Westminster, it would be able to employ 4,539 extra teachers.

I do not accept that employing those extra teachers would not raise standards at schools in my county, in my constituency and, indeed, at the local comprehensive school attended by my son. I do not accept for one minute the argument that class size does not matter. The idea is straightforward: a good teacher teaching 40 kids will teach 30 kids better. That is plain common sense, and we should be doing something to reduce pupil-teacher ratios.

The Government must consider why teachers leave the profession. The Public Accounts Committee recently considered the number of teachers retiring. Between 1985-86 and 1994-95, 150,000 teachers left the profession and 108,600 left prematurely. They left not because of ill health but through voluntary early retirement. If they could be encouraged to stay in the state system, we should have a huge wealth of resources to help increase standards in all our schools. We need to encourage teachers to stay in the profession.

We know why teachers become shell-shocked. There has been an initiative overload by the Government, who have demanded that teachers do more and more in less and less time. In addition, they have heaped criticism on teachers when they fail to achieve what is demanded of them. We must seriously examine ways to retain teachers in the profession.

I am encouraged by the Labour party's commitment to ensuring that, within five years of taking office, we shall be providing a nursery place for every three and four-year-old whose parents want one. We shall do so because we know that it will represent value added for the rest of those individuals' careers.

Mr. Pawsey: How will Labour do it?

Mr. Hall: I am not taking any sedentary interventions from the hon. Gentleman.

Mr. Pawsey: I tried the other sort.

Mr. Deputy Speaker: Order. The hon. Member for Rugby and Kenilworth (Mr. Pawsey) must control himself. He seems to be getting into bad habits these days.

Mr. Hall: The crux of the matter is how to raise standards in education. If we can provide a nursery education for every three and four-year-old whose parents want it, the benefits throughout the children's careers would be there for all to see. This is an important commitment that the Labour party has made. We have also committed ourselves to reducing class sizes for five, six and seven-year-olds to below 30 in the lifetime of a Labour Government. That is essential to improving standards in the state system.

I am attracted by the idea that the Labour party is committed to a general teaching council. This will ensure professionalism, which will in turn empower teachers and make them feel valued. We can thereby hope to improve the quality of teaching. I am also attracted by my Front-Bench colleagues' ideas, which are not new, of assertive discipline in school, ensuring that we employ the best teaching methods, and instituting criteria-based assessments of how pupils are performing.

The home-school contract is probably one of the most important that we can develop. It engages parents in the education of their children to ensure that we all get the best out of the system. It also increases expectations. I am confident that the Labour party, once in office, will make education its passion and that, through partnership with everyone involved, it will improve the quality of education for all.

Our approach will be based on co-operation, partnership and opportunity, not on diktat from central Government, which ignores the people who are most important to the enterprise—teachers, pupils and parents. We shall bring them all together in a co-operative venture so that our education system will ensure that the economy is well served into the 21st century.

I commend the speech of my hon. Friend the Member for Brightside to the whole of the educational establishment as a good example of what the Labour party will do in office in the not-too-distant future.

5.15 pm

Sir Rhodes Boyson (Brent, North): I welcome the opportunity to speak on the education policy of the Conservative and Labour parties.

It was in Islington—and under Labour—that I saw education break down as I had never seen it break down before. When I arrived in Islington as the head of Highbury Grove school, I was still a member of the Labour party, but what I saw there drove me out as a refugee to the Conservative party. That is perfectly true. Schools in Islington were run as if by the red guards in China. When my chairman of governors asked whether the school could be run as a workers' collective, I fled. This is all public knowledge; I have written about it.

Education in Islington is still, I believe, among the worst in the country. It is a question not of money but of the way in which education services are organised in that particular authority. It is no wonder the leader of the Labour party fled with his son to another borough. I had to say that at the outset, as I am still a schoolmaster at heart, as I know the hon. Member for Liverpool, Walton (Mr. Kilfoyle) is, too.

Interestingly, Highbury Grove was saved by working-class and immigrant parents who wanted their children taught properly, as opposed to the trendies in the Labour party who wanted the school run as a collective. It was the working-class and immigrant parents who kept Highbury Grove, which was then the most over—I have forgotten the word.

Mr. Harry Greenway: Over-subscribed.

Sir Rhodes Boyson: Indeed. I am so excited, but I must control myself. Highbury Grove was the most over-subscribed school in London at that time, and it was the working class parents and their children who kept up standards. It certainly taught me a lesson about where I stood politically.

From time to time, we see a movement towards common sense in the Labour party, and we drink to it. If the Opposition paid for it, we would drink to it even more. However, any such movement is very slow.

The first issue that I wish to highlight is the teaching of children in ability groups. There has been a revelation in the Labour party, which has discovered setting. Its members have been to a prayer meeting and decided that setting is the answer. Setting means that each child is tested in every subject and goes into a first, second, third, fourth or fifth group for each separate subject, according to the results of the tests. It is like a progressive barn dance, with pupils meeting from time to time as they move from class to class. Under this system, the whole class has to wait until the last child has arrived, 25 per cent. of teaching time will be wasted and the gates will have to be locked to prevent children leaving between classes.

Anybody who has seen setting in a school, as I have, knows that it does not work. We tried it for one term at Highbury Grove and the staff—including the trendies—said that they wanted no more of it and that they would sooner teach one class where they knew what they were doing.

We know that children differ in ability. We all differ in ability—academically, in sport and in everything else. We have to accept it as a fact of life. It is nonsense to pretend that all children are the same, and it would be a grey world if they were.

It is the height of cruelty to educate able and less able children together. It makes the able arrogant—they think that they have all the answers—while the poor little boy at the bottom of the class who never gets anything right in class will kick in the windows, and I am on his side because of all the disadvantages that it brings him. Whatever he does, he knows that he cannot succeed.

At last, after the prayer meeting, Labour has decided on setting. However, I would like to see a school that is organised in that way with normal staffing. If there is one, I would be happy to go to see it with the hon. Member for Sheffield, Brightside (Mr. Blunkett). I do not think that there is one. I do not think that there is a school in discovered space that continues to use that system. It is simply not on.

Mr. Greenway: Does my right hon. Friend agree that the argument that the Opposition are putting before the nation is the same dishonest argument that they used to encourage the launching of comprehensive schools? The Opposition said then—as they are saying now—that every child will have his or her own timetable and work at his own pace in every subject. That is totally impossible to organise in any school, as my right hon. Friend and I know from our long and deep experience. Finally, I remind him that he said that a good school is where the children go in fast and come out slow. Is that not right?

Sir Rhodes Boyson: My hon. Friend has remembered the advice that I gave him. I advised parents to stand outside the school gates to see how quickly the children went in the morning and how slowly they came out at the end of the day—or vice versa—and, if the staff came out so fast at 4 o'clock that they knocked the children down, to go home, as nothing could be done with that school. It is the best test of any school—better than all the inspectors.

Mr. Greenway: What about my point about setting?

Sir Rhodes Boyson: My hon. Friend, who also taught in the east end of London and whom I first met on my second day in London—obviously, he has influenced me in relation to the Conservative party—mentioned setting, but I have said enough about that.

Mr. Don Foster (Bath): Will the right hon. Gentleman give way?

Sir Rhodes Boyson: If the hon. Gentleman is offering to show me a school that is totally setted, I shall give way. If not, I shall not. I am waiting for such an offer from anywhere in the world, and I shall accept it.

Mr. Peter Kilfoyle (Liverpool, Walton): I am grateful to the right hon. Gentleman for giving way. Between his Waldorf and Stadler act with the hon. Member for Ealing,

[Mr. Peter Kilfoyle]

North (Mr. Greenway), I would encourage him to think about what my right hon. Friend the Leader of the Opposition said in his speech. He did not say that every class in every school would involve setting. He said that we would work from the presumption of the advisability of setting over mixed-ability teaching, but he entered an important caveat—that it is for the teacher to decide the pedagogical methodology employed in the classroom.

Sir Rhodes Boyson: That means that every school will organise itself and that there will be no interference from socialist authorities such as Islington. Am I right in that? Will schools in Islington be able to organise themselves in exactly the way they want without any interference from the local authority?

Mr. Kilfoyle: We have made it absolutely clear that not only do we support the local management of schools but we seek to reinforce that in a variety of ways. That is published Labour party policy. It is for the school to run itself and not for the local authority to run it as part of a line of management. That is history now.

Sir Rhodes Boyson: I feel that policy is being made as we speak and that we are in the centre of the world. However, I shall move on, as I wish to make two more points.

My second point relates to grammar schools. Apparently they will be allowed to remain.

Mr. Greenway: Will my hon. Friend give way?

Sir Rhodes Boyson: No. I am godfather to my hon. Friend's son, so I shall restrain my hon. Friend.

There are currently 161 grammar schools and they will be allowed to continue, provided they receive an affirmative vote. Perhaps the rest of the country should be brought in on that. Why cannot the rest of the country be allowed to decide whether to bring back grammar schools? However, it is a step in the right direction. Perhaps the right hon. Gentleman the Leader of the Opposition knows how far he is prepared to go on that, but the Opposition spokesmen do not. They are doing their best to answer me, but they are really in the dark, in which case, as they are honest people, I am concerned that they should be worried about it. However, I shall hurry on.

The grant-maintained schools have been most effective. Without any interference from me, all but one of the secondary schools in my constituency are now grant-maintained, including the Catholic one. Parents took that decision against the wishes of the teaching unions, just as, back in Islington, parents wanted to run their schools in their own way. The introduction of grant-maintained schools has been one of the Government's greatest achievements.

My third point is totally non-partisan, as has been all that I have said, because I am speaking the truth. It relates to a teaching method—whole-class teaching. Mixed-ability classes comprising four groups—A to D—is the most inefficient method of all time. School after school currently uses that particular method. If the teacher has four groups, each group will receive tuition for only a quarter of the lesson. If he has three groups, they will receive tuition for only a third of the time, and if he has two groups, they will each have half a lesson.

The difference between our schools and those in the far east, where children are two years ahead, is that they are all taught together in classes far larger than ours. I do not accept that it is a matter of class size. I have seen classes of 60 or 70 in Japan, Taiwan and throughout the far east that have higher standards and discipline than those here. *[Interruption.]* I do not want to upset the Labour party. I am helping them towards the truth. In many primary school classes, children between nine and 11 are divided into four groups. The children might as well go home for three quarters of the day. That method will have to be looked at again.

My father was the chairman of a divisional executive in Lancashire and he was also a Labour alderman. He was genuinely Labour. He was a conscientious objector in the first world war and was in Wormwood Scrubs with Mr. Morrison; so I have a good background in these matters and no one can take that away. He said that grammar schools were the ladders of working-class opportunity, and Haslingden grammar school remained a grammar school until he died. He also preserved Bacup and Rawtenstall grammar school, which has 950 pupils—some hon. Members will know it. That school was also saved by my father, as my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey), for whom I have the greatest respect, knows. I shall keep my hon. Friend under control, too. Outside that school, there should be two statues—a blue statue for me and a red statue for my father.

Mr. Kilfoyle *rose—*

Sir Rhodes Boyson: I shall not let the hon. Gentleman in again because I am about to sit down. I shall get my own back at the end of the debate.

Mr. Pawsey: On a point of order, Mr. Deputy Speaker. Will you confirm for the benefit of the House that today is an Opposition day debate on education? Do you not find it significant that only one Labour Back Bencher is present?

Mr. Deputy Speaker: I would not have thought that the hon. Member needed me to give him that information. This is certainly an Opposition day debate on education.

5.29 pm

Mr. Don Foster (Bath): It is always difficult to follow the right hon. Member for Brent, North (Sir R. Boyson). I am sure that many hon. Members will vividly remember his recent speech in which, having described his time as a teacher as climbing up the drainpipe, he told us that the most important skill that a teacher must have was to learn to climb the rigging.

I am grateful to the right hon. Member for Brent, North for being able to elicit a clear statement from the Labour Front-Bench team—that was the point that I was hoping to raise with him on an intervention—that it does not believe that it is appropriate for political parties or the Government to determine how individual schools should organise their classes or how children should be taught. There might be all-party agreement that decisions on how

to arrange organisation in a school are best left to individual teachers, schools and governors. I was a little disappointed that the right hon. Gentleman clearly supported that view.

The right Member for Brent, North made various comments on, and expressed views about, grouping, and referred, for example, to Taiwan and very large classes. I hope that he accepts that that is not a very good example with which to criticise mixed-ability teaching, because many Pacific rim countries organise their lessons in such a way that the more able children are involved in helping the less able. They provide a very good example of effective mixed-ability teaching. I suspect that the right hon. Gentleman and I agree, however, that, whatever method is chosen, the most important thing to ensure is that children are actively involved in every lesson, rather than passive, which, sadly, often happens.

About a couple of months ago, I was excited that education had at long last reached the top of the political agenda, but in view of debates in the past two or three weeks, I am increasingly uncertain about whether it is a particularly good thing. I do not object to party-political point scoring from time to time, but recent debates have not moved the general education debate very far. The Government's latest proposal, for the introduction of a grammar school in every town, for example, which the Secretary of State said today she will announce shortly, will not address the concerns of people, teachers, parents, governors, and, perhaps, the entire nation about the education service. Nor will the Opposition Front-Bench team's telling teachers how to teach or schools how to organise themselves move the debate on.

It seems that we are almost in an era of a gimmick a day. Such an approach will not raise achievement in schools or keep failure at bay. It is important to recognise that some of the recent gimmicks have not addressed the underlying problems of shortages of books and equipment, overcrowded classrooms and shoddy buildings.

Yesterday, I had the opportunity to stand outside one of the primary schools in my constituency and to talk to many parents as they delivered their children to school. I talked to them about their concerns about the education service and what they considered the most appropriate way forward. They made it absolutely clear that they did not believe that there would be any benefit in returning to a selective education system, and that they wanted more emphasis on literacy and numeracy. Many believed that the introduction of high-quality early years education would be a step in the right direction. Every parent argued for increased resources in education, and the vast majority said that they were quite willing to see a small rise in income tax to pay for it.

When I was reading—many hon. Members in the Chamber will have seen it during the past few days—this week's edition of *The Times Educational Supplement*, I was interested in the remarks of Dr. Colin Butler, who describes himself as a senior English master at Borden grammar school in Kent. He said:

"The largest single handicap on education today is not selection but funding; and a lot of so-called educational problems are really financial problems in disguise."

I certainly agree with that. I was somewhat disappointed by the rather dismissive way in which the Secretary of State suggested that the level of resources made no difference to the quality of education provision. As somebody said fairly recently—I cannot for the life of me remember who—insufficient resources threaten the provision of education in the state school sector.

Sir David Madel (South–West Bedfordshire): I am interested in what the hon. Gentleman is saying about talking to parents outside a primary school in his constituency, resources, and a grammar school in every town, but will he tell us what those parents are saying about grant-maintained schools? Is it Liberal Democrat policy to obstruct and oppose parents' and teachers' wishes for a school to become grant-maintained?

Mr. Foster: I should make it clear, as I have in many previous debates, that my party is absolutely clear about its policy on grant-maintained status—we oppose it. We would bring grant-maintained schools and, indeed, city technology colleges, back into the light-touch strategic planning framework of local education authorities. We have also made it absolutely clear that, while the legislation stands, we would not oppose a school assuming grant-maintained status if parents went through the appropriate procedure of a ballot and a majority were in favour of it. To elaborate further, there are two grant-maintained schools in my constituency, with which I work. I do what I can to assist because I believe that, as a Member of Parliament, I should support the education of all children in my constituency. I hope that that is a clear answer.

Sir David Madel: What does the hon. Gentleman say to the parents of children at those two grant-maintained schools who do not want to return to the local education system? How does he deal with that?

Mr. Foster: I make very clear the policy on which the Liberal Democrats will fight the next general election. The electorate in Bath will have an opportunity to consider that and other issues, and they will decide whether to vote for candidates who make such a proposition, which is perfectly fair and reasonable. The hon. Gentleman asked whether it was reasonable for somebody to obstruct policy between elections, and I said that it was not. I shall return to the hon. Gentleman's point later.

Given the nature of the education debate, many people have been concerned in recent months about not often hearing good news about what is going on in the education service. It is important to recognise that, as a result of very many hard-working and dedicated teachers, and the support of their governors and parents, some excellent work is going on. I should like in particular to congratulate Eileen Whiting and all her staff at Twirton-on-Avon county infants school in my constituency on the absolutely excellent Ofsted inspection report that the school has just received. Despite the many good examples, there are real concerns about the education service after 17 years of Conservative government and innumerable pieces of education legislation.

Some of the concerns were mentioned by the hon. Member for Sheffield, Brightside (Mr. Blunkett). In summary, he said that there are concerns about inadequate levels of achievement in literacy and numeracy; about the staying-on rate post-16, which appears to have stalled;

[Mr. Foster]

about the inadequate levels of skills training for the employed and the unemployed; and about the growing number of pupils who are being excluded from our schools.

There is particular concern about the low morale of people who are working in the education service—teachers, lecturers, head teachers and others. The hon. Member for Warrington, South (Mr. Hall) referred to the increasing number who are leaving the profession, very often as a result of stress-related illness. He will be aware that there is even a problem in recruiting head teachers to inner-city schools, and a potential problem of recruiting teachers in a number of subject areas, particularly science and mathematics.

Mr. Hall: Does the hon. Gentleman agree that the number of teachers leaving the profession—more than 150,000 in the past 10 years—represents a haemorrhage of experience that we would have done well to staunch? Teachers with a greater length of service will clearly be the best, and will get the best out of pupils. We must address the issue of keeping quality within the state system.

Mr. Foster: I agree entirely with the hon. Gentleman, who made the same point adequately during his speech. The other point he made in his interesting speech, which would go a long way to prevent the haemorrhage, concerned a return to more partnership and co-operation in the education service, rather than the market forces, dog-eat-dog approach introduced by the Government.

The problems will not be overcome by increased selection. Many of the parents I met yesterday remember the old selective education system and the 11-plus. In the old system, those lucky enough to pass went to a grammar school, while those who failed ended up in a secondary modern school. The right hon. Member for Brent, North talked about grammar schools providing a ladder of opportunity; he did not remind us that those who went to secondary modern schools did not get that opportunity and did not get a second chance—which can be provided by a more comprehensive education system.

Parents cannot understand where the Government are going. One minute they tell us that parents will have the right to choose their child's school; now we are told that the White Paper will propose that schools will increasingly choose their pupils. Selection will not raise levels of achievement; it will mean a return to quality education for the few and inferior education for the many. There will be a return to choice for a few, but no choice for the majority.

Mr. Robin Squire: That is absolute rubbish.

Mr. Foster: Perhaps the Minister would like to explain why he thinks that it is rubbish.

Mr. Squire: The hon. Gentleman is talking absolute tripe. His suggestion that the creation of a grammar school, as one of 12 schools in an area, will at a stroke demolish the education provided in the other 11 is balderdash.

Mr. Foster: The Minister will, perhaps, recall the days when there was widespread use of selective education. Why did secondary modern schools—through no fault of the teachers—provide an inferior education? They did not provide a second chance for those who failed the 11-plus examination. Those points cannot be denied, and they show why a return to selection will not, by itself, raise levels of achievement.

We must surely recognise that children are different, as the right hon. Member for Brent, North so eloquently put it. They have different levels of aptitude and ability, and they have different aspirations. We must provide an education system that meets all those different needs and aspirations for every young person. The vast majority of parents have no choice whatsoever about the school to which they send their children, so we must ensure that choice lies within every individual school, and not between schools. In that way, we can ensure that every individual reaches his or her potential.

It is a great pity that the Secretary of State, who I believe agrees with that aim, has been forced to capitulate to the Prime Minister, and now seems to be following him down a well-trodden dead end. It is also a pity that she has been forced to continue to promote that other pet project of the Prime Minister—grant-maintained schools—which is a failed policy initiative if ever there was one. [HON. MEMBERS: "No."] Opposition Members may recall—*[Interruption.]* I am sorry—they are not in opposition yet, although they will be shortly. Conservative Members may remember the Secretary of State's predecessor telling the House that he would eat his hat with a garnish if the majority of secondary schools were not grant-maintained by the next election. I hope that the current Secretary of State has not agreed to take that on.

Where, in all the Government's gimmicks, is the visionary thinking about the future? Do they not realise that the world has moved on? Information is widely available, and we need to develop an education system that helps young people to gather information and use it wisely. We must develop an education system that starts to think of teachers not as the providers of information and knowledge to young people, but as people who help to develop and promote the learning process. We must ensure that young people are given more opportunity and are required to take more responsibility for their own learning.

Mr. Harry Greenway: With all respect, the hon. Gentleman is producing a lot of hot air. I should like to know, as would the country, the Liberal Democrats' position on mixed-ability teaching. Is he aware that, at last, the Labour party is talking about raising standards and says that it will consider ending mixed-ability teaching? Is it not amazing that Labour has reached the first rung on the ladder of raising standards?

Mr. Foster: I do not know where the hon. Gentleman has been for the past 10 minutes, but I have had an interesting debate with the right hon. Member for Brent, North about the importance of politicians not dictating to teachers how they should organise their classrooms. In certain circumstances and with appropriate resources, it is possible to do some exciting work and help all children in a mixed-ability class, and the hon. Gentleman knows it. The problem is that we often polarise the debate and talk about one teaching method as opposed to another

when we should be making available a range of teaching methods so that children have opportunities to learn in a variety of ways.

Mr. Greenway *indicated assent.*

Mr. Foster: I see that the hon. Gentleman agrees.

Having been critical of the Government, I must add that I do not believe that Labour's attempts to steal the Government's clothes are helpful either. Opposition Front Bench Members will soon be telling teachers what colour chalk to use. I was interested to read a comment from a former Labour Member of Parliament, Mr. Christopher Price, in the education supplement to today's *Guardian*. He said:

"Labour at the moment is committed to "do" very little; most of its policy statements consist of tactical manoeuvres to outflank the Conservative Right on school discipline and avoid any spending commitments before the coming election."

How right Mr. Price is.

Instead of telling teachers how to teach and schools how to organise, Government and Opposition would do well to commit themselves to increase investment in the education service to reverse some of the recent damaging cuts. In so doing, I hope that they will, like me, recognise that, while extra money will not by itself raise achievement, it is an essential starting point. What is the point of streaming pupils—if that is what people want—if there are not enough habitable classrooms? What is the point of advocating a return to traditional whole-class teaching methods if pupils still have to share books and to work in overcrowded rooms?

Expanded nursery education, ensuring that schools have books, equipment and decent buildings and making sure that our teachers have the opportunity for high-quality, in-service training courses cannot be achieved without increased resources—or by a string of gimmicks that look back to a failed selective system. If the House passed legislation providing that there should be a no new education gimmick day, we would spend the day examining gimmicks from earlier days and finding that they do not provide the means for raising achievement that the country desperately needs.

As I said earlier, I have not been impressed with the level of the education debate in recent weeks. If we are to do what all parties say they want to do—to raise achievement in our schools, which is desperately needed—one problem that parties must address is resources in schools. Only my party has been prepared honestly and openly to make a commitment to increase resources and to be clear about where the money will come from. The electorate want to hear that sort of honesty from all political parties, but, sadly, it has been lacking in the recent debate.

5.51 pm

Sir Malcolm Thornton (Crosby): I do not think that even my severest critic would describe me as a rabid right winger. Opposition Members have often prayed in aid some of my criticisms of Government policies in recent years. I remain committed to education. I abhor extremism, whether of the right or the left. The politicisation of the education debate has much to answer for in respect of many of the problems that we face.

I would be less than true to what I believe if I did not say how appalled I was by the comments of the hon. Member for Sheffield, Brightside (Mr. Blunkett). That is not because I disagree with what he said he wanted to achieve in education, such as an improvement in standards, better quality across the board and a variety of teaching methods. A remarkable consensus exists in the education world for those things, which we all want in our schools for the benefit of our children.

In a recent article, I said that one of the most significant benefits gained by the Government has been by dragging the Opposition on to our ground in espousing so many of the things in education for which we fought for so long. However, to turn round and blame all the ills of education on the past 17 years is not just to rewrite history but to ignore it. The seeds of many of the problems that we are trying to tackle today were sown many years ago. I shall mention one or two.

It was in the 1960s that changes were made to the requirements and qualifications for entry into the teaching profession. It was in the mid-1960s that O-level mathematics was dropped as a prerequisite for entry to teacher training. That happened between 1965 and 1970, only 30 years ago. A teacher who entered teacher training at that time was probably 18 or 19. A simple sum shows that they are still in schools and still without O-level mathematics. I instance that because maths has been much mentioned not only in this debate but outside the House.

The ease with mathematics that many of us had taught to us has gone. It is small wonder that many teachers have said since that they feel ill at ease with the subject or that their lack of ease has been passed on to so many pupils. It was not until the early 1980s that that requirement was reinstated. One must be careful before picking points in history to illustrate and bolster specious arguments.

To talk about rationing excellence is ridiculous. It was when the evolution that followed the 1944 Education Act, which worked through the system in the next two decades, was abandoned in favour of an egalitarian revolution that the problems started to arise. It was not a question of rationing excellence but of abandoning it. Abraham Lincoln once said that we cannot make the poor rich by making the rich poor. Never was that more true than with education. If we deprive children who can benefit from it of the opportunity for excellence in the name of egalitarian nonsense, we shall not achieve the perhaps laudable aims that we set out to obtain. Common sense dictates that that will not be the case.

We talk about pendulums swinging. My wife is an able and distinguished primary school head teacher.

Mr. Robin Squire *indicated assent.*

Sir Malcolm Thornton: I thank my hon. Friend for his endorsement.

My wife tells me how much she hates pendulums and that she prefers balances. Trying to get a little movement either way from the centre achieves far more than the vicious swing of the pendulum that throws out so much of the good in the name of change. In education, we must surely look at what is good and build on it. We must look at the best and use it as an example. We must consider what needs to be changed and seek the most effective way of changing it.

[Sir Malcolm Thornton]

In all that, we must seek the co-operation of those who work in education. Most importantly, we must recognise that education policy is delivered not by politicians but by teachers. Improving the quality of teachers and their training and giving them the resources that they need is critical to the whole debate.

On resources, we have heard what the £1 billion windfall is to achieve. I was staggered by the list of commitments that it would finance. I will give the House a simple example of the cost of improvements. Recently I was invited to speak at the launch of "Making Sense of Science", which involved improving the opportunities for science co-ordinators to acquire extra skills to take back into their schools. That is fine, but in a school with 10 classes and only 10 teachers there are no opportunities for staff release time. That makes it difficult, if not impossible, for them to do their jobs.

Let us imagine that, by way of a single improvement, we want to offer every primary school in the country increased resources of 0.2 per cent. for its staffing costs. That represents two teaching periods a week. Let us further assume that we pay for that solely from the supply budget, so that no permanent or even temporary contract is entered into. That will cost about £92.5 million.

Doing the sum is easy: it costs about £120 a day for a supply teacher. There are 39 teaching weeks in a year, and 19,500 primary schools in the country. That shows the danger of making wonderful promises about increased resources. Of course I would like improvements of this kind; I have recommended them in the past both on my own behalf and via the Select Committee. The difference is that we recognise the need to be realistic. It is the cruellest of deceptions to pretend that £1 billion will do more than scratch the surface of the problem.

Of course we want more money for education; of course we want it targeted on achieving better standards. But unless we are realistic about the costs we shall be perpetrating a cruel deception on those who believe that the promises can be delivered.

Mr. Kilfoyle: My hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) mentioned the windfall tax in the context of initiatives for the training of young people. The Labour party has consistently said, on public platforms and in policy documents, that we will provide extra resources for education, as for other areas, as and when the economy allows.

Sir Malcolm Thornton: I accept that that is what has been said, but it was not said today and it is not said very often. It is one of those convenient omissions that many people make when trying to justify a case. The House should be concerned about promises of increased expenditure, because it will take a massive amount of money to bring about even the minimal improvement that I have mentioned.

A great deal of this debate is about standards and whether they are as high today as they used to be. In this context, I offer the House a brief quotation:

"Many who are in a position to criticise the capacity of young people who have passed through the Public Elementary Schools have experienced some uneasiness about the condition of Arithmetical knowledge and teaching at the present time. It has been said, for instance, that the accuracy in the manipulation of figures does not reach the same standard which was reached 20 years ago. Some employers express surprise and concern at the inability of young persons to perform simple operations involved in business."

That is an extract from "The teaching of arithmetic in elementary schools", HMSO 1925. The more things change, the more they stay the same. The golden age of education exists largely in people's minds.

Today a revolution is under way in many of our classrooms. Some standards have undeniably fallen. Standards of numeracy and literacy are not as good as I should like them to be; there is empirical evidence to show that they have declined. But the wonderful breadth of knowledge, particularly evident in primary schools today, makes what I learned in primary school look very small beer indeed. We have brilliant teachers teaching mixed ability classes at varying speeds of learning. Brilliant teaching requires excellent preparation, delivery skills, and understanding of the differing needs of children—especially in the primary schools, which have come in for so much criticism.

Let us look for the places where quality exists and then build on that quality. Let us set up the best as an exemplar for the rest. Let us cease the continual carping—the belief that the wheel can be rediscovered, or that everything was perfect 30 years ago, and that everything today is imperfect. The truth, as ever, lies somewhere between the two views. We must build on the good and seek to change the bad.

In these debates we hear of the importance of getting it right for our children and giving them the necessary opportunities. On that there is a remarkable consensus. The 1944 Act arose not out of political dissent but from political consent. If education is indeed so important, we must surely all recognise that trading meaningless statistics across the Chamber and exchanging meaningless insults in newspapers and other education articles does not achieve the one thing that we all want: raising standards so as to give our children the best possible opportunities. If we could stop politicising the debate in this way, I would follow my right hon. Friend the Secretary of State down her poetical road and say:

"And even the ranks of Tuscany
Could scarce forbear to cheer."

6.6 pm

Mr. Colin Pickthall (West Lancashire): In the search for higher standards in education, it seems to me that we would do well to be fully aware of what, apart from the Government, we are up against. We live in a culture where to call someone clever is an insult, where to describe someone as an intellectual is to heap on him or her at least suspicion and probably a great deal of scorn. Those are the attitudes that have fed down over decades to our school children. Secondary school teachers fight an unending struggle against classroom cultures in which anyone who works hard is stigmatised as a swot. Even in higher education, many students actively disguise the fact that they are working hard and seeking to achieve, for fear of losing kudos with their peers.

I am continually dismayed by the number of students I meet who do not like what they are studying, even though they are perfectly intellectually competent to get through. Part of our task, therefore, is to assert that cleverness, skill and achievement in formal education are as much to be celebrated and emulated as the same qualities in a footballer, runner or singer. That is no small task.

We also have to face up to the huge psychological and cultural influence exercised over our children by the electronic media, which have wildly accelerated over the past 25 years the availability—perhaps the necessity—of electronic devices which offer instant problem solving, not just in mathematics, or which dominate via the screen large chunks of our working and leisure time. As a force acting on the consciousness and the sub-consciousness of our children, this phenomenon weighs heavily against much of what those who set out to tackle academic standards are seeking to achieve.

Our traditional education methods, whether progressive or reactionary, are fundamentally linear. They are based on systematic logical thought, or on the endless reiterative process of pursuing information from left to right and from top to bottom. The pencil and paper tests thrown at the education world in recent years are part of that process. At the same time, there is a hugely predominant influence on children's perception of instant visual—sometimes aural, often automatic—processes involving little interaction, analysis or self-criticism. So the methods by which we monitor standards and desperately hope to improve them—until recently, little but testing has been used in this context—may for the first time be fundamentally out of synch with the dominating cultural forces in society.

I am by no means saying that we should be trying to turn back the clocks, but I recall, for example, worrying about teaching English in higher education where students were producing their written work on computers or word processors with spell checks while we were testing them in examinations that were in manuscript.

The problem of raising standards across the education field is a massively complex cultural problem, while the proposed means of achieving it are simple—and often simple-minded. We have thrust on schools a predetermined curriculum that is controlled from the centre, assessed by crude systems outside the control of the teachers, monitored by a dubious inspection system, and progressively used to fuel crude league-table systems that are badly distorting the functioning of schools and standards.

At the same time, we—I do not just mean the Government—are insisting day after day that schools and teachers are malfunctioning. We expect them to jump from initiative to initiative, we pile on them an intolerable burden of Whitehall-inspired bureaucracy, we tell them that everything they have done for the past 20 years has been at best useless and at worst perverse, and we remove from them much of the responsibility for assessing the pupils they meet every working day.

There is nothing wrong with asserting the value of whole-class teaching; there is nothing wrong with asserting the value of setting up comprehensive schools; there is nothing wrong in asserting the value of phonics in the teaching of reading. What is wrong is the Gadarene lurch towards the centralised determination of such teaching styles and the lack of quantification of when and where different styles are used well, badly or in fruitful combinations with one another. There is the assumption that schools, groups of schools and partnerships—by which I mean partnerships that deliver teacher education—should not be encouraged to seek the matrix of solutions that are best for them. There is the assumption that schools can bear incessant burdens of bureaucracy without consequence for classroom teaching.

We look to other countries for comparison and for example. As the hon. Member for Crosby (Sir M. Thornton) said, we should not be in the business of reinventing the wheel. Successful practice elsewhere must be attended to. However, just as we should beware of over-simple blanket solutions in teaching methods across all schools in England and Wales, we should beware of adopting wholesale the solutions that may be highly effective in different cultures. The same over-simplification exists in the Conservatives' relentless pursuit of the elixir of selection. It is derived from a hazy nostalgia for the good old days and from the simple certainty that selection will benefit the brightest children and improve their standards.

At least two of my hon. Friends have referred to the Prime Minister's lament about the top 15 per cent. and the other 85 per cent. We have to remember the simple truth: it will be a self-fulfilling prophecy. Selection at 11 will no doubt create excellent grammar schools, but it will also create many more secondary moderns that will have enormous difficulties in achieving the sort of excellence that is required.

Mr. Edward O'Hara (Knowsley, South): Does my hon. Friend recognise that the Newtonian law that operates in this market of education drives up standards for the few, but drives down standards for the many?

Mr. Pickthall: That is bound to be the case in terms of simple comparison, yes.

I wish to deal briefly with the problems that we need to address in the raising of standards. I maintain that we have a serious educational and cultural problem in the fact that we have particularly failed thousands and thousands of teenage males. The gender gap is widening. My hon. Friend the Member for Warrington, South (Mr. Hall) referred to failure at the GCSE level. The figures show a huge disparity in achievement between teenage boys and teenage girls, with the girls doing a great deal better.

Alistair Smith, a consultant in accelerated learning, has done some research which shows that 16-year-old boys have an average vocabulary of 8,500 words and that 16-year-old girls have an average vocabulary of 11,500 words. To put that into context, *The Sun* caters for people with a vocabulary of 2,000 words, the *Daily Mirror* caters for people with a vocabulary of 10,000 words and the quality papers cater for people with a vocabulary of 20,000-plus words. If those figures are accurate, they show that the average 16-year-old boy could not cope with the *Daily Mirror*—if, indeed, he tried to read at all.

Vast numbers of young men, particularly young white males—this has all sorts of political and social dangers that I do not have time to go into—are grossly under-achieving. I believe that this is partly because of the cultural barbarism to which I referred earlier. Their disaffection is making the raising of standards in secondary schools immensely difficult. Many girls will openly tell us that they resent the systematic disruption of their classroom experience by boys—sometimes over many years. The social consequences of this are horrendous. We need to analyse the roots of it, and a whole variety of measures to challenge it are needed.

My hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) was right to emphasise the crucial problem of the gender gap in teenage education. He was also right

[Mr. Pickthall]

to stress the problem of growing class sizes, particularly in primary schools. The Government reiterate that class sizes make no essential difference—an argument that conveniently fits their financial priorities—but anyone who has taught classes of 34-plus knows exactly how much more difficult it is to monitor and to improve standards.

I shall briefly touch on the argument about poor teachers. Mr. Woodhead has done us a service in headlining the number of teachers he assesses as poor. The percentage of the work force in teaching thus castigated is reassuringly small. It would make an interesting comparison if Mr. Woodhead were to assess Members of Parliament—I should be astonished if only 4 per cent. of them were classified as poor at their jobs. Nevertheless, an uncommitted, worn-out or incompetent teacher can do immense damage. There would be few laments in schools if the obviously unsuited teachers were eased out as quickly as possible—better still would be systems to prevent their entering the profession in the first place.

One enormous worry has been touched on by my hon. Friend the Member for Warrington, South: the sheer volume of experienced teachers leaving our schools and colleges early who still have a potential 10 years or more to contribute. A similar problem arises with stress-related absences, which the hon. Member for Bath (Mr. Foster) mentioned. This is an aspect to which we need to pay particular attention. If we lose large numbers of experienced teachers through burn-out, we lose their knowledge and the schools lose the stability that such teachers bring. I believe that there is a strong case for carefully targeted sabbaticals to allow experienced teachers a breather and to keep many of them in the profession.

Teacher education has a key role. If we allow even a small number of new teachers who are not good enough into classrooms, we create a situation that is even worse than allowing problems to arise for perfectly good and experienced teachers. Most obviously, we must change the funding mechanisms for higher education institutions so that they are not heavily penalised if a student leaves the course. It is absurd to squeeze individuals through courses when they do not want to teach but merely want paid employment.

To attract the right people into the teaching profession, we have to raise the morale of the existing work force and to make teaching satisfying and attractive. To an extent, of course, this depends on pay and conditions, but that is not the main factor. It is understandable that many of the best potential teachers will look elsewhere for a career when confronted by a situation in which teachers—and those who educate teachers—are regarded by the Government as being of low esteem and responsible for the whole spectrum of social problems faced by our community, and when the impression is given that there is a drive to trawl the profession for inadequate teachers to sack. Who would go into the profession in those circumstances?

Correcting that drop in morale and potential deterioration in the profession of teaching is largely a matter of consistent support, of meaningful in-service education and self-education, of professional development and of personal problem-solving. We have to ensure that that goes into the process of future training.

Finally, what depresses me most about debates on education in the House is the readiness of many hon. Members to prescribe central nostrums for schools and standards: nostrums based on prejudice, anecdote, dogma or worse. In debates about disclosure of outside earnings, it is interesting to note how many Conservative Members assert the need for outside experience in order to be well informed as Members of Parliament, yet they mention no such requirement regarding their readiness to impose structures, styles, teaching methods or syllabus content in our schools.

Perhaps the Industry and Parliament Trust should conduct a programme for all Front Bench education spokespersons. They could spend several weeks each year in the classroom to gain practical experience which could inform their decision-making. Recent and relevant experience might produce a more spectacular improvement in standards in our schools than reliance on the dogma and slogans of 20 or 30 years ago, as the hon. Member for Crosby pointed out.

6.20 pm

Mr. James Pawsey (Rugby and Kenilworth): The hon. Member for Bath (Mr. Foster) referred to grammar schools and to secondary moderns. He drew the conclusion that, because of the inequality of existing resources, grammar schools should be abolished. With the utmost respect to the hon. Gentleman, I believe that he has got it wrong. Grammar schools should be retained and the others—whatever they are called—should be better resourced. That is the solution.

I welcome the opportunity to discuss standards in education, but I am surprised that the motion was moved by the Opposition. The House should recall that hon. Members on both the Liberal and the Labour Benches have consistently opposed the Government's efforts to improve the quality and the standard of state education. For example, Opposition Members argued against the national curriculum and testing, grant-maintained schools, the introduction of the Office of Standards in Education, league tables, greater parental involvement, and the introduction of vouchers for nursery education. Opposition Members have consistently opposed the measures that the Government have introduced to improve the nation's education system.

I appreciate that an approaching general election concentrates minds—especially the minds of those who have been in opposition for 17 years. Labour Members are clearly anxious to exchange the sackcloth and ashes of Opposition for the Red Boxes and the ministerial Rovers. They want to get their hands on the levers of power. Therefore, they are prepared to say anything and to ditch any principle in order to ensure that they get a majority at the next general election, whenever it is called.

The hon. Member for Sheffield, Brightside (Mr. Blunkett) told head teachers at their conference that they could not duck their responsibility for the

"crisis in children's literacy and numeracy".

That is the first time that I can remember a Labour education spokesman attacking the sacred Plowden report. He said that, in the name of "child-centred" education, whole-class instruction has been abandoned in favour of some form of child self-discovery.

I do not have the slightest doubt that the hon. Gentleman will discover next the need for discipline in the classroom. The hon. Member for Blackburn (Mr. Straw)—who is a former education spokesman—has already made that startling and original discovery, and he talks about introducing a curfew for children.

Perhaps the next thing on Labour's education shopping list—after streaming—will be the introduction of a form of grammar school. Of course, Labour Members will not call it a "grammar school", but it will provide good, sound selective education. Perhaps it will be known as a British local academic institution reformed—a BLAIR for short, but not for long, if the right hon. Member for Kingston upon Hull, East (Mr. Prescott) has his way. He would set up Prescotts, which would be old-style comprehensives in the socialist republics in south Yorkshire and inner London.

No doubt the hon. Member for Birmingham, Yardley (Ms Morris)—I am sorry that she is not in her place—would espouse Estelles, which would be schools for the daughters of distressed members of the National Union of Teachers. I say that because the NUT will certainly be distressed by new Labour's wholesale adoption of the Conservative agenda for quality in education.

The fact is that, one by one, the education shibboleths are being abandoned. The benchmarks that have guided Labour's education thinking for so long are being jettisoned like so many outdated textbooks. I welcome the Government's efforts to improve teaching in schools. I am pleased that we had the courage to dismantle Her Majesty's inspectorate and to put Ofsted in its place. Ofsted and Chris Woodhead are now revealing the problems and the shortcomings in primary education, for example.

Ofsted revealed the problems in London schools. Its inquiry into the teaching of reading in primary schools in the Labour-controlled London boroughs of Islington, Southwark and Tower Hamlets raised serious doubts about standards in primary schools. Ofsted made it clear that a lack of resources was not the problem. Its report entitled "The Teaching of Reading in 45 London Primary Schools", which was published on 7 May this year, said that under-achievement in reading is a threat to pupils' education. That is hardly surprising when one remembers that, as my right hon. Friend the Secretary of State pointed out, nine out of 10 of the worst-performing local authorities are Labour controlled.

The Secretary of State has announced that she intends to publish primary school performance tables. I deeply regret the fact that that is opposed by some misguided trade unions, to the extent that they are seeking to persuade school governing bodies to act illegally and not make their school results available to the Department for publication. I deplore that action, and I hope that second thoughts will prevail. Standards may be raised by ensuring that parents are able to exercise reasoned judgment when deciding between schools. That laudable objective is already meeting with success in the secondary sector: parents like it, and they want it.

I am intrigued that Opposition Members are consistent only in their inconsistency—what they oppose today will be tomorrow's soundbite and next year's policy statement. Therefore, I urge the House to reject the motion.

6.26 pm

Mr. Peter Kilfoyle (Liverpool, Walton): The Secretary of State's speech was in some ways characteristic of the Government's position. However, it was uncharacteristically flat, in view of the fact that she is believed to be at war with the chairman of her party. I shall return to that point later.

The Secretary of State highlighted structure, which tells us a lot about the Government's attitude: they remain obsessed with structure when everyone else is talking about standards in education. The Secretary of State trotted out all the old shibboleths. She attacked local education authorities, but did not mention funding cuts and the deliberate confusion of setting with streaming.

My hon. Friend the Member for Warrington, South (Mr. Hall) raised an important issue in referring to Government waste. He highlighted the botched attempt to introduce a national curriculum at a cost of £750 million or £760 million. I was quite taken with the comments of the right hon. Member for Brent, North (Sir R. Boyson) about his father. I do not doubt that he was a marvellous man, but I recall the right hon. Gentleman telling me that his father burned the results of his trial for Blackburn Rovers. There is a lesson to be learnt from that, and I would not believe everything he told me.

Sir Rhodes Boyson: The hon. Member for Blackburn (Mr. Straw) is also a supporter of Blackburn Rovers. My father burned the results because that year the team was knocked out of the cup at an early stage.

Mr. Kilfoyle: Touché.

The hon. Member for Bath (Mr. Foster) spoke enough sense to warrant his description by Labour Members as a de facto Labour supporter in matters educational. He referred again to a penny on income tax, but he and his party have never explained how they would put that penny towards education and local authorities.

The hon. Member for Crosby (Sir M. Thornton), who chairs the Select Committee, has just resumed his seat. I welcomed his urging of caution—things do tend to ebb and flow in education, as in all contexts—but there was an element of looking backward in his references to the 1960s and 1970s. It is time that hon. Members from all parties put that time behind them, and began to prepare for the 21st century.

Sir Malcolm Thornton: I apologise for missing the first few sentences of the hon. Gentleman's speech. Does he agree that the problem with education legislation and change is that, if such measures are poorly considered or poorly implemented, they behave like a time bomb, ticking away and then exploding in future generations? It is important to consider where developments began, before making too many judgments about where we are today.

Mr. Kilfoyle: That is why the hon. Gentleman will probably agree with the well-considered proposals of the Labour party, and approve of our recognition that the whole nature of education is changing. It is becoming learning-centred, as opposed to teaching-centred.

My hon. Friend the Member for West Lancashire (Mr. Pickthall) admirably flagged up the gender gap—the alarming difference between the educational performances of young men and young women.

[Mr. Kilfoyle]

Last but not least, let me refer to the hon. Member for Rugby and Kenilworth (Mr. Pawsey). He obviously did not read or hear what my hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) had to say about discipline, truancy and pupil referral units some weeks ago, when he once again set the pace for the Government to follow. Incidentally, the hon. Gentleman said that we would come up with another name for good schools. We already have a name for them: comprehensive schools.

I pay tribute to all the teachers, parents, governors and members of local education authorities who ensure that the best interests of our children are pursued in schools throughout the country. Despite the Government's backward-looking obsession with structure—flagged up again by the Secretary of State—those people have fought against the odds to raise standards for all our children in all our schools. Raising standards is recognised on all sides as vital to economic prosperity and social cohesion, as the motion suggests.

If we are to match our global competitors—whether in Europe, in North America or on the Pacific rim—it is essential for our educational standards to be comparable to theirs. If we are to have a nation at ease with itself, where opportunity for self-improvement is available to all, an inclusive education system, offering excellence to everyone, is a sine qua non.

Sadly, the reality is rather different. After 17 years in government, and despite numerous legislative changes, the Conservative party is still failing large sections of our population in the quality of the education that is delivered, imperilling those twin objectives of economic prosperity and social cohesion. We have a Secretary of State who is at war with the Prime Minister's own policy unit. The chairman of the Conservative party wants her political head on a plate. She is supported on her right—literally—by the hon. Member for Hornchurch (Mr. Squire), an Under-Secretary of State who is renowned for being sopping wet in Conservative party terms. In all fairness to him, he is joining the battle with the party's ideologues.

What is happening to the hawkish Minister of State, the hon. Member for Mid-Worcestershire (Mr. Forth)? He seems to have been effectively "disappeared"—no, wonder of wonders, he has appeared. He is not often seen anywhere nowadays; he tends to be replaced by the ubiquitous but seemingly educationally and politically nondescript Lord Henley. Another Under-Secretary of State, the hon. Member for South-East Cambridgeshire (Mr. Paice), has failed to make any impact, while his colleague, the other Under-Secretary of State—the hon. Member for Chesham and Amersham (Mrs. Gillan), who is not present—is so ignorant of her brief that until yesterday, when she was disabused on a radio programme, she thought that parents decided by ballot on selective status in schools. Is it any wonder that the public are heartily sick and tired of a failed Government and failing education policies?

We offered a cross-party consensus on nursery education, for example, to enable every three and four-year-old whose parents wanted it to have quality nursery education. That was rejected out of hand. Instead, we have what the Treasury describes as a "deadweight cost"—a handout to those who can already well afford private provision. No doubt they have been given it for electoral as much as educational purposes. It will not provide any places in what the Pre-School Learning Alliance has described as the 200 black holes around the country where there is no nursery provision. Good authorities, such as Conservative-controlled Solihull, have made their views well known.

Ms Estelle Morris (Birmingham, Yardley): It is now Labour-controlled.

Mr. Kilfoyle: Even when it was Conservative-controlled, it made clear its views about the impact of the legislation.

The Government are so confident about their ideological prejudice that pilot schemes for nursery education were transmuted into phase 1. There will be no meaningful evaluation of the lessons of that phase before the scheme goes national. Cuts in local education authorities imperil areas where provision is good—hence my reference to Solihull. Wherever there is an outstanding service for three and four-year-olds, people feel endangered, and nothing that the Government say will change that. While the Government make their case—as they did regularly Committee on the Nursery Education and Grant-Maintained Schools Bill recently—people are aware that £20 million will be spent on administration, and that the Government are failing to cater for those most in need.

The quality on offer is highly debatable. The Government are not even sure how many nursery "settings" there will be. We have had that debate before. Will there be 27,000, or 40,000, as the Audit Commission says? The Government are offering unqualified people the opportunity to become inspectors on the basis of three days' training. They have failed to ensure the provision of an adequate number of trained and qualified nursery teachers. At the same time, they have abolished the minimum classroom size and recreation space.

All that affects the quality and standards of nursery education, yet everyone recognises the increasing importance of nursery education—not just in terms of educational fulfilment, but in the longer-term context of, for instance, offending behaviour, unwanted pregnancies and stable job records. The research during the Ypsilanti project shows how successful nursery education is in assisting in that regard.

In its final report of 16 June 1995, the National Commission on Education commented on the issue of larger class sizes, which constantly exercises hon. Members. It stated:

> "It was also certain that the larger classes would mean poorer education for children: the assertion that class sizes do not matter is disingenuous and is contradicted not only by commonsense but by most of the quite extensive research evidence that exists."

But, time after time, Ministers tell us that size bears no relation to pupil attainment.

The Government's own preferred authoritative adviser, Her Majesty's chief inspector of schools, noted in his annual report that there were serious resourcing problems in our schools, leading to fewer teachers and larger classes. That in turn led him to comment:

> "There is a need for considerable improvement in provision of books in half of special, a quarter of our secondary, and one in seven primary schools."

He went on to remark that there were serious deficiencies in equipment, and that one in five of our secondary schools and one in seven of our primary schools suffered from accommodation shortfalls.

He then drew the remarkable conclusion:

"Teachers who lack proper resources and who work in poor buildings experience problems which at best frustrate and at worst defeat their best efforts to do a decent job."

Yes, indeed. Repeated cuts in local education authority budgets, combined with capping and the Government's failure to deal with changing enrolment patterns, have caused tremendous difficulties to many of our schools. Primary schools have suffered particularly, as the introduction of the national curriculum, changing primary generalists into semi-specialist teachers, has increased the pressures on such schools—as even the chief inspector noted.

While primary schools have struggled generally, those in disadvantaged areas have suffered most, as Mr. Woodhead pointed out. Their problems were compounded by the way in which, under the current Government, section 11 funding was subsumed into the single regeneration budget, and by the removal of Government funds for the reading recovery programme.

Furthermore, while nobody questions the code of practice for special educational needs, there has been a failure to ensure that special educational needs co-ordinators have had the training appropriate to their new-found status. Even now, more than half of special needs co-ordinators do not have appropriate qualifications; nor has the Teacher Training Agency yet ensured that initial teacher training for new teachers guarantees that all newly qualified teachers have an appropriate grounding in special needs to qualify them for their roles in implementing the code of practice. That is in spite of the fact that 20 per cent. of our children have special educational needs.

The end product of all the disjointed Government prevarication and their twisted view of maintained education—a sector that many Conservative Members do not use—is a catalogue of problems that manifest themselves in our secondary schools and beyond. We know that there is a huge disparity between the best and the worst of our schools, and an ever widening gap in pupil achievement. Even the usually pro-Government Mr. Woodhead has noted:

"The performance of schools serving disadvantaged areas continues to cause serious concerns."

I am sure it causes serious concerns to parents in those areas.

The reasons for the difference in performance are obvious. The Government are committed to advantaging the few at the expense of the many, and are oblivious to the damage being done to hopes for economic prosperity and social cohesion by their wilful neglect of so many of our schools.

The Prime Minister's answer is to have a grammar school in every town. That means, by definition, that many secondary moderns will appear in every area. Such a preoccupation with outdated structures ignores the fact that, as a nation, we need raised standards for all children if we are to be a high-tech, high-skill and high-wage economy.

The Conservative party is in thrall to league tables. The Opposition do not have a problem with giving meaningful information to parents. We have a problem with a system of tables that does not take into account what is actually imparted by the schools to the children. The tables compare unlike phenomena in different schools. It would be nonsense to say that the best of the grammar schools, which are so favoured by the Conservative party, can be compared to inner-city comprehensives, with all the socio-economic problems they have to contend with.

As I travel the country, I am struck by the increasing problems in schools. I was amazed when the hon. Member for Rugby and Kenilworth (Mr. Pawsey) said that he was unaware of the problems of truancy and exclusion, which were mentioned by my hon. Friend the Member for Brightside. The hon. Member must have been on a long holiday, and he was probably truanting. The number of exclusions has soared to more than 12,000, while research shows that 800,000 pupils truant regularly, some 80,000 on a quasi-permanent basis.

The Minister of State, Department for Education and Employment (Mr. Eric Forth): What about Islington?

Mr. Kilfoyle: The Minister mentions Islington. Is it any wonder that Sir Paul Condon, the Commissioner of Police of the Metropolis, credited the truanting and the excluded with most of London's street crime? The Minister should realise that his party has been in government for the past 17 years while those figures have taken off.

The Prime Minister insists that privilege for the few is preferable to excellence for all. That is the Tory way forward. I know that the Secretary of State does not agree with the Prime Minister in her heart of hearts. Her experience and common sense are being neutered by the No. 10 policy unit. She knows that education is a great co-operative exercise. As the National Commission for Education has said:

"Competition plays a useful part when its effect is to improve learning for pupils. There is little to be said for stimulating competition which is unfair or enables some schools to flourish only by making it more difficult for others."

Those between the ages of 16 and 25 are the product of 17 long years of Tory educational policy and adventurism. Some 800,000 people between 16 and 25 are, as Ministers know, out of work, outside training and outside education. I have travelled the country and spoken to people about the future and their hopes. I have had the experience in my surgeries, which many others have had, of helping mothers with one, two or three young children. Another woman may come along as an adviser or part of the negotiating team, but there is no man present.

At first, that used to bother me greatly because of the social implications, but I began to focus on the children themselves, especially the young boys. My hon. Friend the Member for West Lancashire (Mr. Pickthall) mentioned the gender gap in school performance, and I thought of the next generation who have no male role model at home and, increasingly, no male role model in primary schools. If they have a male role model, it is somebody involved in crime or drug dealing on the streets.

Their one means of escape is an education system that inculcates the values that I would hope every sensible Member of the House would like to see inculcated. That will happen only if we have a commitment to an education

[Mr. Kilfoyle]

system that lends itself—as we have repeated ad nauseam, some might say—to economic prosperity and social cohesion, so that all our children have the opportunity to avail themselves of the best educational advantages.

6.45 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Robin Squire): Once again, the debate has illustrated the gulf between the Government and the Opposition on education matters. We have taken actions to improve standards: they have resisted those actions. We have recognised the need to build up this country's competitiveness: they have, for far too long, been concerned with levelling down, if indeed they have been concerned at all.

My right hon. Friend the Secretary of State and my hon. Friends who have spoken have set out what has been achieved. As my right hon. Friend made clear, there is always further to go, but the programme of action that we have carried through has been the most radical and far-reaching on record. It has covered the content of education and the measurement of pupils' performance, the quality of teaching, greater diversity and greater choice for parents, and more effective inspection and accountability.

As has also been made clear during this short debate, those significant improvements have been achieved despite consistent and persistent opposition from the Labour party in the House, many Labour local authorities and the left-wing establishment of the teaching unions.

The hon. Member for Sheffield, Brightside (Mr. Blunkett) had a bit of fun at the start of debate, and what is sauce for the goose has to be sauce for the gander. One might have thought that there had been no comment in the media in the past few days about the latest emanations on education policy from the right hon. Member for Sedgefield (Mr. Blair).

For instance, where has the hon. Member for Brent, East (Mr. Livingstone) been this evening? We welcome the hon. Member for Falkirk, West (Mr. Canavan) to the debate, albeit in a silent capacity. I do not know who was the mysterious, well-placed left winger who said:

"We are under some sort of loyalty test to see at what point we break and complain".

But let us not hear too much from the Opposition about alleged or invisible divisions in the Government. We are united, and the Opposition are visibly starting to fall apart. I might also point out that Conservative Members have sat throughout this debate waiting to speak and unable to get in, whereas, on an Opposition day, there have been no more than three Labour Members on the Back Benches for most of the debate.

The hon. Member for Brightside said that selection had failed, and he made that statement as if it needed no explanation. It is an interesting statement, because most other countries seem to believe in selection, and seem to believe that it works. Never mind—the hon. Member suggests that it has failed.

I do not know what he bases that assertion on. He certainly does not base it on the views of the parents and pupils at the 161 selective schools we currently have. If the hon. Gentleman has been talking only to right hon. and hon. Members in the shadow Cabinet, he might have received a biased version, because 16 of the 20 members of the shadow Cabinet went to a grammar school or to a fee-paying school. In typical socialist style, they have enjoyed the education, but then they want to pull up the ladder to stop anybody else sharing it.

Mr. Kilfoyle *rose—*

Mr. Squire: Of course I will give way to the hon. Gentleman.

Mr. Kilfoyle: Would the Minister seriously have expected people at the age of 11, back in the 1950s and 1960s, to walk out on the only education provided for them? Is he seriously holding them guilty of a choice made, perhaps 30 or 40 years ago, by their parents?

Mr. Squire: I do not blame the hon. Gentleman for attending at age 11 the school that his parents selected, any more than I blame him for keeping his child at a school that has gone fully selective. It is extraordinary that, out of the hundreds of thousands of people who have benefited from a grammar school education, there is a massive concentration of individuals who did not and do not like grammar schools—and they are all in Labour's shadow Cabinet.

Mr. David Jamieson (Plymouth, Devonport): If grammar schools are so good, perhaps the Minister will explain why, despite, proposals from local authorities of all political persuasions, the Government and previous Conservative Governments have signed order after order to close nearly all the grammar schools in Britain.

Mr. Squire: Local education authorities retain significant responsibility for planning the education they deliver. I am delighted that some far-seeing LEAs have retained their grammar schools.

The hon. Member for Brightside, responding to an intervention by my hon. Friend the Member for Calder Valley (Sir D. Thompson), inadvertently implied that money was going from Calderdale—or any other authority that has had top-slice money in nursery provision—to other parts of the country. The hon. Gentleman, who is extremely knowledgeable in these matters, knows that that is not so. The vouchers that go to Calderdale, as to any other LEA, whether funded by the top slice or the additional millions of pounds that the Government are putting in, are spent within the LEA. Any suggestion that the money is climbing into a train and going down to Lambeth is untrue.

Mr. Blunkett: As the Minister has targeted the issue, perhaps he will confirm that, on the basis of a snapshot decision on four-year-olds already in nursery provision, the standard spending assessment will be adjusted to take

the £1,100 per pupil aged four from the providing authorities, to redistribute it with the paper promise of a voucher.

Mr. Squire: The hon. Gentleman confirms what I just said. He implied in an earlier response that the money travelled around the country.

Mr. Blunkett *indicated dissent.*

Mr. Squire: The hon. Gentleman does not understand, which is even more worrying. I am reaffirming that the money will be spent by parents within the LEA as they see fit.

It is astonishing that the hon. Member for Liverpool, Walton (Mr. Kilfoyle), who is a likeable cove in many respects, can sit through two months of nursery education debate yet still repeat the tired and wrong statement that £20 million will be spent on administration. The hon. Gentleman knows that that is not true because it has been pointed out to him many times. Not even half that amount will be spent. But I must not confuse the hon. Gentleman with the facts.

My right hon. Friend the Member for Brent, North (Sir R. Boyson) gave another of his brilliant performances, taking us back to the dreaded days of long ago, which may still be with us in Islington. Drawing on his experience as a former head teacher but echoing the comments of Her Majesty's chief inspector, my right hon. Friend made the powerful point that we are essentially talking not about money but about the way a school is organised and that money is spent. Countless independent reports show that that is so. If I can do nothing more than persuade Opposition Members on that point, I will have enjoyed a major success.

My right hon. Friend rightly highlighted the excellence of grant-maintained schools in his constituency—all but one of which are self-governing. We know the quality of education they are delivering and the popularity they enjoy with parents. Such schools are directly threatened by the election of a Labour Government and by the official Opposition's Liberal allies. Those schools would lose 10 per cent. of their budgets and would, unasked, have imposed on them two councillors. As those schools have shown that they know how to operate, why should they be interrupted and interfered with that way?

I am pleased that the hon. Member for Bath (Mr. Foster) talks to parents at one or more of the schools in his constituency. When they mention funding, I am sure that the hon. Gentleman immediately points out the significant increase under this Government since 1979—anxious as he would be, as a fair man, to ensure that parents have full information. The hon. Gentleman said that any Government enjoying his support would have to return city technology colleges to LEA control. I believe that was a slip, because CTCs have never been under such control but are independent charities.

The hon. Member for Bath rightly emphasised the importance of good morale in teaching. There is no divide on the importance of retaining good teachers and ensuring that their morale is high. The turnover rate quoted by the hon. Member for Warrington, South (Mr. Hall) was broadly correct, but 8 per cent. a year is not unreasonable. I do not want one teacher who is still delivering excellent education to leave the profession early, but we must keep the matter in perspective. Teachers who in good, improving schools usually have higher morale. There is an exact link between the two, so the better schools become, the more teacher morale will improve.

I welcomed, as ever, the contribution of my hon. Friend the Member for Crosby (Sir M. Thornton), who speaks with additional authority as the Chairman of the Select Committee on Education. I liked the tenor and content of my hon. Friend's speech. Governments have responsibility for establishing a proper framework, but much that happens in our schools lies with the head teacher and governors. They can, however, be galvanised by external and informed assistance from LEAs or the Government—and should be.

My hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey) gave his customary robust reminder of educational realities. I welcomed a number of his home truths. He and others of my hon. Friends reminded the House how impossible is Labour's position when it claims to speak for standards in education.

Everything in which the hon. Member for Brightside claims to believe now is alien to the views that he preached before he took his current job, when he opposed testing. At the conclusion of an education debate in 1987, he said that, as a parent of three primary-aged children, he demanded the right to be able to choose whether they should have to go through the performing hoop of a national test based on a national curriculum imposed by a national Secretary of State. Philip Stephens writes in today's *Financial Times* that Labour has

"rewritten every line of the schools policy on which Labour fought the 1992 election."

It gets worse. After the 1992 election, for some time we enjoyed the benefit of the hon. Member for Dewsbury (Mrs. Taylor) as Labour's education spokesperson. She repeatedly made clear her opposition to the curriculum and regular testing.

There is an historical precedent. In 1492, Christopher Columbus set sail. He was not sure where he was going, and nor did he find what he was looking for—but we know that he found something he was not looking for, and called it something else.

Five hundred years later, Labour's leadership set sail, looking for an education policy under Commander Sedgefield, Captain Brightside, first mate Walton and a motley crew of LEAs. They were not sure where they were going. Their intended destination was the land of ancient Labour civilisations—child-centred education, monolithic comprehensives, all-ability teaching and tolerance by Labour-controlled LEAs of mediocre school performance. Whenever Labour's leadership have found one of them, they have been largely deserted by everyone else.

Labour's captain set a new course using stolen charts, and the leadership discovered some truly wondrous Tory education civilisations—regular testing and inspection, the publication of results, greater parental choice, grammar and other specialist schools, and self-governing GM schools. Labour's LEA crew were not looking for any of those. Those were not the destinations for which they had signed up. On the voyage of the Bounty, the officers were dumped overboard by the crew. On this voyage, the entire crew were being dumped overboard by the captain.

[Mr. Squire]

Even as the ship headed for home, the crew were silent but mutinous. They did not believe a word of Captain Brightside, and most of them were determined to carry on as they had always done for years—putting LEA control and educational dogma ahead of quality and greater parental choice.

They were not alone. The former ship's purser and deputy commander, the right hon. Member for Kingston upon Hull, East (Mr. Prescott) announced that he wanted egalitarian schools, another of those favourite old civilisations. The able seaman, the hon. Member for Falkirk, West (Mr. Canavan), said of Commander Sedgefield that it ill became the product of an elitist school who had rejected the LEA system for his own offspring to pontificate on teaching methods in comprehensives.

The only diversion on the voyage was the discovery of a stowaway from Bath, the hon. Member for Bath (Mr. Foster), who had crept on board years ago and was now desperately trying to find a way to escape the impending shipwreck.

Was it really a great voyage of discovery to benefit future mankind? Hardly. It was just a paddle around Walworth road pond in a broken-masted old tub with only a lick of paint to suggest that things had really changed. The Labour party is incapable of significant change on education. Only the Conservative Government have consistently stressed the need to improve education standards and have put in place the necessary framework to drive them up still further. I ask the House to reject the Opposition motion.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 243, Noes 285

Division No. 140] **[7.00 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Bradley, Keith
Brown, Gordon *(Dunfermline E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chidgey, David
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cox, Tom
Cummings, John
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Hain, Peter
Hall, Mike
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchcliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jenkins, Brian *(SE Staff)*
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive

Spearing, Nigel
Speller, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wareing, Robert N
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Bridget Prentice and
Mr. Malcolm Chisholm.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'ldford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knox, Sir David
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard

Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Dr. Liam Fox and
Mr. Richard Ottaway.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments) and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the measures which Her Majesty's Government has introduced to raise educational standards through greater diversity and parental choice, the establishment of a common framework for the curriculum, assessment and regular testing, greater self-government for schools and colleges, and enhanced accountability through inspection and the publication of performance information; and welcomes the increases in achievement and participation which have followed.

Prior Options Review

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): I must inform the House that Madam Speaker has selected the amendment in the name of the Prime Minister.

7.14 pm

Dr. Gavin Strang (Edinburgh, East): I beg to move,

That this House believes that Government support for science and technology is vital to the United Kingdom's future; recognises the crucial long-term contribution which the public sector research establishments make to the economy and to extending the boundaries of knowledge; regrets the rationalisation and fragmentation of these establishments in recent years and opposes the dogma-driven privatisation objectives of the Prior Options Review.

The Opposition have initiated the debate because we are deeply concerned about the Government's policy towards public science in general and towards Government research establishments in particular. We are concerned about the Government's policy of short-termism, including the encouragement of short-term contracts; we are concerned about the review after review after review to which the establishments are subjected; and we are concerned about the Government's obsession with privatisation.

Perhaps I should preface my remarks by making a statement that I think would command general support in the House: that science is good for us. There is general support for the view that we should invest as much as we can reasonably afford in science, engineering and technology and in research and development. Of course, when I say "science" I refer not only to the public sector but to the private sector. Indeed, in "forward look" 1996 the Government's chief scientific adviser reminds us that there is still concern about the level of investment in research and development by some private industry sectors. He points out that there was an increase in real terms last year; indeed, there has been an increase three years in a row. I take it as common ground across the House that we want to encourage more investment by business in science, engineering and technology.

This debate is about public science. I want to set out the case for the Government research establishments and public science. There are at least four reasons why public science is important. First, it is in the long-term interests of our people that we carry out long-term basic research. It extends the boundaries of our knowledge, but sometimes—and this is often wholly unpredicted—it leads to unexpected practical applications and to the development of new products for the benefit of business. By its very nature, basic long-term research is very costly. It is especially suited to the public sector.

Secondly, the Government need as broad a science base as we can afford to provide advice to various Departments on the development and implementation of policy, but also to ensure that we are able to respond to unpredictable national emergencies, such as a new infectious disease in the human population or in our livestock or crops—for example BSE, which may have human implications, or another oil spill disaster like those off the west coast of Wales and off Shetland. We need that broad scientific base to make it easier for the Government to respond intelligently to a national emergency.

Thirdly, we need Government research establishments to provide advice to industry and business. When I talk to business representatives, I am impressed by how highly

they speak of independent Government research, which is how they see it. That is how farmers, business men and industry generally see Government research establishments. They think of them as being independent, in a way that they do not think of research or science in the private sector. So those research establishments are a valuable resource for advice and information, and often for collaboration, with private business.

Fourthly, those establishments also provide highly skilled scientists, technicians and engineers for our industry. If one talks to people in business, one will again find that they regard that matter as very important. A tremendous level of expertise and experience is built up in those establishments, and those highly trained people are free to move on at will into business and industry.

Mr. Malcolm Bruce (Gordon): I have listened carefully to the hon. Gentleman, and I think that he is making a very important case very well. He will know that we have our share of marine laboratories in my constituency in the form of the Rowett Research Institute and, in Aberdeen, the Macaulay Institute. On the basis of what he has just said, does he agree that Government require independent advice that is not and cannot be commercially compromised, and that industry requires independent advice that is not politically motivated? In those circumstances—for public policy purposes—those institutes must be publicly funded and independent. Does he believe that the scientific advice on which the Government depend in the BSE crisis would be credible if it depended on institutions that required commercial contracts for their bread and butter?

Dr. Strang: Yes, I agree with the hon. Gentleman, and I am grateful for his support. I pay tribute to the Rowett Research Institute, which is an excellent institution with a tremendous history and a tremendous record in research. I have frequently had the pleasure and privilege over the years of talking to scientists from the Rowett.

Those are four reasons—among others; I shall confine myself to four—why I believe that public science, and particularly Government research establishments, are a vital national resource that we should support and encourage.

Mr. Paul Marland (West Gloucestershire): I was rather alarmed by what the hon. Gentleman said about scientists in the private sector. The natural conclusion of his allegations against scientists in the private sector is that they are bent and that the only scientists who tell the truth are those funded by the Government.

Mr. Bruce: Grow up.

Mr. Marland: It is absolutely true. The hon. Gentleman said that we want straight and untainted scientific advice, and that that could not be obtained other than from a Government-funded source.

Dr. Strang: The hon. Gentleman does himself an injustice. I do not think that any other hon. Member believes that I intended to malign or criticise scientists in the private sector. If scientists work for a fertiliser company and go to farms to give farmers advice, especially about fertiliser application levels, it would be regarded as less independent than advice from an independent, Government-funded establishment, such as the Agriculture Development Advisory Service. That is only common sense, and it is not meant to criticise those scientists.

Right after the 1992 general election, for the first time in almost 30 years, the Government appointed a Cabinet Minister with responsibility for science—the right hon. Member for Bristol, West (Mr. Waldegrave), who was the predecessor of the current Minister of Agriculture, Fisheries and Food. As the current Agriculture Minister may know, his father was—almost 30 years before—the Cabinet Minister responsible for science.

In 1993, the then Minister with responsibility for science produced an important White Paper entitled "Realising our Potential: A Strategy for Science, Engineering and Technology." I do not propose to quote from that document, but it argued that many services and functions in Government research establishments should be provided by private industry. That has been the starting point for this dreadful saga.

A back-up paper was published along with that White Paper, which was entitled "Review of allocation, management and use of Government expenditure on science and technology". I shall quote from four successive paragraphs in it because they illustrate how determined the Government were to push on with privatisation. The first paragraph states:

"The first option for consideration is the scope for privatisation."

The next paragraph states:

"In some cases, getting the GRE's"—

the Government research establishments—

"into shape for privatisation will take time, nevertheless, we believe it should be seriously considered as the first option."

The next paragraph states:

"The impetus required to achieve widespread GRE privatisation will not occur so long as there are no incentives for establishments or their personnel to market themselves more widely and aim their work towards commercial applications."

The fourth paragraph states:

"We believe that the flexibility of the GREs and their progress towards privatisation would be assisted by the introduction of term contracts for new recruits."

That, sadly, gave impetus to the growth of short-term contracts in Government research establishments, which is something that we deeply regret.

Following that study, the Government produced the "Multi-departmental scrutiny of public sector research establishments". Even while it was being produced, they announced that some establishments would be privatised, one of which was the National Engineering Laboratory—which will be dealt with in closing by my hon. Friend the Member for East Kilbride (Mr. Ingram), because he has a particular interest and is particularly knowledgable in it. The Scrutiny Committee recommended that the Building Research Establishment and the Agriculture Development Advisory Service be considered as likely candidates for privatisation.

As many hon. Members will be aware, that report did not receive a very good response from the scientific community. It certainly did not receive plaudits from our Select Committees. In the first paragraph of its conclusions, the Select Committee on Science and Technology quoted the Institute of Biology as stating:

"The [Scrutiny Report] refers to 'substantial rationalisation of civil research establishments over the last ten years or so,' and certainly research institutes have been subjected to frequent

structural changes, many of them reversing the main thrust of the previous one. Whether this can be regarded as 'rational' or not it has reduced research capacity and demoralised scientists."

The Science and Technology Committee in the other place stated in its summary of conclusions:

"We are concerned that the Scrutiny team were from the outset restricted by their terms of reference, which placed a higher priority on privatisation than on any other model or reorganisation which could be achieved . . .

"We do not believe that sufficient attention has been paid to the question of the effectiveness of public sector science in the pursuit of wealth creation and quality of life as laid down by the White Paper".

What was the Government's response to all that? It was to embark on a further attempt at privatisation and to announce that the prior options review would be extended to cover all those Government research establishments.

In case any hon. Member is under any illusions, I shall quote one prior options review guideline. It states:

"In considering appropriateness, the presumption is to privatise; in other words, there is a need to turn the question around, so that it represents a judgment as to the appropriateness of keeping the body in the public sector. It is not just a question of the private sector, nor is the issue purely one of saving money."

Of course the question is not one of saving money, because, as we have found out, implementing those privatisations very often costs the Exchequer substantial sums of money.

We had the Scrutiny Committee report. We then had the prior options review, and we were asked to examine that. Last month, we received the results of the first tranche of the prior options review.

Mr. Andrew Miller (Ellesmere Port and Neston): Does not my hon. Friend think it ironic that, although they say that they regard the objectivity of scientists as a particularly important issue, the Government, as reported in the *New Scientist*, are being accused by those very scientists, following the Royal Society meeting, of plugging away at the evidence until they get the answer that they want? The Government are not being objective; they are simply taking an ideological stand.

Dr. Strang: I am grateful to my hon. Friend for that intervention. If I am taking a little time on this matter, it is precisely to spell out that fact. In my opinion, it is incredible that we should have review after review—but what was the outcome?

In one of the first written answers given after the prior options reviews, the Secretary of State for Trade and Industry said in relation to the agriculture and plant sciences institutes:

"Prior options reviews have been completed of the Institute of Arable Crops Research, the Institute of Grassland and Environment Research, the John Innes Centre and the Selsoe Research Institute. I am satisfied that the functions of these Institutes are needed and that they should maintain their separate existence . . . I have concluded that full independence from the public sector, with the greater freedom this will provide the Institutes to direct their own affairs, would be a desirable option which merits further consideration. This will therefore be the subject of further work led by the Prime Minister's adviser on efficiency, Sir Peter Levene."—[*Official Report*, 22 May 1996; Vol. 278, c. 270.]

How on earth can the Government justify that?

We have had review after review, but the threat of privatisation is still hanging over those research establishments. What sort of effect does the Minister think that has on their morale? Of course, those establishments are not the only ones affected: the Scottish Crop Research Institute and the Macaulay Land Use Research Institute are candidates for privatisation, as are a number of others about which no indication was given, although they could include the Horticultural Research Institute and the Central Science Laboratory. Of course, we know that ADAS is to be privatised.

Mr. Mike Hall (Warrington, South): My hon. Friend mentioned the Council for the Central Laboratory of the Research Councils, which controls the Daresbury and the Rutherford and Appleton laboratories. The Daresbury laboratory is in my constituency. It has undergone two reviews, and it has now been determined that it will stay as a non-departmental public body in the public sector, accountable to the Department of Trade and Industry. Most important, Daresbury runs a synchrotron radiation source, which involves premier physics research.

However, Daresbury has to plan now for its replacement. That replacement, which is called Diamond, will cost about £100 million. Rather than continual reviews, we need long-term planning and investment by Government so that the Daresbury laboratory can continue its first-class physics research.

Dr. Strang: I am grateful to my hon. Friend, and I pay tribute to him for the representations that he has made on behalf of that laboratory. He rightly points out that long-term investment is needed there.

As I said, Government policy has meant the continued demoralisation of scientists. When I made the case for public science earlier, I said that one of the reasons for these Government research establishments was so that the Government could respond to the unexpected. Let us consider what has happened with BSE in cattle, something that was certainly not expected when it was found in 1985 and identified in 1986.

Every year, in the annual debate on agriculture, I have criticised the Government for their cuts in food and agricultural science. Indeed, Government-funded food and agricultural science has suffered proportionally greater cuts than other research. On 22 May, *The Independent* wrote:

"The Government's chief scientific adviser yesterday conceded that spending cuts had damaged the Ministry of Agriculture's . . . scientific capacity at the time when public concern had grown over mad cow disease in Britain.

Over the past 10 years, Government spending on research and development across all departments has fallen by £1.6bn in real terms—about a quarter. Maff's spending has been cut slightly more than the average.

Sir Robert May, the chief scientific adviser, said that over the past decade Maff had focused narrowly on research and development which touched its central policy objectives, with the result that it was now less able to respond to new challenges like BSE.

He added: 'I think Maff might now recognise that decreasing veterinary expenditure is something to be reconsidered.'"

In the late 1980s and early 1990s, the cuts were severe. The Meat Research Institute at Bristol, which was concerned with meat safety and conditions in abattoirs, was closed during that time.

On 20 March, a date that the Minister of Agriculture, Fisheries and Food will always remember because that was when he and the Secretary of State for Health made their important announcements about a possible link

between BSE and Creutzfeldt-Jakob disease, the director of the Institute of Animal Health announced that 60 posts would go. That institute includes the neuropathogenesis unit which employs the Government scientists who are at the forefront of the work being done on BSE and the possibility of a link between it and CJD.

In 1982, the Institute of Animal Health employed 842 people; it now employs 489, more than 40 per cent. of whom have temporary appointments. The institute has sought to protect BSE research, but it has meant cuts in other areas. Of course, this institute is concerned with animal diseases generally and is a centre of excellence.

The Minister will of course tell us that the Government have increased spending on BSE research—I should hope so, as it was identified only in 1986 and has increased significantly. Much of the increased spending has, sadly, been at the expense of expenditure on other Government research. That is the point—we have to have a broad base of scientific capability in the Government so that the Government can respond to the unexpected. We do not know what the next infectious disease or problem will be in our livestock.

Having slashed expenditure and many of the posts at the Institute of Animal Health, that institute is now a candidate for privatisation. It is in the second tranche now being considered under the prior options review. The same is true of the Veterinary Laboratories Agency, which is also in the forefront of work on BSE.

Does any hon. Member really believe that the British people will thank the Government for privatising BSE research? It is incredible that the Government can even contemplate taking that road.

Mrs. Jacqui Lait (Hastings and Rye): Will the hon. Gentleman give way?

Dr. Strang: I shall give way in a moment.

It is not only the Veterinary Laboratories Agency that is threatened with privatisation, because the third tranche includes the Norwich food research institute, the Rowett Institute, which the hon. Member for Gordon (Mr. Bruce) mentioned, and the other food research establishment.

I now give way to the hon. Member for Hastings and Rye (Mrs. Lait), but this is the last intervention that I shall take.

Mrs. Lait: The hon. Gentleman referred to the number of scientists on short-term contracts. He is now mentioning with absolute horror the fact that some research institutes may go into the private sector. Would his party be prepared to take them back into the public sector? If so, how much would it cost the public purse?

Dr. Strang: The hon. Lady knows perfectly well that we shall judge the situation if and when we inherit power. The reality is that the Conservatives have to defend their policy of privatisation, but, in terms of BSE research and long-term basic research, they are attempting to defend the indefensible.

There are three lessons that we can learn already from the BSE experience. First, we need a strong research base, a large basic capability among agricultural scientists within the Government sector. Secondly, there is no place for deregulation of food safety. Thirdly, food safety regulations have to be enforced. They have to be enforced by public servants, which is why it is tragic that the Government have reorganised, rationalised and demoralised the state veterinary service to the extent that they have. Of course, on top of all that, we know that they are going to press ahead with the privatisation of ADAS.

I would like to refer to a number of the research establishments threatened with privatisation and spell out to the House just how valuable and important their basic, long-term research is and why it should stay in the public sector, but time does not allow me to do that. Government science is of huge importance and the Government research establishments have a crucial role to play.

We are against the growth of short-term contracts and the threat of privatisation—what an appalling way to manage Government science. For three years, those scientists have been under the threat of privatisation and, as I have pointed out, that threat is going to continue for many establishments. We support public science, we support the Government research establishments and we want an end to that uncertainty. That is why I ask hon. Members to vote for our motion tonight.

7.39 pm

The Minister of Agriculture, Fisheries and Food (Mr. Douglas Hogg): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'welcomes the Government's continuing commitment to science, engineering and technology, as reaffirmed in the Forward Look 1996 (Command 3257-I); and endorses the programme of prior options reviews of public sector research establishments, which aims to secure the best possible quality science and technology for the United Kingdom with the best value for money from the substantial public resources spent on science.'

I very much welcome the opportunity that the hon. Member for Edinburgh, East (Dr. Strang) has given the House to outline the Government's position on the issues to which he referred and to respond to questions that he raised. I shall concentrate primarily on those issues for which I have a departmental responsibility and, in his reply to the debate, my hon. Friend the Minister for Science and Technology will respond to a range of the other issues that I am sure will be articulated in the debate.

I hope that the hon. Member for Edinburgh, East will forgive me if I say that one of the themes that seemed to underlie his speech to the House was a profound disapproval of the process of privatisation. I detected in his speech a basic hostility to the process of transferring functions and activities from the public sector to the private sector.

Mr. Marland: Old Labour lives.

Mr. Hogg: My hon. Friend has articulated the precise point. Much as I like and respect the hon. Member for Edinburgh, East, none the less, in a very real sense, he represents the articulate but traditional voice of old Labour, and he sits on the Opposition Front Bench making policy.

The hon. Gentleman's general observations sit uneasily with the huge benefits that have flowed from the process of privatisation. In real terms, telecom prices have fallen by 35 per cent., domestic gas prices by 18 per cent. and domestic electricity prices by 8 per cent. All those

[Mr. Hogg]

industries were in the public sector at one stage. Those huge benefits flowed to the consumer through the process of privatisation. I know that the hon. Gentleman reads the *Evening Standard*. He will see today the huge benefits that flow to consumers of electricity, gas and the telephone through the process of privatisation.

Let me make another point which is quite funny. The hon. Gentleman is basically against privatisation, he says, yet when—not very often, I should add—I read the house magazine of the Labour party, *The Guardian*, which I assume is fairly well informed on these matters, I find that the Labour party proposes to privatise certain parts of the Foreign Office. On the one hand, it displays a deep-rooted hostility to the concept of privatisation, yet on the other hand, although the hon. Gentleman may not know it, his colleagues propose to privatise some of the top ambassadorial posts in the Foreign Office. So there is a certain mismatch of ideas.

I should like to make some general points and then to turn to the particular. First, the Government are committed to science. Our objectives are to maintain a strong and dynamic science and engineering base in the United Kingdom, to have access to the best scientific advice and to secure a strong underpinning of basic and strategic science and the supply of high-quality scientists. Those considerations have caused us to ring-fence and defend the science budget, which has risen in real terms by some 10 per cent. in the past 10 years.

Mrs. Anne Campbell (Cambridge): Does the Minister accept, however, that in the past 10 years there has been a reduction in science spending by the Government of £1 billion in real terms? This is plain for all to see in the "forward look" statistical supplement. The Minister does us a disservice by assuming that we are looking only at the amount that is spent by the Office of Science and Technology, as that represents a very small part of the Government's budget.

Mr. Hogg: The science budget to which I have referred is designed primarily to maintain the strategic science base. Therefore, an important part of the research capacity is reflected in the expenditure committed to that. It is perfectly true that Departments have reduced expenditure. There are a variety of reasons for that. The first is the important need to move Departments away from near-market expenditure and into more strategic expenditure. That process was put in place in the mid-1980s, and it is extremely important.

Secondly, it is right to inform private sector organisations that they have an important responsibility to fund research from which they themselves are the beneficiaries. Thirdly, any Government who intend to reduce public spending have to look critically at all heads of expenditure. It is difficult to say that, as a matter of definition, the science budget within any Government Department should be excluded from any economies. That is certainly not my view.

Mr. Paul Tyler (North Cornwall): I am grateful to the Minister. Will he address himself to a slightly wider issue and a genuine dilemma that all Governments now face? The greater complexity of the scientific problems with which they have to grapple—BSE is a classic example—means that few people who advise the Minister do not have some direct commercial experience. Indeed, they may be inculcated with direct commercial experience. So the Minister is dependent for advice on a group of scientists whose background is in the particular industry and commercial undertaking that may well be affected by his decisions. He has to recruit his advice from a group of reformed poachers—perhaps only marginally reformed poachers—in undertaking his gamekeeper role.

Mr. Hogg: I do not agree with the hon. Gentleman that the only advice worth having is that from public sector research establishments. That is absolutely not my view.

I should like to go through the points that the hon. Member for Edinburgh, East was making in support of his arguments for the public sector research facilities. He produced four important arguments and I do not find myself dissenting from them as general propositions. Indeed, they have great deal of force. My Ministry, being scientifically based, is as heavily reliant on science in all aspects of its work as any Government Department, and rather than more than most. For that considered reason, we invest about £125 million in scientific research. No doubt the hon. Member for Cambridge (Mrs. Campbell) will say that we have reduced the amount. We have indeed made a small reduction over last year as part of a process of making economies that are justified and necessary if we are to reduce the volume of public expenditure.

Dr. Lynne Jones (Birmingham, Selly Oak): Will the Minister give way?

Mr. Hogg: I shall make some progress.

In the context of agriculture, we have shifted the main focus of research. I imagine that when the hon. Member for Edinburgh, East began his professional career, he was concerned primarily with expanding food production, as that was the principal concern in the 1970s. That has changed somewhat. We are now seeking to make more effective use of resources by reducing inputs, trying to ensure that agriculture is truly sustainable and having regard to a range of environmental matters that were probably not sufficiently addressed some time ago.

The Ministry has other important functions to perform for which it relies directly on scientific guidance—protection of the public and ensuring that food is safe and, of course, investigation into animal and plant diseases. All those functions have to be carried out effectively—in a cost-effective way. It is perfectly true that one has to be satisfied about the integrity of the advice that one receives, but I do not accept that one can be satisfied about it only if it comes from public sector research establishments.

Dr. Jones *rose—*

Mr. Hogg: I shall make some progress, then I shall give way.

This is where the prior options review comes into play. It is part of a process that we have put in place to determine where research is best undertaken. The prior options review involves a serious consideration of whether the research undertaken by an establishment continues to be required; whether it should be funded by

the public sector; whether the research needs to be undertaken by a public sector body or whether it could be as well undertaken by a private sector body; whether there is scope for rationalisation with other public sector research establishments working in similar areas; and how the functions could be managed in future. Those are all proper questions to ask.

As I understood him, the hon. Member for Edinburgh, East said, fairly, that the asking of such questions was not driven primarily by a desire to make economies. Indeed, he argued that economies would not be made. He said that the review was a dogmatic approach to the process of providing the functions. Surely it is right from time to time to ask such questions of those departments so that we can ensure that the functions are performed in the best possible way.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): The Minister is absolutely right to say that such questions should be asked. What would he recommend in relation to the Biotechnology and Biological Sciences Research Council?

Mr. Hogg: The recommendations are advice to Ministers. When we have come to our conclusions—I shall turn to the departments for which I have responsibility in a moment—we will have to announce them swiftly. The hon. Member for Edinburgh, East is quite right about staff morale. It is important that decisions are announced with all possible speed. We shall also have to explain the considerations that have led us to those conclusions, and we shall do that by way of a memorandum to the Select Committee on Science and Technology.

Dr. Lynne Jones *rose—*

Mr. Hogg: I am going to make some progress.

I turn to the prior options review in the areas for which I have departmental responsibility. Five Ministry organisations are involved: the research and development arm of ADAS, the Central Science Laboratory, Horticulture Research International, the Directorate of Fisheries Research and the Veterinary Laboratories Agency. The reviews of ADAS's R and D, the Central Science Laboratory, Horticulture Research International and the Directorate of Fisheries Research began in October. The review of the Veterinary Laboratories Agency started in February.

The reviews are important and it is important that we carry them through thoroughly. The points made by the hon. Member for Edinburgh, East—the need to ensure continuity in contracts, the need to ensure the availability of high-class scientific advice and the other considerations to which he drew our attention—clearly have to be addressed in the reviews.

Mr. Robert Atkins (South Ribble): My right hon. and learned Friend will know that I represent a substantial number of growers. Doubtless I will represent more as time goes on. They are very successful, make use of research information from Horticulture Research International and are concerned not so much about whether HRI will be privatised as about whether smaller growers—as many of them are—will have access to information on much the same terms in future. They are fearful of a major company taking over HRI, using the research for its own information and thus depriving smaller growers of access to it. Would my right hon. and learned Friend care to comment on that?

Mr. Hogg: My right hon. Friend's points are important. He has represented the interests of horticulturists in his constituency with considerable force and success over many years. I note from what he has said, and agree, that the horticulturists are not opposed to privatisation. They want to ensure that contracts are constructed in such a way as to ensure that horticulturists continue to receive a similar kind of advice on the same broad terms. Those are important considerations and we shall have to reflect on what my right hon. Friend has said.

Dr. Lynne Jones: Will the Minister give way?

Mr. Hogg: The hon. Lady is getting very upset, so I must give way.

Dr. Jones: I am grateful that the Minister has eventually given way. He said a few moments ago that the review's advice was given directly to Ministers, yet the press release that announced the decision on 22 May specifically stated that the review found that the functions carried out by the Council for the Central Laboratory of the Research Councils should remain in the public sector. The press release omitted to mention what the review found in respect of other institutions. Why was that? What did the review find? Is it not a fact that the Government are determined to privatise those institutions and will continue with endless reviews until they get the answer they want?

Mr. Hogg: No, I do not agree with that. As I am the most pragmatic of men, I do not start from any dogmatic position on such matters. There may be dogmatic positions that I would assert, but they do not apply in this area of policy. I assure the hon. Lady of that. On disclosing information, we shall, as I have said, submit memorandums to the Science and Technology Committee in respect of any decisions that, ultimately, we make and explain our reasons that way.

Mr. Tam Dalyell (Linlithgow): The Minister said that he would "reflect" on the problems raised by HRI. Is he—or at least one of his junior Ministers—prepared to meet Dr. Flegg and his colleagues to discuss the matter in depth?

Mr. Hogg: Any request for a meeting would clearly be seriously considered. I shall not give a commitment, because I do not know the gentleman in question and would like to reserve my position. I am quite sure that my right hon. Friend the Member for South Ribble (Mr. Atkins), who I suspect is articulating just the points that the hon. Gentleman has in mind, will want a meeting with Ministers. Should that be so, I look forward to seeing him. As the hon. Gentleman knows, that is the way in which the House tends to operate. Members ask to see Ministers and Ministers are well advised to see Members promptly. The hon. Gentleman and I have had many such meetings, and no doubt there are many more to come.

Sir Dudley Smith (Warwick and Leamington): Horticulture Research International is in the now

[Sir Dudley Smith]

socialist-occupied constituency of Stratford-on-Avon, but a fair number of people who work there live in my constituency next door. I am very concerned about their future. Many are skilled people who have a great deal of expertise. I support privatisation—there is no question about that—but I hope that my right hon. and learned Friend will not leave those good people in limbo for too long and will make a fair and considered judgment, bearing in mind the human element besides the best way in which to proceed.

Mr. Hogg: My hon. Friend makes his point clearly and well. It is important that, in respect of any review that affects people's livelihood and way of life, we come to a decision as speedily as possible and that such a decision is based on good judgment, sound science and considerations that we can defend in the House. I tell my hon. Friend that we shall do just that. We have demonstrated our commitment to the research that HRI undertakes by a substantial investment of about £40 million in recent years. Clearly, it is important for us to ask in an orderly way what is the best way, in the national interest, to provide the kind of service that it provides. We will come to a decision as soon as we can.

In the case of the Directorate of Fisheries Research, the Government announced on 22 May that we had decided, following the review, that this marine research centre would become an executive agency of MAFF. We believe that that will lead to greater freedom to manage its own affairs and improve performance within a framework of targets. Decisions have not yet been taken in the case of other MAFF laboratories, and we are still considering the cases of ADAS research and development, the Central Science Laboratory and Horticulture Research International. We hope to announce our conclusions as soon as we can.

Mrs. Lait: I welcomed the announcement on 22 May on the Directorate of Fisheries Research, but fisheries research is an inexact science. What progress does my right hon. and learned Friend expect the new agency to make in terms of reaching an agreement with the fishermen on the science of fish movements and stocks?

Mr. Hogg: My hon. Friend's question is so broad that to try to condense it into a few lines would not do justice to the issue.

The hon. Member for Edinburgh, East referred to BSE, an important issue which has concerned the House for some months. He will know that we have substantially increased the amount spent on BSE research in the current year to more than £10 million, an increase of almost 50 per cent. on the previous year. I am anxious to ensure that we have enough resources dedicated to work on BSE.

I have taken the opportunity from time to time to ask Professor Pattison, the chairman of the advisory committee, whether he thinks that the Government are devoting sufficient resources to the problem. His answer has been yes. Should that change, the Government will be anxious to respond to any demand from Professor Pattison or his Spongiform Encephalopathy Advisory Committee colleagues. The fact that we are spending more than 50 per cent. more than last year is an important sign of the significance that we attach to research in this field.

Mr. John Garrett (Norwich, South): Until 1991, 350 BSE-infected carcases were lobbed into an open landfill site not far from the river that supplies the city of Norwich with its drinking water. Later studies put down boreholes around that site and discovered the transmission through the water table of pesticides, herbicides and chlorides. I have been told by the Environment Agency that there has been no test for the transmissibility of BSE-infected material via leachate from such a site. MAFF gave permission for the dumping of those carcases. Who is responsible for establishing the transmissibility of BSE-infected material that might end up in a river that supplies a great city with its water?

Mr. Hogg: Before giving a considered reply, one would have to look much more closely than the hon. Gentleman and I would have time to do in order to discover the detailed facts of the matter. We are now satisfied that we have identified appropriate ways of disposing of all the specified bovine material and the carcases destroyed under the 30-month rule. We believe that we have addressed all the environmental and health issues that arise out of the regime that we have in place.

The Government are wholly committed to having a proper scientific base for this country. We realise the importance of having access to proper scientific advice, based on expert knowledge that is given with full integrity, but we do not necessarily accept that that can be provided only from within the public research facilities.

When one is spending a considerable sum of public money, it is surely right to ask whether there are better or different ways of providing that quality of advice. Sometimes the conclusion will be that no change should be made, but sometimes it will be that privatisation or contractorisation is appropriate; but to deny oneself the ability to ask that question—as seems to be the position of the hon. Member for Edinburgh, East—is surely casting away the responsibility imposed on us.

8.5 pm

Mrs. Anne Campbell (Cambridge): I begin by declaring an interest, in that I am a non-executive director of the Welding Institute, a research and technology organisation.

It is obvious why the prior options review is being conducted. We have only to look at the projections for science spending for the next few years to realise that the Government are determined to save a great deal of money on the science budget. A headline in the *New Scientist* said:

"The fall and fall of Britain's research funding."

The science budget has fallen by £1 billion in real terms during the past decade, and it is due to fall by a further £500 million in the next four years. If that cut is not to be achieved by privatisation, I should like to know what other method will be used. How can the Government make those savings, except by selling off or privatising the public sector research establishments?

There have been constant reviews since the Government came to office. I remember the Rayner reviews in the early 1980s, and there were reviews of

near-market research in the late 1980s. They continued until Sir Peter Levene's efficiency scrutiny in the 1990s, and we now have the prior options review. There has been an inconclusive response from the Government, which to me suggests a Cabinet split. The Cabinet were determined to make a decision, but found that they were unable to do so. I suspect that the Deputy Prime Minister disagreed with the views of his colleagues and told them to go away and do their work again. That will mean further reviews by the Department, leading to yet more confusion, indecision and doubt.

The result of those thousands of person years of effort is that a great deal of money has been wasted. In that time, we have seen outright privatisation of institutions such as the National Engineering Laboratory, the National Institute of Agricultural Botany, the Hydraulics Research Station, the Transport Research Laboratory, the National Resources Institute and the Laboratory of the Government Chemist. There is a huge number of other institutions that I could mention. The prior options review is the latest in this catastrophic cutting exercise. Some 43 public sector research establishments, employing more than 20,000 staff, with a turnover of about £800 million a year, are involved. That is a huge exercise in privatisation. We are talking about something that is the size of one of our privatised utilities.

I am pleased that the Opposition have selected this subject for debate. It is terribly important that the issues should be aired and not swept under the carpet, as the Government are determined to do. The questions that the prior options review is asking include: is the function needed? Must the public sector be responsible? Must the public sector provide the function? What is the scope for rationalisation? How will the function be managed? Such questions can lead only to the further question: is the institute ripe for privatisation? The Minister admitted that earlier. The Government's question is, "Can we privatise the function and get it as far away from Government as possible?"

Only two years ago, Sir Peter Levene's efficiency scrutiny concluded that only ADAS—the Agricultural Development Advisory Service—and the Building Research Establishment were ripe for privatisation, yet the Government are putting scientists through an appalling exercise that is causing demoralisation. Scientists are leaving because of the uncertainty. The institutes' efficiency is being much reduced because they cannot work effectively when they are constantly being reviewed.

A more important question concerns the role of Government research establishments. The Government need certain scientific functions to be performed. It has been interesting, during the BSE debate, to hear even the Prime Minister say, for the first time, that he is relying on scientific expertise and advice. We would have to look back over many years of *Hansard* to find senior Ministers making such statements. There has been a realisation that scientists have an important role to play in advising politicians and that it is important that we listen to them.

How can independent scientific and technological advice, which the BSE crisis has proved to be necessary, be made available to the Government? What is the best way of doing public interest research to improve quality of life, health and safety and the environment? Such research will not be undertaken by commercial organisations. It will be funded only by the public sector. How can the Government respond quickly to the emergencies mentioned by my hon. Friend the Member for Edinburgh, East (Dr. Strang), such as oil spills? Such disasters require input from a range of Government Departments.

Mrs. Audrey Wise (Preston): Would my hon. Friend like to add to her list the functions of the public health laboratory service? It has to respond to emergencies and must have the capacity to do so. It has to study disease and the best way to control it. Its scientists are worried about the Government's attitude to its functions.

Mrs. Campbell: My hon. Friend picks an excellent example from the many public sector research establishments that are under threat. Ministers should pay close attention to that. The general public will be deeply concerned when they realise that the important functions of the public health service laboratories are under threat because they are no longer to be carried out by independent scientists.

How can independent scientific advice be made available to policy makers? How can Government scientists' representational role best be performed? When I was working in a non-departmental public body, an important part of my role was to represent the UK Government and to advise them on scientific policy. Scientists in the UK have a reputation for integrity and impartiality. That is important, and should not be let go of easily.

We need to ask how we can improve the flow of high calibre scientists into policy making. Too few scientifically qualified people have gone into senior civil service positions. Some improvements have been made in recent years, and it would be a pity if the flow of scientists into policy making was stopped by privatisations.

Finally, we must ask what public sector research establishments contribute to the national economic effort and our quality of life. The Royal Society expressed its concern by saying:

> "We are concerned that the first tranche of reviews is already well advanced, without adequate time having been allowed for prior consultation with the scientific community."

It was concerned about the haste and apparent secrecy with which the review was conducted.

Professor Blundell, the head of the Biotechnology and Biological Sciences Research Council, chaired one of the three steering committees set up to review the sell-off plan. He is concerned that the Government may be overlooking the hidden costs of privatisation. He reckons that BBSRC pensions could cost £137 million. From my copy of *Laboratory News*, I understand that the total cost of pensions from all the institutes under consideration could be as high as £200 million. That explains why universities are not keen to take over some institutes. They are worried about being landed with the high costs of pension provision.

Many scientists are uneasy about the Government's intentions. It has been said several times already that it is feared that, if the Government do not get the answer they want with one review, they will carry out more until they get the answer they want: that the institutes concerned should be sold off.

We must also consider how constant reviews hit the institutes that are on the receiving end. The time and resource commitment of senior scientists during the

[Mrs. Campbell]

reviews has to be borne in mind. It is difficult to conduct high-quality research, whether basic or applied, if it is constantly being interrupted by requests for information and a demand to defend the status quo and undergo review.

There are doubts about privatisation. Jasper Wall, the head of the Royal Greenwich Observatory in Cambridge said:

"I am surprised to hear that you can go to the market place for skills that took 300 years to put together."

If the Minister has not already visited the observatory, I suggest that he goes to see the amazing effort and the technical expertise in the organisation. That expertise is specific to the observatory and not to be found anywhere in the private sector—certainly not in the Council for the Central Laboratory of the Research Councils, which is one of the suggestions that has been made for the contracting out of that work.

Why is all this being done secretly? I would like a commitment from the Minister to publish the review report and the associated evidence. We have a right, as Members of Parliament, to see them. The scientific research institutes also want them published.

How can the focus of the institutes be retained as a source of scientific advice to the Government if they are privatised, and therefore have very different commercial objectives? Would there have been any funds for specialists working on scrapie, which was described as a quaint disease of museum interest a few years ago, before its connection with BSE and Creutzfeldt-Jakob disease was discovered? Why continue with this? The decision is based on political dogma rather than scientific necessity.

There are four BBSRC institutes. The independent prior options review teams have recommended that the status quo is the preferred option, yet the signals from the Government suggest that that will not be the option that they adopt. One of the most important questions is whether funding from public sources will continue if the institutes are made even a little more independent than they are at present. The prior options review says that the function is needed, certainly in respect of the BBSRC institutes, but in the view of one director of a research council institute, that function cannot be delivered without underpinning finance, provided in the form of a rolling programme grant.

Core research funding is vital to an institution—a fact that Ministers do not seem to have understood properly. It is recognised in the university sector that research organisations need infrastructure and core funding. It is also recognised by the dual funding support system, with the higher education funding councils supplying money for research infrastructure and core work, and the research councils providing money for specific research projects. One of my constituents has written to me to say:

"High quality research requires a reasonable amount of stability, continuity and long-term planning."

That cannot be achieved when scientists have to apply to research councils for grants for every project.

Without an assurance of guaranteed long-term support, there is no way a young doctor or research scientist will commit the rest of his or her life to long-term studies. Without such a commitment, we shall never deliver the crucial information that is so important to the betterment of scientific research.

As a non-executive director of a research and technology organisation, I know at first hand how vital core funding is to any such organisation. Scientists have to be free to pursue areas of inquiry before they are ready to submit a full research application. Without core funding, that becomes increasingly difficult. They need to be able to close gaps in their collective knowledge and to pursue objectives that appear important for scientific, not commercial, reasons.

The lack of core research will lead in the long term to increasing impoverishment of the work that scientists do. I hope that the Minister will deal with that problem when he replies to this debate.

8.21 pm

Mrs. Teresa Gorman (Billericay): I strongly support the Government's intention to look into how scientific material is garnered by the state for the better information of Government policies. I believe that there is far too much reliance on Government-funded research and scientific bodies at the moment. They all have a vested interest in keeping Government funds—they are very large—flowing their way. Last year, more than £14 billion was spent on such research—a massive amount of public money. The Government are therefore right to evaluate the work of these institutions from the point of view of value for money.

I declare a minor vested interest, in as much as I have worked in science all my working life—as a teacher and researcher, and afterwards developing scientific products which I marketed around the world. In the course of my long working life I have come into contact with a great many people and institutions involved in producing scientific advice and offering scientific opinions.

Dr. Lynne Jones: Does the hon. Lady accept the contention in the 1995 document "Forward Look"—that research is a long-term investment? How does she think these proposals will ensure stable investment in basic research; and does she think that the public will be reassured by advice or statements from Ministers, knowing that that advice has come from the private sector, with its vested interests?

Mrs. Gorman: I agree with the hon. Lady to this extent: it is essential to do our best to find independent sources of research. Where I quarrel with her is over her belief that it is likely to come from Government-funded institutions. They are not independent, since they rely on Government grants and support for the work that they do. We need evidence that is not tainted by political expediency on the one hand or by the interests of commercial ventures which may rely on the research in question on the other. A great deal of excellent research, however, comes out of the pharmaceutical industry in the shape of the development of new products.

Moreover, when evidence or advice emerges from the private sector, that sector is held responsible for the advice if it goes wrong. The development of thalidomide is a case in point. The organisation concerned is still being held responsible for the problems that that product caused. By contrast, the Government fund, endorse and then often insist on the use of pesticides. The fact that the Government have given these substances such strong backing often rules out any independent judgment by

Ministers when they have to decide whether certain pesticides may give rise to serious side effects. There is even one theory suggesting that pesticides may be involved in the BSE problem.

Mr. Alan W. Williams (Carmarthen): With respect, I do not think that the hon. Lady has answered the question about where this independent advice is to come from.

Mrs. Gorman: If the hon. Gentleman will allow me to develop my arguments I will get to the answer.

I do not question the need for the Government to act in loco parentis on behalf of the public when it comes to matters of public health and requiring advice on them. The question concerns where that advice should come from. I do not think we should rely exclusively on quasi-Government organisations such as the public health laboratory service, ADAS and the myriad other such institutions for that advice.

The scientists working in such institutions are just the same as people in other organisations, commercial or Government-run. They are sometimes wrong; they are sometimes influenced by the need to keep their grants flowing, particularly when their grants are running out. I know of several examples of institutions rushing to publish evidence when a longer period of cogitation about their hypotheses might have been advisable—

Mr. Garrett: HRT, for instance.

Mrs. Gorman: Hormone replacement therapy is a treatment which has been evaluated and in use since the 1940s. It has remarkable effects, of which I am but one example.

We tend to respond too hastily to what are thought to be emergencies. There is a distinction between genuine emergencies such as plane crashes or disasters at sea and scares generated by hypotheses that are published by groups of scientists who may be shroud waving so as to ensure that their grants come through again. Their intention is not to scare the public but to maintain their own positions by putting evidence in the public domain before it has been evaluated by their peer groups—an essential component of scientific progress.

I believe, for example, that the salmonella scare—I have written the world's most authoritative book on it, called "Chickengate"—was partly caused by pressure from the PHLS laboratory near Bristol to keep its premises going. There had been a suggestion that a number of laboratories were to be closed down, and it was from that very laboratory that the salmonella scare emanated. Its diagnosis linked the infection to eggs, which was bogus science. I have done a great deal of research on eggs and infections in eggs, and I can tell the House that they are hermetically sealed by nature specifically to keep bugs out. What is more, bugs that do get in cannot, in that environment, reproduce enough to make anyone ill.

The salmonella scare was nothing to do with farmyards; it was to do with kitchen hygiene. The people using the materials were not using them in clean vessels or in a clean environment. I shall not go into the background of that situation, but the Government rushed to do something as a result of evidence that eventually proved to be faulty. The Government eventually ditched the regulations that brought about the slaughter of almost 4 million chickens, approximately 10,000 small egg production businesses going down the pan and goodness knows how many hundreds of millions of eggs being smashed in an orgy of public recrimination against the industry. The problem originated as a result of poor hygiene conditions in places that produce food, such as sandwich bars and hospital kitchens.

That is just one example of a scare that was exacerbated, if not generated entirely, by a report from a Government health organisation. I urge the Government to bear in mind that scientists, just like the rest of humanity, are interested in their own survival—and sometimes that survival prompts them to do things that they might not do in other circumstances or if their lifeblood did not depend on it. There are mad scientists as well as mad cows. I urge the Government to keep an eye on the people who put out this research.

I draw the attention of hon. Members to the organisation that deals with our environment—the IPCC—another Government-funded organisation. The organisation has not so much dreamed up, but it has given weight to and endorsed, the greenhouse effect. The greenhouse effect is one of these scares that has generated all sorts of Government regulations—affecting the motor industry, for example. We have to reduce carbon dioxide emissions and we have to look at the way in which we dispose of scientific and industrial materials. That scare has led to the IPCC's interference in other industries, quite separately from the original idea of keeping an eye on what was happening with our climate.

Mr. Dafis: The hon. Lady needs to bear in mind that the IPCC's findings were verified through a rigorous process of peer review involving scientists from around the world. It is not as though one Government are funding one Government institute and producing inaccurate results—there has been exhaustive research over a long period.

Mrs. Gorman: The hon. Gentleman will be aware that much of the US National Aeronautics and Space Administration's research and observations on the environment and on environmental changes contradicts a lot of the research of the IPCC. In fact, to have an institution called the International Panel for Climate Control is ludicrous—the idea that human beings, with our puny efforts, can control the climate is ludicrous.

Mr. Dafis: It is called the Intergovernmental Panel on Climate Change.

Mrs. Gorman: It does not matter whether it is "change" or "control"—the institution has a vested interest in promulgating the idea that we, through our industrial processes, are causing terrible changes in our climate. NASA, another source of information in this regard, has made observations from outside our planet and it refutes that argument. I am inclined to take a balanced view. We should not impose regulations on industries—for example, the car industry in relation to carbon dioxide emissions—that may damage people's livelihoods rather than their health. We should not rush to judgment on the basis of research from institutions of that sort.

I am calling for a much wider level of consultation when the Government have some kind of problem that the public may be concerned about. We have to remember

[Mrs. Gorman]

that a lot of these so-called problems are not generated by the public, or by people within the Ministry, but by many of these institutions. My point is that there is no independent evaluation of these institutions at the moment.

I agree with Government funding of basic science, which includes some of the work carried out at Greenwich and Kew. Such work is valuable and useful, and it is difficult to say where they would get their money if not from the Government. However, I believe that that money could be better spent elsewhere. There is a difference between basic science and science that is based on what are considered to be rather immediate problems, and that is mostly what these Government scientific institutions are involved in.

I believe that the mere fact that these organisations are Government-funded and endorsed gives them a degree of status and credibility that they may not deserve, but which people tend not to question. They are seen to produce Government information and therefore they have a degree of credibility that they may not deserve. The Government should use a number of research organisations—independent organisations that may be generated by groups of scientists currently working in state-funded institutions.

When the Government are presented with a problem—such as cows dying from a disease which at present appears to have no clear origin—they should put out to contract, perhaps with more than one institute, the need to investigate it. The Government would then receive different advice—a number of hypotheses. BSE is in this situation at the moment. We have accepted the views of a group of people, the Edinburgh group, who have come up with a particular hypothesis that there could be a link—and we have instituted draconian measures as a result.

I believe that an article in the *Daily Telegraph* this week will challenge the whole thesis that the foodstuffs that cows were eating are responsible for BSE. There are theories that BSE could be caused and transmitted by mites—many diseases are transmitted by insects or small crustacea. An example is malaria—no one has tested that route of investigation yet, but there is scientific evidence.

As there is very little independent review, scientific evidence that is lying around in the archives could be introduced into the debate, but it is often ignored. Again, I refer to the BSE scare. Dr. Clive Bruton, who is working in my constituency, is one of the curators of the department of neuropathology's brain bank. Apparently, some little while ago, he published a paper—he did not make assertions that this was the last word—on Creutzfeldt-Jakob disease. He pointed out that there was plenty of old evidence about this so-called new strain of CJD, which is believed to be the problem. It is believed that this new strain is causing the problem in younger people. We all know that CJD has been around for a long time. It is a rare disease and the number of people in this country dying from it is reducing—I think there were 50 cases last year and 49 the year before.

There is no impetus in an institution that has come up with an hypothesis to spend an adequate amount of time to research the views of its peers by looking through the literature. This is how scientists work: they examine publications from a variety of institutions to test their hypotheses. Scientists who come up with an idea are under psychological pressure to prove their point and to make their hypotheses stand up. That is what has happened with the Edinburgh group.

I am making the case for a longer period of investigation, particularly when the Government are responding with a knee-jerk reaction because of a scare that is being generated from a single quasi-governmental institution that is dependent on Government funding and support. If we did a little research, we might find a link between the scares and the proximity of the next round of grant allocations. Like everyone else, scientists wish it to appear that their services are vital and are essential to the maintenance of the Government's programmes.

Therefore, I urge the Government not to rely on a single, Government-funded source, but to look instead at stimulating independent institutions that may arise out of the state organisations—as has occurred with other privatisations. The Government could commission them to investigate the problems with which they are presented.

Such institutions may have a data bank to which they could refer to discover the views of other experts in the field. The Government could then refer to those views before reacting. When the Government react against a body of relatively untested evidence, they create the kind of hysteria that surrounded the salmonella crisis and that we are seeing again in the BSE crisis. That has huge knock-on costs in other industries—in this case, the £4 billion beef industry. The Government must now deal with the problems that their response has created in relation to rendering plants, for example. That is an on-going dilemma: one problem generates another. It is a very disruptive process and not how science should assist Government or the community.

I believe that the Government have a strong responsibility to do what they can to establish independent institutions. They should not rely on a single source of evidence on which to base their view. The Government must balance the views of different institutions. That is how science works: people from different fields compare their results and arrive at a conclusion on which the Government can base policy decisions.

On the basis of my examination of two cases—the egg scare and the beef crisis—I do not believe that the Government are obtaining good, independent scientific evidence. I am sure that papers yet to be published will conclude that the tenuous links that we are led to believe exist between Creutzfeldt-Jakob disease in humans and bovine spongiform encephalopathy in cattle have no factual basis. They may find that BSE is not connected with contaminated food and may offer another scientific explanation. One can make a balanced judgment only when one has considered all aspects of the problem. At present we are rushing to judgment because we are relying too heavily on limited areas of investigation.

Mr. Deputy Speaker: Order. The hon. Lady is getting rather repetitive and she is straying from the subject of the debate.

Mrs. Gorman: I accept your advice, Mr. Deputy Speaker—the advice being that I should shut up fairly soon.

The Government often turn to special scientific advisers for assistance. Those advisers are attached to all Ministries and the Government obviously rely heavily on

their judgment in reaching their conclusions. I put it to the Government that those advisers must be vetted very carefully in order to confirm their independence.

I draw the attention of the House to the special adviser in the Department of the Environment, Mr. Tom Burke—who I am sure is an honourable man and all the rest of it. He was formerly associated with the Greenpeace organisation and I believe that he has a tainted or biased view about the way in which the Government should handle environmental issues. As a consequence, the Ministry may not receive an independent view.

Therefore, I return to my thesis that the Government could refer to basic science in universities as a source of advice. That might be better than seeking the views of special scientific advisers within Ministries.

Finally, some scares have been generated by scientists. I refer to the Lacey and Lang combination, which was largely responsible for hyping the salmonella scare. Professor Lacey is always ready to offer an hysterical opinion. The newspapers also bear a responsibility for hyping the scares. The Government should seek an unbiased source of advice when taking decisions that have a profound effect on our economy. I believe that that is the right course of action.

8.44 pm

Mr. Nigel Jones (Cheltenham): It is a pleasure to follow the hon. Member for Billericay (Mrs. Gorman), as her remarks are always controversial and well worth listening to—even if one does not agree with them.

Mr. Deputy Speaker, I may have tested your patience during the sports debate last Friday, when I got rather carried away and spoke for 22 minutes. I know that several hon. Members wish to speak in this debate, so I shall be brief.

The prior options review reminds me of the reorganisation of local government—the Government set up the review, obtain a reply, they do not like that reply, so they conduct another review. That is what has happened with the scientific research councils.

I welcome the debate, and I am grateful to the Labour party for finding time to raise the subject on an Opposition day. We have not debated scientific issues for some time and on the last occasion hon. Members complained that, as it was a Friday, few hon. Members were present. Few hon. Members are present for tonight's debate—hon. Members may be attending the 60th birthday celebrations of Lord Holme of Cheltenham, but I suspect that their absence has more to do with the annual dinner of the parliamentary beer club.

The challenges facing science today are legion. Appalling levels of pollution mean that solutions to environmental problems are vital for the survival of the planet. In the past 200 years, scientific breakthroughs have led to enormous improvements in health care. This year marks the bicentenary of the discovery of the smallpox vaccine by Edward Jenner, who spent much of his life in my constituency. That was an important breakthrough, and there have been many others since then.

I shall refer tonight to the Medical Research Council units that form part of the prior options review. The MRC is funded mainly by Government grant in aid through the Office of Science and Technology and the Department of Trade and Industry. The grant in aid for 1994-95 was £270 million, which was supplemented by £26 million from external sources, including industry, the national health service and the European Union.

Five MRC units are included in the third tranche of the prior options review from July to December 1996, although there are implications for all 40 MRC units. The units currently included are the toxicology unit at the university of Leicester, the Dunn nutrition unit at the university of Cambridge, the reproductive biology unit at the university of Edinburgh, the radiobiology unit at Harwell and the virology unit at Glasgow. The people who work in those five units do not know how the units were selected for inclusion in the original scrutiny of public sector research establishments, or for the current round of the review. Perhaps the Minister will be able to tell us.

The MRC's mission is to support high-quality research with the aim of improving and maintaining human health. Most MRC units and institutes are integrated within universities; most staff are employed by the MRC, and the director is accountable to the MRC chief executive. Units provide a special research environment that gives the MRC director and staff freedom to commit themselves to full-time research on a long-term basis.

Health-related research develops as a continuum to basic strategic and applied research. Units are required to—and do—exploit the fruits of their research for the benefit of national health and wealth, but their primary purpose is to carry out the highest-quality basic research that the 1993 White Paper "Realising our Potential" acknowledged should be supported by Government.

Given the inclusion of those private units in the current round, the MRC is now required to devote resources to prior options reviews and to consider other models for ownership and management of its units. The recent announcement in the House about the first tranche of prior options reviews suggests that decisions are being made on the basis that the establishments reviewed so far would benefit from the greater freedom they would have if they were fully in the private sector, whether managed by companies limited by guarantee or by universities that would, for the purposes of the exercise, be seen as being in the private sector.

The primary purpose of most of the public sector research establishments involved in the exercise is to deliver services to Government. The primary function of MRC units is to carry out research relevant to health. If MRC units were turned into companies limited by guarantee, their mission to provide an infrastructure for research into areas relevant to health would change dramatically, as the objective of raising income would become paramount. Similarly, transfer to university ownership where management has other objectives related to teaching, student numbers and income generation would create difficulties in the maintaining of the necessary stability and focus.

The freedom of units to pursue basic research does not mean that they become uncompetitive or ossified. Each programme in their portfolio must compete for support from the council against other claims on its funds, such as grants to universities. If unit programmes fail to win support at peer review level, there are procedures for terminating work, and closing units where necessary. For example, 15 units have been closed in the past 10 years. That has led to staff redundancies where skills cannot be accommodated elsewhere in the council's service.

[Mr. Nigel Jones]

In the last round of reviews of the five units carried out in the original scrutiny exercise in 1994, many of the units' non-academic customers—for example, industry and the national health service—expressed concern that any change of ownership to the private sector would alter the nature of the well informed and independent policy advice that the units are able to provide: for example, the consultancy service to the food industry offered by the Dunn nutrition unit. The views of those customers will be sought again in the coming round of reviews, but there is no evidence that their position will have changed.

MRC units provide essential freedom for the conduct of long-term basic research that benefits national health and wealth. Unlike that of most PSREs included in prior options reviews, their primary purpose is not to provide Government with services.

"Realising our Potential" confirmed Government's role in funding basic research; it has never been clear why MRC units—which are already rigorously reviewed through independent peer review involving user input—were included in the exercise. Transfer to universities, or to other private sector management, could threaten their freedom rather than increasing it, and would require them to focus attention on activities that would divert them from their mission to improve and maintain human health.

The units' present freedom does not mean absence of competition. They compete for MRC funds against grant proposals, and are closed if peer review standards are not met. Nor does it mean that they are not responsive to customer needs; indeed, customers such as industry and the NHS appear to value their present status and the quality of their independent advice in a range of sensitive policy areas, including the effects on human health of air pollution, radiation and nutrition—to name but a few.

It was always likely that the debate would be hijacked by concerns about BSE. I do not want to go into those concerns, and I will shut up shortly. However, the effects of good scientific and technological developments on our quality of life are enormous. It should be the role of Members of Parliament, including Ministers, to make the public aware of what is going on and of the importance of scientific investment. The hon. Member for Cambridge (Mrs. Campbell) drew attention to the cuts in investment in the scientific budget in recent years. Without proper funding, Britain will fall behind its major competitors—and we in this place must do all in our power to prevent that.

8.55 pm

Sir Richard Body (Holland with Boston): The hon. Member for Cheltenham (Mr. Jones) seems to have joined Labour speakers in the Luddite tendency. Agricultural research must move on. I was very disappointed by the speech by the hon. Member for Edinburgh, East (Dr. Strang), who has probably been immersed in agricultural research for longer than any other hon. Member present. Many years ago, I learned to listen with respect to what he said on this subject. I must not allude to him further, because he is not in the Chamber; I will merely say that, when he began his career in agricultural research, the raison d'etre was quite different from what it is now.

I have had the good fortune to visit—at least once, and in some cases two or three times—all the agricultural research establishments for which my right hon. Friend the Minister is responsible. Most were established—certainly expanded—when their raison d'etre was to increase agricultural production: in other words, to induce our stock and soil to yield more, more and still more. The results have been fabulous, verging on the miraculous.

On a farm that I have known since I was a child, yields of wheat used to be only 17 cwt per acre; now they are 3 tonnes per acre. That represents a fourfold increase in my lifetime—rather a long lifetime, admittedly—achieved largely as a result of expenditure, both private and public, on agricultural research over a comparatively short period. Similar marvels can be attributed to what has been done in livestock production. Our cows can now produce almost twice as much milk as they could at the end of the war.

We must now put our farmers and growers on to a lower input-output ratio. We must cool it down, as it were. I do not believe that that can be done without considerable research, and I accept that much of that research must be undertaken in the public sector. That research should be publicly funded in our universities, because that is the proper place.

I am much more sceptical about the public sector than some Opposition Members are. The hon. Member for Cambridge (Mrs. Campbell) will be familiar with Babraham on the outskirts of her constituency. The last time I visited that establishment I saw goats with their udders removed from their nether regions, where they normally are, and transplanted to the goats' necks to see whether they would yield more milk in that position. On the previous occasion I visited that establishment—no doubt I met some of the hon. Lady's constituents—the scientists had carried out an experiment with a buck rabbit to find out how many times it could copulate in 24 hours. I have great difficulty in believing it, but I think the answer was 127.

Your money, Mr. Deputy Speaker, and mine should not be spent in that way, but that is what happens to public expenditure in that area. Clever scientists—I take my hat off to the ability and brain power of our scientists in those establishments—do such experiments when they get public money. We must recognise that £125 million a year is spent on agricultural research, and we must ensure that we get our money's worth. We will not get our money's worth if the research establishments try to find ways and means by which farmers and growers can produce more and more, with high-tech methods, using ever more pesticides, nitrates and hormones.

Some establishments are taking the opposite approach. In particular, I wish to mention Wellesbourne. Some years ago, I went there for the first time, and I have now been three times. The previous director so inspired me with Wellesbourne's approach that I went away and wrote a book of some 50,000 words about what Wellesbourne and similar establishments were trying to achieve. They are doing invaluable work, but it would be wholly wrong for that establishment to be privatised.

Wellesbourne's research is enabling growers of vegetables to stop using excessive pesticide. If that establishment were sold to the highest bidder, I can imagine that ICI or some other pesticide manufacturer would be only too pleased to buy it up and inhibit the type of research that is undertaken there. Such establishments should continue to be publicly funded.

I also hope that Wellesbourne will have a closer association with Birmingham university. It might be taken over by Birmingham university so that public money

could be spent on its research. I would be angry, and my constituents who are vegetable growers would be concerned and angry, if Wellesbourne were to change its role or have its work inhibited in any way. I therefore entirely support the comments of my hon. Friend the Member for Warwick and Leamington (Sir D. Smith) on the subject.

Other establishments, not only Babraham, are being extravagant. I know Compton well, because it is close to where I live. At Compton, they are engaged in research into animal health. Some of that research is very important, but it is all directed towards helping intensive animal production to be more intensive and towards overcoming the diseases that affect intensive farms. That research should not be carried out at public expense: it should be done in the private sector. It is also wrong that that establishment should have nearly 2,000 acres of agricultural land, which is quite unnecessary for its research.

I applaud what the Government are doing. We are right to reconsider this research. Much of it is valuable and must go on, because it would be quite wrong for it to be inhibited in the future. Much of it, however, is out of date and is no longer the kind of research that we farmers and growers need now. We want different research that will enable us to come down to a lower input-output ratio—as I have already called it—which needs much research that must be publicly funded.

My right hon. and learned Friend the Minister of Agriculture will know that it is almost impossible for a Minister of Agriculture to please the farmer, the taxpayer and the consumer at once, but on this occasion he deserves the support of all three.

9.3 pm

Mr. John Garrett (Norwich, South): I shall make a few brief remarks about the threat to science and scientifically informed government posed by the prior options review—brief because of the inordinate time taken by the hon. Member for Billericay (Mrs. Gorman), who managed to speak longer than the Front Benchers, and who selfishly rambled on about the same old thing.

Dr. Lynne Jones: Her needle got stuck.

Mr. Garrett: Yes, I know.

One of my concerns is the future of the Institute of Food Research, which employs 350 staff on the outskirts of Norwich—many of them my constituents. Its fate is to be decided by the end of this year, and my constituents are greatly concerned about their futures. The Ministry of Agriculture central science laboratory, which employs 200 staff, and the John Innes Institute, with more than 400 staff, are located in the same science park—which makes it the site of one of the biggest concentrations of bioscientists in Europe.

The IFR's work is of considerable public importance to fundamental research and nearer to market. The institute's food safety work includes working with salmonella, listeria, clostridium botulinum and campylobacter. It also undertakes wide-ranging research into many aspects of nutrition as it affects health. That independent work is performed by highly skilled multi-discipline teams of scientists, many of international repute. It takes years to establish such research groups, and once they were broken up, they would be lost to British science. That is the real risk posed to the three great research institutions located on the edge of my constituency.

The stability of the support that the IFR's core work receives is vital. The provision of independent scientific information and advice must derive from the continuity that can only come from public funding, which allows the institute to attract funds from the European Union—where, in the case of the IFR, the United Kingdom is a net beneficiary—and Departments, in the form of short-term contracts, some of which are industry-linked. The Norwich research park contributes some £2 million a year to the UK's balance of trade.

Severe problems will arise from the Government's preferred option. A break in the close relationship between the Biotechnology and Biological Sciences Research Council and its supported institutes would inevitably put their future at risk. Furthermore, perhaps the Minister will refer to the cost of meeting the BBSRC's pension scheme and of any restructuring, which will require a Treasury commitment of several hundred million pounds. The IFR's staff are concerned about not only their future but that of independent research in Britain.

To summarise, the institute is Britain's major independent base for all aspects of food research, including safety, nutrition, diet and health—and it provides independent research of significant public good and has multi-discipline teams of scientists of international repute. Stability and continuity are crucial to maintaining the IFR's independence and multidiscipline research teams. Significant public cost would be involved in making the changes outlined by the President of the Board of Trade.

The John Innes Institute is equally distinguished in horticultural research. It was in the first tranche of prior options examinations, but the institute's 400 scientists and support staff have been told only that more work is needed—to prove, I imagine, that the institute must be privatised.

I am concerned about the Government's policy of privatising as many public sector research establishments as they can, and about the damage that will do to the continuity, independence and integrity of the science base as a provider of information and advice in the public interests. The Government, by privatising and hiving off laboratories, are denuding themselves of people in the civil service, particularly in senior decision-making structures, who have a scientific and technical background, can provide intelligent customers for science, can interpret technically complex developments, and can advise on technically and scientifically complex policies—a need that the bovine spongiform encephalopathy issue has clearly highlighted.

The Government have made it clear that the presumption will be to privatise or contract out, and that there will have to be strong reasons to prevent that happening. They have made it clear also that, if a private sector competitor is available, public sector bodies will not be allowed to compete for work—which is loading the decision against the Government establishment from the outset.

That can be compared with what the Select Committee said in its comments on the efficiency study:

"no major re-organisation should be undertaken unless there are clear benefits which outweigh the costs, both the financial and in terms of disruption to scientific activity.

if it is impossible to identify a structure for government science which is clearly better than the current model, then the aim should be to encourage gradual evolution in response to changing priorities."

In other words, these are successful institutions, which have been built up over a long period. They are centres of excellence with a fund of experience relating to nutrition, health, horticulture and agriculture. It is pure vandalism to split them up and put them at risk of being flogged off to some private organisation which will not be able to provide the continuity and independence that is required.

In their response, the Government said:

"In the rapidly changing world of science and technology, the Government must have access to the best scientific and technological expertise and advice and must secure the availability of a supply of high quality scientists and a strong underpinning of basic and strategic science to industrial users."

What is being carried out is just a whim of ideology. These important, successful, long-established and deeply serious organisations with international reputations are being put at risk to satisfy some ideological whim. That is the basis for the proposed policy. If it is private it is good, if it is public, no matter how good it has been in the past, it is bad, according to the Government's view. The scientists in my constituency will not forgive the Government for this act of vandalism.

9.11 pm

Mr. Paul Marland (West Gloucestershire): This debate is astonishing. The attitude of Labour Members has been that anything in the private sector is bad and anything that is publicly funded is excellent. The entire nation has grown sick and tired of that ideology from the Labour party. I approve of this review, and all other reviews of Government expenditure. As my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food said, it is right that we should have the facilities to undertake these reviews and that the Government should carry them out. There is not a taxpayer in the country who does not want to ensure that the Government are getting the best value for the money that is handed over in taxation and that the spending is cost-effective. It is the Government's duty to ensure that that happens.

I remember when housing associations were introduced and the responsibility for constructing houses was virtually taken away from local authorities. We heard a great deal of whining from the Labour party that it would be impossible and that house building would grind to a halt. It has not happened.

Mr. Garrett: It has.

Mr. Marland: No, it has not. In fact, I am going to the opening of a housing association building project in my constituency next week. Building has not stopped.

Mr. Deputy Speaker: Order. We are not debating housing.

Mr. Marland: I accept the reprimand, but I am looking back at what has happened in the past and at how the Labour party, joined by the Liberal Democrats, has been so completely and utterly wrong. We will probably witness another U-turn in a few minutes.

Dr. Lynne Jones: On housing associations, it was a Labour Government who funded publicly—

Mr. Deputy Speaker: Order. That is enough about housing and the policies of Labour and Conservative Governments. I want to return to the subject of the debate.

Mr. Marland: That was very even-handed, Mr. Deputy Speaker.

Dr. Jones *rose*—

Mr. Marland: I will not give way again. The hon. Lady has been ruled out of order and I refuse to give way. I have the Floor now and I intend to take advantage of that.

It is realistic for the Government to see how much duplication is taking place in research in Government establishments. As my hon. Friend the Member for Billericay (Mrs. Gorman) said, there is no doubt that those involved in Government research want to keep their establishment going.

The Labour party will not be interested in any food research stations that have been privatised, but in Chipping Camden there is the Camden food and research Station in the constituency of my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton-Brown). I know it well because I was brought up in Chipping Camden. It used to be in the public sector, but it has now moved into the private sector and it is flourishing. We must be forward-looking. It is wrong simply to look back, as the Labour party does. Indeed, that is the attitude of all the Opposition parties.

I accept that we must carefully consider the people who will be affected by any changes the Government may introduce. It is right to focus attention on that point. I hope that when any decision is made in that respect the people involved will be dealt with carefully and fairly. It is quite clear that the Labour party rejects any thought of rationalisation. Indeed, its amendment actually states that. How on earth it can stand on that platform in any debate, on any issue, quite defeats me.

When ADAS—the Agricultural Development and Advisory Service—grew out of an enterprise called NAAS—the National Agriculture Advisory Service—I remember the whingeing we heard from Labour Members about that. In fact, it has been a great success. When veterinary laboratories were set up as an agency and many of the stations were closed, we were told that it heralded disaster. One station just outside Gloucester was closed and I was told that it was the end of the world for some of the farmers in the district, but it has not turned out that way. In fact, there has been no deterioration in the service because use has been made of modern techniques and technology.

On the question of current research and Government policy, I believe it absolutely right that the Government should not become involved in near-market research. They should create the conditions in which industry can flourish—something that they have been very successful in doing—and industry should pay for that research. Near-market research, on which the wealth creators will capitalise and cash in, should be funded by business. We should introduce a tax regime that encourages business to do that and create the trading conditions in which business can make a success of its research.

Some blue-sky research should be financed by the Government—*[Interruption.]* Yes, it should be financed, but that should be limited. As hon. Members have said, there is no reason why the Government should not contract with the private sector to do that research. It is not the Conservative party that is biased against the private sector, it is old Labour. We have heard a great deal today about what old Labour thinks. The old attitudes have been paraded in the Chamber. The wealth creators must be encouraged to carry out research.

It is wrong to say that there are now fewer jobs in research because of changes in Government policy. In 1986, 134,000 people were employed in research; in 1993—the latest year for which figures are available—the number was 140,000. Therefore, the number of people employed in research has risen, despite the arrival of improved technology to help them with their jobs.

On the question of BSE, I do not see what is wrong with the Government buying in the research they need. This is where the Labour party is parading its dogma—something that it always accuses the Conservative party of doing. I know that I am repeating myself, but I say again that the attitude of the Labour party is that anything that is financed by the private sector is bad, whereas anything that is financed by the Government and the poor old taxpayer is right and without bias. The reason why so many of the old Government-run enterprises were so unsuccessful was that they were badly managed. I again refer hon. Members to the Camden research station, which relished going into the private sector.

We are getting on top of BSE and there has been no shortage of money spent in that cause. It has been a Government priority, and so far £30 million has been spent. Today, that has been increased to £10.4 million this year alone. We have always stood firm on the fact that the advice that we have received has been the best scientific advice available.

It is a great shame that our European partners will not take notice of that advice, much of which—to the great joy of the Labour party—has come from Government-funded research stations. It is a pity that, together, we cannot persuade the Germans to take a bit more notice of that information because, as Professor Pattison—the chairman of the Spongiform Encephalopathy Advisory Committee—said, there has been no lack of resources for BSE research. The research is the best that is available, and we should be proud to stand by that.

I am astonished that the Opposition have chosen to have this debate in their time. They have made it perfectly obvious that they do not want progress. In their speeches, Labour Members have emphasised that the attitude of old Labour lives on. That attitude has flowed over into the attitude of the Liberal party—which is the trouble with sitting so close to Labour Members. My good friend the hon. Member for Cheltenham (Mr. Jones) has caught the attitude, and it has flowed over into his thinking.

The Labour party has been wrong on every major issue for the past 17 years, and it is wrong on this issue as well. It will not be very long before we see them doing another humiliating U-turn on this issue. I support the initiative, and I urge every hon. Member to do the same.

9.20 pm

Mr. Alan Howarth (Stratford-on-Avon): Horticulture Research International, which is in my constituency, has been mentioned several times in the debate. I very much appreciate the support that has been expressed for that institution. There is certainly no case for destabilising it.

The National Farmers Union describes HRI as

"a highly efficient and effective organisation which provides a high quality service to the industry."

Last year, the Select Committee on Agriculture reported:

"Horticulture Research International received almost unqualified support for its work from those who gave evidence to us".

Growers, the food industry and the Ministry of Agriculture, Fisheries and Food are thoroughly happy with the way in which HRI serves them.

It is one thing to ask the questions that are asked under the prior options review, but it is another to ask those questions repeatedly and continually, engendering permanent insecurity and permanent instability in the institutions that are affected by it. It is yet another thing to ask those questions while insisting, as do the Government, that they should receive only the answers that they want to hear. The Government seem determined to privatise wherever they can.

Last November, it was indicated that the findings of the prior options review of institutions sponsored by the Biotechnology and Biological Sciences Research Council would be provided by this March. On 22 May, however, the Minister for Rural Affairs said:

"the future status of HRI is now to be considered by the Prime Minister's advisor on efficiency, Sir Peter Levene."—[*Official Report*, 22 May 1996; Vol. 278, c. 210.]

In his closing, I hope that the Minister will be able to tell the House what are Sir Peter Levene's terms of reference in relation to HRI, and when he is expected to report. If the Minister cannot answer those questions today, I should be grateful if he or a ministerial colleague will write to me. May I also have an assurance that the outcome of this review will not be vouchsafed during the summer recess, when it will not be possible for hon. Members to question it.

If the Government do not get the answer they want, they simply ask the question again. The director of Imperial college is reported to have observed that there are only four answers that the Government are willing to receive in the prior options review:

"abolition, privatisation, contracting out or rationalisation."

All the public sector research establishments that are in the current review were included in the scrutiny review two years ago. If that is not evidence of dogmatism, I do not know what is. The Government's dogmatism certainly alarms the National Farmers Union in relation to HRI. It has stated:

"Privatisation or further rationalisation will result in a reduction in the breadth of research carried out and the loss of critical staff, facilities and expertise."

I remind Ministers that HRI, as it now is, is a product of rationalisation. Horticultural research was endlessly reorganised and restructured during the 1980s. While there was unhappiness at the continuing instability at that time, certainly there has been widespread satisfaction with the manner in which HRI was eventually established in 1990. The customers are happy, and independent

[Mr. Alan Howarth]

consultants have advised that it is not a suitable candidate for privatisation. Nor, of course, is it suitable for rationalisation, which means cuts.

The unfortunate scientists at Wellesbourne are caught in the Government's pincer of the prior options review and the public expenditure survey round, with the cuts in the Ministry of Agriculture, Fisheries and Food's research funding that that has entailed. The Ministry of Agriculture, Fisheries and Food announced a £1.2 million cut in funding for HRI while, at the same time, the threat of privatisation was held over the institution.

As I have suggested, there is a history of destabilisation and starvation of funding at Wellesbourne. I secured an Adjournment debate on 20 March 1985, at a time when 28 posts had been lost at Wellesbourne in the previous two years and when it was anticipated that the cuts in the funding available to the Agriculture and Food Research Council between 1982 and 1987 would be of the order of 15 per cent. to 20 per cent.

I said in that Adjournment debate:

"What the NVRS"—

or the national vegetable research station, as the establishment at Wellesbourne was then called—

"would ask for—and I only endorse its plea—is level funding and a settled financial environment . . . Will Ministers accept that research needs a stable framework of finance and needs to be rescued from the hurly burly of politics? Will my hon. Friend"—

the Minister—

"acknowledge that, apart from the personal difficulties and distress that career disruption causes, research is a fragile, creative enterprise? Will he acknowledge that successful research depends upon complete and enthusiastic concentration and that present uncertainties and anxieties are demoralising and likely to be damaging to the quality of research?"—[*Official Report*, 20 March 1985; Vol. 75, c. 960-3.]

That is what I said in 1985.

In March this year, the Royal Society, with vastly greater authority, said, in effect, exactly the same. It stated:

"The continuing ongoing reviews of PSREs"—

public sector research establishments—

"are damaging to morale and are currently affecting adversely the ability of those concerned to get on with their scientific research, to the detriment of the nation's R+D base".

"Plus ça change", as members of the Council of Ministers perhaps say to themselves when they listen to the Minister.

There is a maxim, "If it ain't broke, don't fix it." I greatly fear that HRI will be broken—not absolutely, but grievously damaged—by the combination of funding cuts and the threat of restructuring. As I said, the Ministry of Agriculture, Fisheries and Food has announced a reduction in support for HRI of £1.2 million, despite having invested more than £40 million of taxpayers' money in improved facilities on the site.

The effect of the cut is that up to 90 people will lose their jobs. That is twice as many as it might have been because the Government announced the cut so late in the 1995-96 financial year that savings on staff costs had to be made in six months instead of 12. More than 70 staff who have recently transferred to Wellesbourne face possible redundancy within 12 months of their transfer—what a way to treat those scientists who, in the public interest, have moved their homes and jobs to Wellesbourne. My constituents might echo the words of Lear:

"As flies to wanton boys"

are we to Ministers. What a way to manage.

Sir Peter Levene should really investigate Whitehall and the relationship between the Treasury and the Ministry of Agriculture, Fisheries and Food. The way to get better value for money from public research is for the Government to be efficient and to be an intelligent commissioner and customer and take a coherent view of their strategic responsibility to sustain the science that we need. Instead, we have randomness.

The cuts at HRI form no part of any long-term strategy relevant to improving research or British horticulture. There has been no cost-benefit analysis. It beggars belief that the Government could invest £40 million of taxpayers' money in facilities, some of which have never been used, and then propose to pay more than £4 million in redundancy costs so as not to have those facilities used.

By their failure to fund HRI, the Government have scuppered their own strategy for privatisation. Were HRI ever to succeed outside the public sector—I believe that it would not be wise to try to cause it to do so—it could do so only over time and provided that it had a sufficiently stable revenue stream to sustain the range of its basic and strategic research. That would require long-term Government support through guaranteed funding arrangements, but the volatility of Government funding and the latest reductions in MAFF commitments mean that such a Government policy is a pipe dream. Basic research cannot be managed profitably and there is no point in HRI if it does not undertake the full spectrum. The Government should be willing to underwrite that infrastructural research support for a valuable, innovative and successful industry.

So why are the Government doing this? There will be no proceeds for tax cuts—certainly not this side of the general election. It is a piece of dogmatism. I believe that HRI and public sector research establishments are victims of a baleful dynamic of modern Government—the itch of newly appointed Ministers and officials to meddle in order to make their mark. The mischievous would say that the Deputy Prime Minister wants to win brownie points for privatisation with the right of the Tory party as he looks forward to open season for another leadership contest in the party, perhaps this summer and certainly by next summer. Happily, by next summer the Government will no longer be in office to inflict their dogma on the nation.

9.30 pm

Mr. Adam Ingram (East Kilbride): We have had an interesting and far-reaching debate and it has shown that there can be no question about the importance of public sector research establishments to Britain's science, engineering and technology base.

As hon. Members have stated, the PSREs represent a considerable national resource employing some 30,000 people and constitute a significant proportion of total Government expenditure on the nation's research and development effort.

At a time when the United Kingdom is struggling to maintain its place at the bottom end of the international competitiveness league tables, one would have thought

that, if any effort were to be expended on redefining our national science and technology needs, it would have resulted in the promotion of the PSREs, not their dismemberment. Instead, in recent years, those establishments have been subjected to rationalisation, fragmentation and privatisation. The morale of the people employed in those establishments has been seriously undermined, and a damaging air of uncertainty hangs over each of the establishments affected by the Government's manic and destructive drive towards privatisation.

It is little wonder, therefore, that Britain's science and research community has universally condemned what the Government are doing to the science base of the nation in this as in other sectors. It is also little wonder that our international competitors are rubbing their hands with glee at the chaos that is being created by the Government's approach. They know that, if a nation's scientific and research community is demoralised because of lack of Government support, the capacity of that vital component in achieving truly international competitiveness is seriously handicapped. That is what constant reviews of the public sector research establishments are doing to the United Kingdom. They are disabling us, not helping us.

The Government are clearly unwilling to accept the important role played by the PSREs in the overall fabric of the science and technology structures of the United Kingdom. The June 1994 publication by the efficiency unit of the Cabinet Office on multi-departmental scrutiny of public sector research establishments stated:

"PSREs exist for two main reasons: to provide support for the policy, statutory and regulatory activities of government departments; and to undertake research aimed more generally at improving wealth creation or enhancing quality of life; thus contributing to the maintenance of a strong science and technology base for the UK."

That is probably the best description of what should be the overriding mission of PSREs. It is a great pity, therefore, that the Government are not prepared to accept the principle contained within that statement and are actively looking for ways to depart from it.

The Government's statement of the specific stages of the prior options process made no mention of those essential functions of the PSREs. Instead, it focused purely on the extent to which they can be shunted out of the public sector. That stark and dogmatic attitude is all too symptomatic of the Government's overall approach to the country's science and research base.

Before I deal in detail with the debate, it is worth placing on record worrying trends in the way in which the Government are undermining other key elements of our national science and research resources. I refer to the university research base, which works closely with public sector research establishments and is also under severe strain from a lack of Government commitment.

I shall refer specifically to the report published last week by the Committee of Vice-Chancellors and Principals and the higher education funding councils on their survey of research equipment in United Kingdom universities. It is a detailed report and alarming in its conclusions. I shall give three extracts from a letter about the report written by Professor Gareth Roberts, chairman of the CVCP, which was sent to the Minister for Science and Technology, the hon. Member for Esher (Mr. Taylor).

The first comment that Professor Roberts makes is:

"The report concludes that there has not been a significant improvement in the UK's academic research equipment since the first survey undertaken by PREST"—

the agency that was used to undertake the study—

"for the ABRC in 1987. Nearly 80 per cent. of departments continue to be unable to perform critical experiments because of a lack of funding for equipment."

Professor Roberts' second point is:

"UK universities rank second among G7 countries in attracting income from industry. However, industry is telling us through this report that the cuts announced last year will put UK universities at an international disadvantage through under-investment."

His third point is:

"There are indications that multinational companies are beginning to switch their university research to other countries as a direct consequence of decay in the academic infrastructure. Firms already make a substantial contribution and stress that this does not absolve the Government of its responsibilities for supporting the infrastructure."

I refer to that letter and the report because of the close working relationship between universities and public sector research establishments. I shall give one example of what I am driving at.

This morning, I met the director of the Institute of Food Research. My hon. Friend the Member for Norwich, South (Mr. Garrett) spoke in some detail about the work conducted by that institute. He rightly said that the institute provides much of the research knowledge for the food industry in this country. It works closely with the university of Reading, the university of East Anglia and other universities elsewhere in the country.

The food industry is important to the United Kingdom economy with annual sales of £60 billion—almost 4 per cent. gross domestic product. Of the top 25 food companies in Europe, 15 are located in the United Kingdom. They are located here for a number of reasons—but the publicly available science expertise in food safety ranks high among them. There is a real threat to the delivery of that service to the food industry. Research equipment in universities is in a sorry state, as the CVCP's report shows, and there is the added prospect of an unwanted privatisation being imposed on the Institute of Food Research.

The Food and Drink Federation accurately summed up the situation when it said in a document:

"A strong and relevant science and engineering base is essential to the technical development of the UK food and drink industry and hence to its future competitiveness. A programme of 'public good' research is also essential to continue to build consumer confidence in the food supply chain. The food and drink industry devotes substantial resources to R and B but it is not in the nature of short reaction-time industry to be able to sustain the necessary underpinning programme of long-term, multi-disciplinary basic research."

The detailed document also refers to the technology foresight programme, the research councils and some of the helpful developments that have taken place. It says:

"Consultation within the food and drink industry reveals, however, a serious concern that the outcome of the current prior options reviews may undo that progress."

That is a worrying message from a very important trade association.

What the CVCP report tells us and what the Government are doing through the repeated reviews can be described only as a headlong retreat from publicly funded science, which has already damaged the country and will prove devastating in the long run unless there is a change of direction.

[Mr. Adam Ingram]

My hon. Friend the Member for Edinburgh, East (Dr. Strang) graphically highlighted the outrageous approach of the Government to the public sector research establishments. Other Opposition Members have made telling criticisms of the Government, including my hon. Friends the Members for Cambridge (Mrs. Campbell), for Norwich, South and for that old Labour bastion of Stratford-on-Avon (Mr. Howarth). I hope that, in the time available, the Minister will not duck the issues that they have raised, and he does not usually do that.

My involvement in this issue goes back to 1988 when the Government made their first attempt to privatise the National Engineering Laboratory in my constituency. At that time, more than 650 people were employed there. The laboratory was recognised as a research establishment of international renown. It had

"facilities which are unique in this country and, in some respects, in the world, for large-scale mechanical testing of structures and components, earthquake simulation, and . . . the world's most comprehensive facilities for measuring the flows and pressures of oil, air and water and mixtures of them."—[*Official Report*, 25 May 1989; Vol. 153, c. 1232.]

In case anyone thinks that that is a local Member of Parliament's hyperbole, those were the words used to describe the laboratory by the then Minister responsible for the Government laboratories in the DTI, the hon. Member for Mid–Worcestershire (Mr. Forth), during a debate on 25 May 1989.

I do not have time to go into full and sad history of the privatisation of the laboratory, but what happened provides a salutary lesson for every establishment affected by the prior options review. Although the Government were prepared to recognise the uniqueness of the research work undertaken by this national resource, considerable efforts were made to sell it off to a French-owned company, backed by promises of massive state aid. However, the company pulled out of the deal. Within weeks of that decision, the Government appointed the firm of Touche Ross—at a cost calculated to be in excess of £100,000—to carry out a further evaluation of the laboratory.

Following discussions with the laboratory's private sector customers, the Touche Ross report concluded:

"Much of the work currently carried out is dependent in whole or in part on the Laboratory being seen to be independent. A number of potential buyers might also be seen as competitors to other potential customers. There is a view in some quarters that it would be inappropriate for national standards to be in the hands of a commercial organisation that might be interested in acquiring knowledge of any equipment being calibrated against primary standards."

Those are not the words of old Labour, but of Touche Ross—the Government's consultants on the privatisation of the National Engineering Laboratory.

The Government did not heed that message and announced 200 redundancies. In the run-up to the eventual privatisation of the laboratory, another 200 eminent scientists—some of the best in their field—left the facility. The whole sorry saga led to the resignation of the DTI's chief scientific adviser because of a disagreement with the President of the Board of Trade about the way in which the DTI was forcing privatisation on the laboratory.

The laboratory was eventually sold in August last year to Assessment Services Ltd., a part of the Siemens group of companies. However, "sold" is undoubtedly the wrong expression, as the Minister for Science and Technology described it as being disposed of for "a negative £1.95 million". What does that mean? In effect, we gave that company £1.95 million of public money to take this national and unique resource off our hands. Similar cash bounties were applied to the disposal of the National Physics Laboratory and the Laboratory of the Government Chemist. Clearly, all of us wish the purchasers of those facilities every success in the future—unlike the Government, they have the confidence to invest in the future of those facilities.

A number of points were made in the debate about the disposal of the national public sector research assets. The Institution of Professionals, Managers and Specialists has described this as the "mad options approach". That is an accurate description of the way in which the Government are handling the issue.

The House must consider what benefits will accrue to the nation from such an approach and in what way it will advance the delivery of the nation's science research and development activity. The scientific community and the industries that are dependent on the services provided by the establishments have a clear answer. They find no benefits flowing from the Government's approach and think that the nation's science and research base will suffer as a consequence.

That view has been expressed right across the scientific community, by directors of national institutes, foreign-based scientists who use the institutes, the Royal Society of Edinburgh, the Royal Society and a range of other eminent people. Even the Government's supporters in the other place have been known to criticise their actions. Lord Selborne, the Chairman of the Lords Science and Technology Select Committee, has described the prior options review as a "pointless exercise" and said that it was an incompetent way in which to operate.

Unfortunately, we do not have enough time to debate at length many of the points that must be made. It is sad that a debate on a major issue affecting the country's national science and technology base had to be in Opposition time. There are many warning signals about what the Government are doing to that base. I have touched on only some of them. I hope that the Government will allow a detailed debate in their time on this issue and the wider ones around it.

There are too many important matters associated with the matter for it to be ignored, swept away and kept in secret as the Government have done with the prior options review on public sector research establishments. We have to find solutions that can enhance our science and technology base and not undermine it in the way that the Government's approach has.

9.46 pm

The Minister for Science and Technology (Mr. Ian Taylor): We have had a useful debate. I acknowledge the comment by the hon. Member for East Kilbride (Mr. Ingram) that it was in Opposition time. Some revealing comments were made by Opposition Members, but we share a genuine appreciation of the quality of research being done in the research establishments. I do not think that it would be in any way undermined if the status of the establishments changed.

We have a science base of which we can be proud. Our universities are performing research of the highest quality, which, as the hon. Member for East Kilbride said,

is recognised by the inward investors who come to Britain. There are a variety of reasons why they come, but the accessibility of the science base, both in our research establishments and in our universities, is a key factor to which often we do not pay enough credit. I regularly hear suggestions that things are better in Germany. If one talks to German enterprises that want to invest in Britain, one gets a different picture of their views about why they come and about the excellence of our research.

Sir Giles Shaw (Pudsey): On Germany, does my hon. Friend agree that one of the tragedies of BSE is that the scientific data have been thrown out by a veterinary committee of scientists in favour of a German view of what is necessary for their marketing endeavour? Does he agree that, although we endorse the quality of British science, any prior options review must protect basic science and the integrity of what is being done and that, if there has to be competition, it must not be at the risk of affecting the present high quality of British scientists?

Mr. Taylor: I agree with my hon. Friend, who is the distinguished Chairman of the Science and Technology Select Committee. The debate in Germany is far removed from scientific principles and is based more on emotion. We must deal with that in direct discussions with our German friends. The way in which Germany is reconsidering its research establishments is important. In discussions with me, the German Science Minister has openly identified the fact that the German Government will have to consider closely the way in which they distribute Government money. A similar process will take place there. Neither of us, however, has any intention of undermining the importance of the science base.

Because of the shortage of time this evening, I will not have a chance to give credit to all who have made important points during the debate. The subject of Horticulture Research International, however, was raised by several of them—by my right hon. Friend the Member for South Ribble (Mr. Atkins), by my hon. Friend the Member for Holland with Boston (Sir R. Body) and by the hon. Member for Stratford-on-Avon (Mr. Howarth), who mentioned its location in his constituency. It should be borne in mind that HRI was the subject of a rationalisation some years ago. We need continually to review the requirements of such institutions; they must therefore be continually assessed.

I hear what has been said, but the review clearly shows that further work on the reorganised status of HRI must take place. That is why Sir Peter Levene's committee is taking a look at the details now. That is in no way intended to undermine the importance of its work or to suggest a diminution of MAFF's interest in it. Of course, like many other Government Departments' programmes, some cuts in its research have had to be made by MAFF; but it still provides about £10 million of contracted research out of a total income of £22 million. So HRI is already used to diversifying the sources of its research, and I am certainly not saying that we should conclude that MAFF's relationship with HRI, should its status change, would necessarily be a consequence of that change. In short, I recognise the importance of HRI and I see no reason why it should not continue.

The hon. Member for Cambridge (Mrs. Campbell), a noted botanist herself, made several interesting points. I do not believe that the Royal Society was justified in talking about haste. Indeed, there need be no argument between our parties on this subject—let us get on with the review. The Royal Society may, for once, not have been accurate.

If all the pensions mentioned by the hon. Lady crystallised there would certainly be considerable liabilities, which is why Sir Peter Levene is examining the extent to which that problem can be mitigated. But the figure arrived at by Professor Blundell would not be reached unless they all crystallised at the same time. Nevertheless, it is worth looking into the matter, because flexibility when dealing with research establishments will mean at some point that we will have to recognise any liabilities that may arise.

I should like to tackle head on another point raised by the hon. Member for Cambridge, as I do not want the myth to be perpetuated. She is right to say that about £1 billion was removed by the Government from gross expenditure on research between 1986-87 and 1994-95, but most of that shortfall has come under defence spending. The hon. Lady's party would have cut that spending a great deal more savagely than anything the Government have proposed. Defence research is changing; much more research now spins into defence from the civilian sector, rather than the other way around. Spending on the science base during the period that I mentioned actually increased by £260 million, so the picture is much more positive than the hon. Lady suggested.

My hon. Friend the Member for Billericay (Mrs. Gorman), in a trenchant speech making it clear that she is in favour of independent research conducted outside Government circles, was still able briefly to refer to her book "Chickengate", and found time to juxtapose her authorship of it with the word "orgy". Doubtless that will boost sales, perhaps to the point where they rival the sales of books by our hon. Friend the Member for South Derbyshire (Mrs. Currie). However, I would not go quite as far as my hon. Friend and insist that independent research cannot be undertaken in the Government sector.

I believe that the debate has been characterised by over-simplification—perhaps because of a desire for brevity. Research is not compromised because it is undertaken by the private sector, nor is it compromised because it is undertaken by the public sector. The research undertaken in both sectors is excellent. My hon. Friend the Member for Holland with Boston said that we need to have a careful assessment of where research would be best undertaken in every case. In a sense, that is what we are trying to do in the prior options reviews.

Research is a continuing process: the conditions of research change, the objectives of the research change and research bodies sometimes need to change their relationships with each other. It would be foolish of the Government if they did not say from time to time, "We need to have a structured review right across the sector and we need to look at all the research establishments that are available." I am astonished that Opposition Members, in the new Labour context, are now such devotees of tight financial controls that they do not share my motivation in trying to get the best quality research and value for money for what the Government are trying to do.

Departments and research councils spend approximately £1.3 billion in civil research establishments, which is one fifth of total Government expenditure on science and technology—it totals about

[Mr. Taylor]

£6.2 billion. That is a significant amount, and it is not something for which I want to apologise. I emphasise that we have a considerable interest in ensuring that, when we spend that money, we spend it in the proper way and that the research establishments that provide the research are doing it in the most effective and considered manner. The sponsoring departments—whether they be Government Departments or research councils—also have a vested view, which is why they have been intimately involved in the research that has been carried out.

Developments in science have obviously influenced our thinking in that regard. We are now moving into genetic, biological and biotechnological research, which needs to be taken into account in the way in which we work with the research establishments and the priority that we give to different areas of research.

I refute the comments that have been made about the way in which the research establishments—including the National Engineering Laboratory—have been handled. Liabilities are attached to those establishments that crystallise at the point of transfer. The hon. Member for East Kilbride will be glad to hear that the National Engineering Laboratory has increased its employment in his constituency since the transfer to Assessment Services Ltd. The National Physical Laboratory—which is now managed as a Government company by Serco—is increasing the number of its scientists and the range of its work.

Labour Members have not recognised that the reviews enable us to look more closely at some of the advantages of having the establishments in the private sector or at arm's length from Government. I do not accept that the prior options process means that privatisation will always be the result. One of the councils at which am looking—the Council of the Central Laboratory of the Research Councils, which employs 1,800 people—still remains as it was, which is possible under the prior options review.

We should not underestimate the potential benefits of the prior options review: it frees establishments from the constraints of public sector status, it encourages them to build links with a wider range of customers, it frees them from the constraints of ownership and it gives them greater freedom to commission or to support research from a wider range of suppliers. It does not free the Government from our responsibility to support the best quality science, but it gives us more freedom to determine how best to do it. Those are important objectives and, by themselves, they would justify the reviews that are taking place.

I thank all hon. Members who have contributed to the debate—I will not have the time to mention them all in my reply. I listened to the hon. Member for Cheltenham (Mr. Jones) make his points. My hon. Friend the Member for Norwich, North (Mr. Thompson) and the hon. Member for Norwich, South (Mr. Garrett) mentioned the Institute of Food Research. I have heard all the points that were raised and I shall try to take them into consideration, although I cannot refer to them in my winding-up speech.

I conclude with a clear observation. Labour's motion refers to the

"dogma-driven privatisation objectives of the Prior Options Review".

There is no dogma associated with the prior options review, and the status quo can be a part of it. The dogma is on the Opposition Benches. Opposition Members are so obsessed with their dislike of the private sector that they are not prepared to come to the House and admit that quality science can be conducted in that sector.

Mr. Robert Ainsworth (Coventry, North–East) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put, That the original words stand part of the Question:—

The House divided: Ayes 243, Noes 281.

Division No. 141] **[10.00 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bruce, Malcolm *(Gordon)*
Burden, Richard
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cox, Tom
Cummings, John
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge Hl)*
Denham, John
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hall, Mike
Hardy, Peter
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*

Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jenkins, Brian *(SE Staff)*
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Reid, Dr John
Rendel, David
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wareing, Robert N
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Peter Hain and
Mr. Eric Clarke.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David

Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Stanley, Rt Hon Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Derek Conway and
Mr. Patrick McLoughlin.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Government's continuing commitment to science, engineering and technology, as reaffirmed in the Forward Look 1996 (Command 3257-I); and endorses the programme of prior options reviews of public sector research establishments, which aims to secure the best possible quality science and technology for the United Kingdom with the best value for money from the substantial public resources spent on science.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Statutory Instruments, &c.)

NORTHERN IRELAND

That the draft Northern Ireland (Emergency and Prevention of Terrorism Provisions) (Continuance) Order 1996, which was laid before this House on 8th May, be approved.

INSIDER DEALING

That the draft Insider Dealing (Securities and Regulated Markets) (Amendment) Order 1996, which was laid before this House on 8th May, be approved.

COMPANIES

That the draft Disclosure of Interests in Shares (Amendment) Regulations 1996, which were laid before this House on 16th May, be approved.

FINANCIAL SERVICES

That the Financial Services Act 1986 (Uncertificated Securities) (Extension of Scope of Act) Order 1996 (S. I., 1996, No. 1322), dated 16th May 1996, a copy of which was laid before this House on 16th May, be approved.—*[Dr. Liam Fox.]*

Question agreed to.

LOCAL GOVT FINANCE (SCOTLAND)

Motion made, and Question put forthwith, pursuant to Standing Order No. 94F(1)(b) (Scottish Grand Committee (statutory instruments)),

That the Special Grant Report on Community Care Special Grant and Supplementary Mismatch Scheme Grant for 1996–97 be referred to the Scottish Grand Committee.—*[Dr. Liam Fox.]*

Question agreed to.

PETITIONS

Life Sentences

10.14 pm

Mr. David Jamieson (Plymouth, Devonport): I wish to present a petition on behalf of the relatives of Jean Crowie, who was murdered by her husband 17 years ago. Her body was buried in the garden of the marital home and not discovered until August 1994. Her family are outraged that her husband, William Crowie—who showed little remorse in court—was sentenced to only five years' imprisonment. The petition reads:

To the House of Commons. The petition of the people of Plymouth and the South-West declares that in Lincoln Crown Court on 13 October 1995, William Crowie was sentenced to five years' imprisonment after murdering his wife and concealing the body in the back garden of his marital home for 17 years.

Therefore your petitioners request that the House of Commons pass legislation to provide for mandatory life sentences for those who commit murder. And your petitioners remain as in duty bound, will ever pray &c.

The petition is signed by Rose Hayes and Wendy Jasper, sisters of Jean Crowie; by Malcolm Westmore and Andrew Edwards, the brother and son of Jean Crowie respectively; and by 2,000 other people.

To lie upon the Table.

Postcodes (Beddington)

10.15 pm

Mr. Nigel Forman (Carshalton and Wallington): It is my pleasant duty to present a petition signed by Mr. Brian Keenan of 22 Bristow road, Beddington, and a large number of local residents in the Beddington North ward in my constituency and their supporters.

The petition draws attention to the problem of postcodes in Beddington and the fact that too many of my constituents feel disadvantaged by the way in which the Royal Mail persists in allocating a Croydon postcode when they want a Sutton postcode, reflecting their actual geographical location in the London borough of Sutton. The petition reads:

To the House of Commons. The petition of the Residents of Beddington North ward within the London Borough of Sutton and their supporters declares that the petitioners wish for their addresses and postcodes to reflect truly the actual geographical location of their residences, in place of those of the neighbouring borough of Croydon, which have been imposed by Royal Mail.

The petitioners therefore respectfully request the House of Commons to find time to debate and request the Minister of the Crown responsible to arrange for the necessary corrective action to be taken. The petitioners remain hopeful that their wishes will receive the favourable consideration of the House of Commons, for which they will be truly grateful.

To lie upon the Table.

Homepower (Closure)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Coe.]*

10.17 pm

Mr. David Hinchliffe (Wakefield): I am most grateful for the opportunity to express my concerns and those of some of my hon. Friends about a situation that has led to more than 800 people mainly in Yorkshire, Humberside and the east midlands losing their jobs. Those job losses are a direct consequence of the Government's privatisation of the electricity industry and pose serious questions about the most basic right of employees when redundancies arise.

I declare my membership of the Unison trade union, which represents many of the people directly affected. From my knowledge of the events leading to those huge job losses, the Unison officers concerned are to be strongly commended for striving long and hard to represent their members' interests in an extremely difficult situation. I am particularly grateful to Mr. Dave Mitchell, the Unison district officer, for the help that he has given some of my constituents.

My interest in the matter started with concern for the future of the former Yorkshire electricity board showroom in Wood street, Wakefield. That showroom has existed for as long as I can remember, and has, over the years, given excellent customer service to many of my constituents, particularly elderly people and those with low incomes who have traditionally paid their electricity accounts there through regular contributions.

Following privatisation, the regional electricity companies reviewed their retail operations, and in July 1993 Homepower Retail Ltd. was formed as a joint venture between Yorkshire Electricity and East Midlands Electricity. Later that year, following a ballot, the Homepower Retail employees accepted substantial reductions in pay, in many instances by £3,500 per annum, and reduced holidays and other conditions, as part of an attempt to reduce the new company's cost base. Despite those changes, the sales performance remained poor; by early 1995, Yorkshire Electricity and East Midlands Electricity were looking to sell Homepower, and a major shop closure programme was proposed in readiness for the sale, involving 27 of the 59 outlets in Yorkshire and Humberside.

I raised my concerns about the future of Homepower at a reception held in the House of Commons by Yorkshire Electricity in March last year. A number of my hon. Friends who are in the Chamber today were present at that time. I was concerned to be told that evening that the Wakefield showroom was to be included in the closures.

The following morning, I arranged for my constituency researcher to visit the showroom for a dialogue about how we might support attempts to retain that important facility. The staff there had no knowledge of the closure proposal. I was told subsequently by Yorkshire Electricity that it had made a mistake, and that the Wakefield showroom was to stay open for the time being.

Two severance packages were offered to those involved in the closure programme at the time. The first was a maximum payment of 18 months' salary to someone with 25 years' service leaving in 10 days. The second,

[Mr. David Hinchliffe]

a reduced package for those refusing an offer of suitable on-going employment, was seven-and-a-half months' salary for someone with 25 years' service.

PowerStore, which owns electricity stores in the south of England, bid for Homepower, and a business transfer agreement was made on 21 February 1995. However, the completion and actual transfer of the stores and employees did not take effect until 8 May 1995. Mr. Clive Vlotman, the chairman of the PowerStore group, issued a letter dated 10 March 1995 to the recognised trade unions giving assurances which said:

"That as a minimum, the overall value of existing terms and conditions will be maintained and indeed, in some areas, more beneficial arrangements will be proposed

That any member of staff transferring into Powerstore from Homepower Retail, who within the period of 12 months after completion, find themselves in a redundancy situation, receive the same terms as to compensation on termination of employment (except for those relating to occupational pensions) as those offered to redundant employees as a consequence of the business transfer."

Staff transferring to the new employer received a payment of £1,300 in recognition of loss of benefits such as pension and share save entitlements. I understand that the purchase price for the business was only £2, and that an agreement was reached between the vendors and the purchasers to the effect that, if the number of employees to be transferred increased, Yorkshire Electricity and East Midlands Electricity would reduce the purchase price of the stock by between £1,000 and £7,500 per employee, depending upon the category of the employee.

In correspondence with me, the chief executive of Yorkshire Electricity confirmed that his company and East Midlands Electricity

"did many things to give PowerStore a good start."

One of Yorkshire Electricity's senior managers, in a telephone conversation with me on 20 May, denied that his company's actions in this respect were motivated by a wish to avoid severance costs in respect of Homepower employees. Those directly affected seriously question that point.

As the Minister will be aware, Homepower went into administration on 29 April. He may have some knowledge of the circumstances from the contents of Mr. Clive Vlotman's affidavit and the report prepared by Arthur Andersen, the administrator. On 29 April, the trade unions were advised that redundancies could result, and that it might not be possible fully to comply with the consultation requirements in legislation.

On 1 May, the trade unions had the first formal meeting with the administrators, with Unison stating that it considered the 29 April letter to be a declaration of redundancy, with the consequence that Clive Vlotman's guarantee of severance payments in the letter of 10 March 1995 must apply. At that stage, the administrators said that, while redundancies were likely, no definite decision had been made—although temporary and agency employees had already been removed from head office.

The administrators would make no redundancy payments, and claims were to be against the Department for Education and Employment redundancy fund. Confirmation was given that, if another electrical retailer bought the business in whole or in part, transfer of undertakings legislation would be likely to apply.

On 3 May, the administrators advised by telephone that they intended to make 17 individuals redundant later that day. They withdrew the proposal after a threat from the trade unions to seek a court injunction. I am told that, at a meeting with the trade unions six days later, the administrators refused to produce information on prospective purchasers, detailed proposals on redundancies or information concerning selection criteria and the method of implementation. Health and safety concerns were raised at that meeting, because employees in shops had been threatened with violence by customers who had been refused either refunds or access to previously purchased goods, on the instructions of the administrators.

On 13 May, the administrators stated that 31 stores were to be closed, with about 250 job losses and a further 20 to 25 job losses at the head office at Normanton near Wakefield. Employees were sent home immediately, and selection appears to have been based on who was in the shops at the time.

Later—I believe on 20 May—the logistics department and all drivers were made redundant. The drivers received a letter calling them to a meeting at Normanton. They were told to bring their vehicles for inspection. Once they had all gathered at the meeting, their keys were collected and they were told that they were dismissed and should go home. Only after a protest were they given their bus fares.

On 30 May, the administrators advised of an additional round of closures, again without prior consultation or notification, with a further 295 retailing jobs to go. That meant that trading was taking place in only 20 of the 85 shops originally taken into administration. By that point, only 56 employees remained at head office and 154 at the remaining 20 shops.

As a consequence of the shop closures, an associated company—Powerdirect Receipting, which collects electricity accounts through its shops—had to advise its work force of 203 that their employment was being terminated, by reason of redundancy, with effect from 31 May. By that date, more than 800 people had lost their jobs as a result of the company being in administration, the vast majority of whom had no advance notification—merely being turned away from work or being told not to turn up the following day.

A number of my Wakefield constituents have been directly affected, not only by the shabby way in which their employment was terminated, but by the financial implications.

My constituent Mrs. Wendy Gosnay, of Thornes, Wakefield, worked for Yorkshire Electricity and its successor companies for eight years, including two on a youth training scheme. Her employment at the Castleford store ended on 17 May. She expects a baby at the end of August and will lose maternity benefits as a direct result of this affair. She has been advised that she is owed nearly £8,500 in redundancy payments.

My constituent Mrs. Beverley Finnerty, of Alverthorpe road, Wakefield, lost her job at the Dewsbury shop on 31 May. She wrote to me on that day and said:

"I am one of these poor unfortunates who worked for Yorkshire Electricity for 12 years, only to be sold like a piece of meat to a company owned by Clive Vlotman . . . along with my colleagues, I viewed this sell-out with some trepidation but I was assured by my Counsellors (one of who was employed by Yorkshire Electricity), that should the new venture fail within twelve months, we would be

entitled to the same redundancy package as staff not required by the new company in May 1995 . . . suffice it to say that Yorkshire Electricity now denies all knowledge of their promise . . . to add insult to injury, the administrator, Arthur Andersen, has treated the workforce with the sensitivity of a military junta, laying people off as they come in to work, denying holiday entitlements etc.

"To our tired and dispirited little workforce, it seems that everyone has washed their hands of us and this is the second time in a year that this has happened."

Mrs. Finnerty has lost more than £13,000 in redundancy payments.

Other staff who were counselled by Yorkshire Electricity before the transfer described the way in which certain counsellors employed by the company left the room to check with the main business before returning to confirm that the severance guarantee was underwritten by Yorkshire Electricity and by East Midlands Electricity.

The staff I have spoken to are firmly of the opinion that those companies—the original owners—bear a very clear responsibility for the situation that their former employees now find themselves in. They firmly believe that the disposal of the company to Mr. Vlotman was undoubtedly a means by which to avoid what would otherwise have been substantial severance costs.

The point has also been made that Yorkshire Electricity and East Midlands Electricity should have ensured that Homepower was being sold to a reputable business man with the ability to safeguard the business and its employees. The business's failure within 12 months clearly suggests that that was not the case.

In my view—I reflect the views of those who have lost their jobs—although Yorkshire Electricity and East Midlands Electricity may be able to avoid a legal responsibility for the redundancy costs, they have a very clear moral responsibility for what has happened to their former employees.

The Government brought about the privatisation of this industry, and they, too, have a responsibility to ensure that those companies properly compensate their employees for what has happened. At the very least, the companies should bridge the gap between the statutory redundancy paid by the state and the enhanced severance that would be due if the company had closed in May 1995.

The Government also have a responsibility to ensure that laws on redundancy procedures are followed to the letter in relation to advanced warnings and consultation. They should ensure that administrators do not see themselves as above the law, and that they concern themselves with employment rights as well as with creditors' interests.

There is a fear that, following the likely closure of all the stores, a management buy-out or external purchaser may then reopen a part of the business and recruit new staff in an attempt to avoid the requirements of the Transfer of Undertakings (Protection of Employment) Regulations 1981.

I end with my concerns about the impact of this affair on consumers. Yorkshire Electricity has told me that customers can now pay bills at post offices. They cannot, however, query bills at post offices, or seek advice there on issues related to their electricity consumption. That facility is no longer available to those—particularly elderly people—who prefer and need face-to-face contact. I have been told of a queue of elderly people forming outside one of the PowerStore shops in Huddersfield the day after it had closed. The people involved had no idea how to make alternative arrangements.

It has also not gone unnoticed that, immediately before the Yorkshire Electricity and East Midlands Electricity sale to PowerStore, the company had actively encouraged customers to buy through credit arrangements. Many customers took on such commitments and made their repayments to credit companies through the shops on a weekly or monthly basis. This is no longer possible, and may well result in serious difficulties for many consumers.

I believe that the Government have a direct responsibility for all the problems I have identified. I hope that the Minister will face up to that responsibility and make it clear how the Government intend to deal with the various issues to which I have referred.

10.35 pm

The Minister for Competition and Consumer Affairs (Mr. John M. Taylor): It is conventional on these occasions for the Minister to congratulate the hon. Member who has secured the Adjournment debate, but I do not think that the hon. Member for Wakefield (Mr. Hinchliffe) wishes me to use that idiom, because he has raised an issue that is clearly of concern in his constituency and others. Indeed, it is an important matter that raises the question of the proper protection of employees on the transfer of their employer and in the unfortunate case of their employer becoming insolvent.

The hon. Gentleman will understand that I was not privy to any of the arrangements and do not know where the residual liabilities lie, but there are courts and tribunals that can test those matters, and, if it is alleged that there has been behaviour of an even more serious nature, complaints can be made to the appropriate prosecuting authority.

The hon. Gentleman referred in particular to the fact that, in his view—I am sure that he expressed it in good faith and that he speaks for others, too—the administrator did not comply with the redundancy consultation legislation. I should like to reply to him right away on that point on the record, because the questions that he raises are matters on which legislation provides for a complaint to be made by a recognised trade union or other representative—they do not necessarily have to be trade unions—to an industrial tribunal, which may award compensation. I ask the hon. Gentleman to examine that possibility with those whose advice he values. It is not for me to comment on the administrator's actions. If a complaint is made, it will be for a tribunal to determine whether there has been any breach of the law.

It is always unfortunate when an employer becomes insolvent. Employees, of course, may be particularly vulnerable in such circumstances. Our law has long recognised that, and provided particular safeguards. I shall return to that issue later. Before then, and in view of the time constraints on Adjournment debates, I must ask the hon. Gentleman, in the spirit of a conversation that we had before the debate began, that if there are any points which, through a lack of time—not an absence of willingness—I do not manage to get around to, please to mention them again to me, preferably in writing, and I shall ensure that they are all properly looked into.

I understand that Homepower Retail Ltd. was a loss-making retail joint venture. It was owned by Yorkshire Electricity Group plc and East Midlands

[Mr. John M. Taylor]

Electricity plc. The company was acquired on 8 May 1995 by Homepower Stores Ltd., which is part of a larger group of companies headed by PowerStore Holdings Ltd.

The hon. Gentleman outlined a litany of events. I can show him the timetable of events as I understand them, and send him a written version rather than take more of the time available tonight. I dare say that we agree on some of the core facts anyway, so a second recitation of them by me will not help the hon. Gentleman or his constituents.

At the end of May, the administrators concluded that, because the industry had expressed no interest in taking on a major electrical retailer, a sale as a going concern would not be possible. Job losses on the scale that followed are always to be regretted. I am sure that we all hope that those people who have been made redundant are able to find suitable new employment quickly.

The Government have long recognised that, when a business is sold over the heads of employees, special protection may be required to ensure that their interests are protected. Such protection is provided by the Transfer of Undertakings (Protection of Employment) Regulations 1981—commonly known as the TUPE regulations.

Those regulations provide, among other things, for employees' contracts to be transferred to their new employment; for the dismissal of employees in connection with a transfer to be automatically unfair unless it is for a genuine economic, technical or organisational reason—for example, genuine redundancy that would have occurred irrespective of the transfer of the business; and for representatives of the employees to be informed and consulted about any measures to be taken in connection with the transfer. That was quite a central point of the hon. Gentleman's dissatisfaction.

The regulations provide a detailed package of measures aimed at providing protection for employees in such circumstances. It is not for me, however, to say when the regulations apply in specific cases; that is a matter for the courts and tribunals, but the proper statutory framework exists. In respect of the acquisition of Homepower, I understand that the arrangements for staff who transferred were discussed and agreed with the trade unions concerned.

I also understand that, in addition to any statutory rights that the employees had on the acquisition of Homepower Retail, employees who transferred to the new company were given a guarantee that they would receive an enhanced redundancy payment if they were made redundant within 12 months of the transfer.

I believe that there is some dispute about who is responsible for that commitment—whether it is Homepower Stores Ltd., which is now unable to meet it because it has become insolvent, or Yorkshire Electricity and East Midlands Electricity. I believe that the two electricity companies and the administrator are all strongly of the view that it was an undertaking given by the purchaser of the business.

Whatever the facts of the matter—it would not be right for me to comment further, as it was a purely commercial transaction in which the Government were not involved in any way—I fully appreciate the distress and worry felt by the employees concerned. Therefore, it may be helpful if I explain the assistance that my Department can give in such circumstances.

When an employer is insolvent, any employee who is entitled to a statutory redundancy payment may apply for payment from the national insurance fund. Payment is usually made within about six weeks and often, in a straightforward case, more quickly. I am aware that we have already received some claims from former employees of Homepower, and I can assure the House that we will make payments as quickly as possible. Indeed, I hope that the first payments will be authorised this week.

My Department can offer help with other debts owed to the former employees. There is a guarantee covering any arrears of wages, holiday and notice pay due to them and we are also able to make contributions into the resources of a pension scheme in respect of unpaid contributions due from the employer.

Unfortunately, at this stage, I am not clear what payments may be due to the employees, but I note from the hon. Gentleman's comments tonight and his early-day motion 916 that, for example, there may be an issue concerning deductions from the employees' pay in respect of union contributions that have not been paid over. We may be able to reimburse the employees, as it would count as arrears of pay.

It has been suggested that the remaining solvent companies in the PowerStore group should take responsibility for the guarantees given to the Homepower employees at the time of its acquisition. It is, of course, not unknown for a parent company to support an ailing subsidiary and, at first thought, it is rather tempting to suggest that this might be underpinned by some statutory mechanism. I am sure that the hon. Gentleman will agree, however, that the net result could be to pull down other companies in a group.

It is not unusual to have a group of companies, some of which at any particular time are flourishing, and some of which are not. If one limited company were forced to underwrite the actions of another, the effect might simply be to damage the interests of employees in the profitable parts of the group, raising questions as to why the interests of employees and others associated with those parts of the group should suffer through the actions of another company. I respectfully say that that would not make sense.

The hon. Member for Wakefield called for the establishment of an urgent inquiry into the affair. I understand that it is tempting, each time we see a situation with which we do not agree, to call for a Government inquiry. I must inform the hon. Gentleman, however, that, while the Secretary of State has powers of inquiry under the provisions of the Companies Acts 1985 and 1989, those powers may be exercised only when there is good reason to suspect fraud, misfeasance or misconduct in relation to the affairs of a limited company.

It may be part of the hon. Gentleman's allegation that such things exist. If so, I shall not, of course, stand in the way of his advancing the giving of information and the laying of due process. The powers are not intended as a substitute for, or in any way to be supportive of, the usual civil remedies available to creditors, including employees or former employees who are in dispute about their contractual entitlements.

To return to the main thrust of the debate, I think that there is substantial agreement between us that there is a need for proper protection for employees whose employer

is sold over their heads or who may be affected by corporate insolvency. We believe that we have established the proper framework through which such rights and protections may be exercised. It is a matter for the courts and tribunals to determine whether there has been any breach of the law. That is not a matter for the Government. In my experience, trade unions—the hon. Member for Wakefield has said that he is associated with one—have skills and knowledge in the general area, and I have no doubt that the hon. Gentleman will be consulting them further.

I hope that hon. Member for Wakefield will take some comfort from the assistance that is available to former employees of Homepower. I am sure that, with the progressive and sustained improvement that we have seen in the economy, many of them will soon be back in suitable employment, but it is not for me to palliate, mitigate or in any way deny the sheer misery of losing one's job, especially in such circumstances.

Question put and agreed to.

Adjourned accordingly at thirteen minutes to Eleven o'clock.

House of Commons

Wednesday 12 June 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Child Benefit

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Coe.]*

Mr. Nigel Evans (Ribble Valley): It is always good to follow my hon. Friend the Member for Falmouth and Camborne (Mr. Coe), who has just delivered his maiden speech as a Whip. I congratulate him on that. I hope that many of his subsequent speeches will be equally short.

We have a great opportunity this morning to discuss an issue that is important not only to me, but to many other hon. Members. There has been much discussion—a lot of heat rather than light—about child benefit. The question whether child benefit for 16 to 18-year-olds should continue has been turned into a token of political virility by Labour Members as they try to demonstrate, within their current internal battle, where the soul and heart of the Labour party lie.

Many of us have in our constituencies youngsters of 16 to 18 who are in further education and whose families receive child benefit. I have estimated that more than 8,000 young people in my constituency would be affected by any plans to stop child benefit for families who have youngsters at sixth-form colleges and schools. They study in Ribble Valley and beyond, in places such as Preston college, Clitheroe royal grammar school, Queen Elizabeth grammar school, which is just outside my constituency, and Stoneyhurst, which is at the heart of it.

About 7 million families receive child benefit for about 13 million children. It was phased in between April 1977 and April 1979, replacing the redundant child tax allowance and the family allowance. I requested this debate to show why child benefit is so effective and why it is that Labour Members should speak out in support of this vital benefit which helps so many families. It has become clear that the issue is more than just a row over spending; it has become an issue of social justice. Child benefit gives money to families effectively by providing for the children at whom it is targeted at a time when they most need it.

No one can argue that limited resources should not be spent carefully and effectively, but to raid the child benefit kitty in order to appear responsible is as damaging as making an assault on the old-age pensioners' Christmas bonus, as was done in 1975 and 1976. It is the Conservatives who have proved their ability to control Government spending while targeting benefits more effectively. The Secretary of State for Social Security has won almost universal praise for the way in which he has trimmed welfare spending. He will save £5 billion by 2000 and £14 billion into the next century, while maintaining essential public spending such as universal child benefit.

It is safe to assume that we are all agreed on the benefits of education, not just to the individual, but to the economy as a whole. Surely, then, we should look at ways in which to ensure that young people get the best opportunity to further their education. There should be no dogmatic obstacles in the shape of a new tax to hinder young people in getting a good education. Perhaps this is just a softening-up exercise, the beginning of a tax continuum, with a new tax at 16, a graduate tax penalising higher education later, and finally, a good kicking in the world of work with penal rates of taxation after full-time education.

The Government have proved time and time again that they back education, with Government funding for further education and training at more than £3.5 billion for 16 to 18-year-olds. The number of young people staying on at school after 16 has now reached 72 per cent.—up from 59 per cent. in 1979. Even among the children of unskilled parents, the staying-on rate has reached 56 per cent., compared with 20 per cent. under the last Labour Government. That is due at least in part to the opportunities delivered by child benefit.

Dame Elaine Kellett-Bowman (Lancaster): Does my hon. Friend agree that child benefit is of particular importance to Lancashire, where the wage rate is lower than in many parts of the country? We also have exceptionally good secondary schools in my constituency, including two grant-maintained grammar schools and a specialist language school. Therefore, people go to endless lengths to try to keep their children at school. If we kick them in the teeth with a tax of £550 for every child who stays on at school, that will be an enormous deterrent and will send fewer students to the excellent university of Lancaster.

Mr. Evans: My hon. Friend makes a strong case. I know that she feels deeply for the young people who benefit from education in Lancaster, who, we hope, will go on to university having left full-time education at 18.

In 1979, one in eight children went to university; now, the figure is one in three. The last thing we want to do is reverse that trend. We want to give young people the opportunity to realise their full potential. That is what I fear is at the heart of the matter. If families are denied child benefit, some young people will have to decide whether they can remain in full-time education. Many young people in Lancaster and elsewhere may be forced out of full-time education because of this dreadful punitive tax.

Mr. Michael Fabricant (Mid-Staffordshire): Does my hon. Friend agree that Labour's proposed tax—he is quite right to say that it is a tax—is the most regressive of all taxes? Is it not typical of Labour to propose a tax that would attack the very people they profess to support—those most unable to help themselves? Is it not typical that the Labour party always goes not for the highest common factor, but for the lowest common denominator? Labour would tax to drive people down, and in this case it would drive down their education.

Mr. Evans: My hon. Friend, in an intervention on his birthday—we all wish him well—is absolutely right.

[Mr. Evans]

Removing £10.80 a week from the families of those with children between 16 and 18 in full-time education would be proportionately more damaging to those on lower incomes. Those who are extremely well-off may not miss it so much, but it would target everybody between 16 and 18. It is important that everybody should have access to child benefit irrespective of their means, as there is an important principle at stake.

Lady Olga Maitland (Sutton and Cheam): Does my hon. Friend agree that Labour is proposing essentially a dog in the manger tax? The Labour party is deeply resentful of hard-working middle classes scrimping and saving to keep their children at school. Penalising those people by £1,000 to keep one child in school for those precious two years to give them the opportunity of going from further education into university is frankly mean-spirited and unworthy, and I am delighted that my party opposes that policy with great vigour. Does my hon. Friend agree that we have to do away with that cheap attitude?

Mr. Evans: My hon. Friend is absolutely right. It is a tax of more than £1,000 over a two-year period, at a time when families would need the money most. I imagine that keeping 16 to 18-year-olds is most expensive, with all the designer clothes they demand.

Lady Olga Maitland: Trainers cost more than £100.

Mr. Evans: As my hon. Friend says, trainers cost more than £100.

A tax of £1,000 would be extremely damaging to many families. Child benefit is £10.80 a week, or about £560 a year per child. That would make a difference to a youngster either staying at school or being forced to get a job, especially as 90 per cent. of expenditure on child benefit goes to families on middle and low incomes. Opposition Members may concentrate on the minute percentage of families with very high incomes and ask why they should receive child benefit, but the vast majority of families are on middle or low incomes.

That is the reason for the existence of child benefit. Its success lies in its simplicity, as demonstrated by the fact that almost 100 per cent. of mothers who are entitled to claim it do so. As my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) said, the poorer the parents are, the more important it is as a percentage of their income.

The bogey that is thrown up time and again by the Labour party is that a small number of families with children at fee-paying schools are able to claim it. Let us look at the figures. Some 75,000 of the 1.1 million youngsters whose families receive child benefit are at fee-paying schools—about 10 per cent. of 17-year-olds in full-time education. That is a small price to pay to ensure that the bulk of the money goes to those at whom it is targeted.

Many children who attend independent schools are on grants bursaries or scholarships. The fact that they attend independent or private schools is no clear indicator of the wealth of the family. They may have been fortunate enough to be able to gain a bursary, a grant or an assisted place. The removal of child benefit would not only be a tax on fortune, but a tax on the good fortune of the families of children who gain places at those schools, if that is the education they want for them. Again we see Labour returning to its familiar pattern of the politics of envy.

To take the benefit away from those people and target it on those who earn considerably less would be almost impossible without creating additional costs, and thus balancing out any perceived gains. There would have to be massive bureaucracy to put in place the social engineering of the Opposition.

According to the Coalition for Child Benefit:

"Child benefit is cheap to administer with such costs taking only 2 per cent. of its overall budget".

Any other way of administering child benefit would cost much more, and that would surely defeat the desired object of the exercise for the hon. Member for Dunfermline, East (Mr. Brown).

Although child benefit was introduced by the Opposition during their last Administration—I emphasise the word "last"—it was supported in principle by all parties, and has been supported in the past even by the hon. Member for Dunfermline, East, the Labour party now wants to remove it.

In the Conservative consultation paper "Reform of Social Security", published in 1985, the Government committed themselves to keeping child benefit, and reaffirmed that commitment in the 1992 manifesto, even though they had made a detailed study of the alternatives. The document explained:

"The first aim in helping families is to provide help generally, while the second is to provide extra help for low-income families. It would be a serious mistake to confuse these quite distinct purposes or to seek to restructure benefit design to meet one aim at the expense of another aim."

That is especially true today, and the hon. Member for Dunfermline, East was in favour of increasing the benefit at the time of the consultation document. He said in an Opposition Day debate on 27 June 1985:

"Child benefit could be doubled or at least raised by £6 . . . An increase in child benefit . . . would be a . . . cost-effective way . . . to ease family poverty".—[*Official Report*, 27 June 1985; Vol. 81, c. 1122.]

If it was right then, what has changed now?

Originally, child benefit was seen as having three main advantages over the provisions it replaced—the child tax allowance and the family allowances. First, it helped those families that did not benefit from child tax allowance because they did not earn enough money to pay tax; secondly, it was payable for the first child and was tax-free; thirdly, it put the money for the care of the child directly into the hands of the mother. For some mothers, it may be the only reliable source of income, if they do not have access to their husbands' earnings, for whatever reason. Those advantages remain true today, and affect only the children they were meant for. The proposals of the hon. Member for Dunfermline, East would inevitably take those advantages away.

I know that not every member of the people's party believes that parents should be clobbered in this way. Indeed, such a betrayal of families will come very hard to some Opposition Members. It will be interesting to see whether they, too, sacrifice their principles in the pursuit of power. For example, the hon. Members for Brent, East

(Mr. Livingstone) and for Hackney, North and Stoke Newington (Ms Abbott)—who would have thought that I would ever utilise those characters as part of my defence?—would support my arguments. In a letter to *The Guardian* of 23 April this year, they wrote:

"the party leadership needs to stand by its past pledges to retain Child Benefit in full".

They are right.

The Parliamentary Under-Secretary of State for Social Security (Mr. Andrew Mitchell): In quoting that senior Labour source, my hon. Friend has put his finger on the nub of the debate. If there is no case for child benefit for 16, 17 and 18-year-olds, is that not the thin end of the wedge? Surely, if there is no case for child benefit for that age group, the whole principle of universal child benefit is undermined by Labour's proposals.

Mr. Evans: Absolutely. The philosophy and the principle are at stake, not just the provision of child benefit for 16 to 18-year-olds. If the proposal is implemented, everything else will be up for grabs.

Another Opposition Member who agrees with our position is the hon. Member for Islington, North (Mr. Corbyn). He wrote in the *Evening Standard* on 19 April:

"I know of many young people and families who rely on Child Benefit to help them out and enable them to continue in education."

He is right. According to the hon. Member for Birkenhead (Mr. Field), the loss of child benefit as a universal benefit would create a poverty trap by making it more economically worth while for low-income mothers to give up their jobs and claim benefits. He, too, is right.

A quarter of families currently receiving child benefit for children aged between 16 and 18 are claiming other income-related benefits. The change could result in members of families that formerly enjoyed child benefit, but who are now just above the threshold to receive the new upgraded level, deciding that it is more worth while to give up work and collect benefits. New Labour would create a new poverty trap.

The loss of working people would have two obvious results. First, unemployment queues would increase substantially; secondly, a much bigger burden would be placed on the taxpayer as more people claimed other benefits.

The existence of a benefits system that encourages people to live off the state is exactly the kind of poverty trap that we should be striving to eradicate. Surely this cannot be the way in which we want to run our welfare state. We need to get people to stay in education rather than taking the option of becoming unemployed because short-sighted politicians have foolishly made that more economically rewarding. The fact that child benefit is not taken away if a family's overall income goes up could act as a work incentive, but it certainly is not a disincentive to work hard, earn overtime and so forth.

Sally Witcher, director of the Child Poverty Action Group, has also come out against plans to reform child benefit. On 19 April, in a press release, she said:

"If you remove Child Benefit, how are young people's basic needs going to be met? We recognise the value of training and education but we don't want the benefit taken away".

Several alternatives have been discussed at one point or another, but none is as effective as child benefit. What about means testing, for example? It would ensure that take-up rates for the benefit fell, even among those on low incomes, because—for whatever reason—some would see it as degrading. They might decide not to bother to claim the benefit, feeling that it would seem as though they were sponging. They would not be, however. That is the one thing that child benefit gets over.

Means testing would achieve the aim of saving money in one area, because people would not be claiming the benefit, but it would be a false economy. Children would have to leave school, and some would claim other benefits—income-related benefits, or even the dole. What is at stake is not just child benefit for a few rich kids; it is the principle that is under fire. The very soul of the child benefit system is under attack.

Moreover, as the Minister has said, means testing would be only the thin end of the wedge. If the philosophy is to remove child benefit from 16 to 18-year-olds and target families with lower incomes, why stop at 16? What about 14, or even 12? In fact, if the principle is right, why impose any age limit?

Is this the secret agenda on which we are about to embark? Will the proposal be aimed not just at 16 to 18-year-olds to save £700 million, but at every family in the land? If that happens, and child benefit is means-tested, the vast majority of families will be under direct attack, and will lose a universal benefit that they treasure.

Lady Olga Maitland: Would not means testing be an extremely divisive way of going about our business? We should have to work out the level at which to carry out the means test, which in itself would prompt a big debate. If the level is too high, we shall be chucking money across the country, when a broadly based system would be far fairer. Alternatively, only a small number of people will receive a bloated sum, leaving a marginalised group desperate and unable to keep their children on at school. Means testing was a much hated system; how can the Labour party possibly want to bring it back?

Mr. Evans: I agree. The level at which the system is introduced will be important, because, whatever it happens to be, some people will be just above it. That is where the new poverty trap comes in. I suspect that the means test will be so punitive that many people will be drawn into that trap. This is nothing more than a raid on the wallets of families: it is stealing £10.80 from mothers' purses, week in, week out. We must stop it.

Today it is child benefit; what state benefit will be targeted next? Where will Labour turn its spotlight? Although the hon. Member for Dunfermline, East has said that Labour has no plans to introduce means testing of child benefit as a whole, his record is lamentable. As his shadow Treasury gains in strength, who knows what other U-turns in Labour policy he will have up his sleeve?

Other alternatives that have been suggested include child care allowances and taxing child benefit. Both ideas are fatally flawed, the first because it would not help children whose parents are not working, the second because it would introduce anomalies and divert resources from the intended target—the children.

It is obvious that changing the child benefit system by means of some form of tax mechanism will inevitably disadvantage some children, especially given that child benefit took the place of the discredited child tax

[Mr. Evans]

allowance in the first place. To abolish it for those who wish to continue their education would be the equivalent of imposing a selective tax increase of 5p in the pound on the average family with one child aged between 16 and 18. Furthermore, tax allowances simply add to the family income as a whole, rather than producing specific sums of cash for children, as child benefit does.

Another downside of taxing child benefit has been pointed out by various people, including the Child Poverty Action Group. Taxing the benefit for higher earners would cut right across the important principle of individual taxation for men and women. It would fail in the end, simply because a non-working wife would not be affected even if her husband was earning £100,000 a year. Or will that principle be up for grabs as well?

To change a benefit which, it is almost universally agreed, works where, when and how it should, and to introduce the failed mechanism that it replaced originally, is nothing short of madness. Child benefit offers the only easy, clear and effective way of providing an incentive for children to stay at school after the age of 16, and we should not throw it away.

Child benefit provides all our youngsters with an incentive to continue their education, irrespective of the means of their families. It provides an extra £560 a year, which for those youngsters could mean the difference between staying at school and being forced out to get a job before they wish to. Child benefit is successful, because nearly 100 per cent. of mothers collect it. It is simple, clear and effective. Withdrawing it would be like imposing an extra 5p in the pound in tax on average incomes. This proposal is ill thought out, and should be chucked out.

If our youngsters do not get the education they deserve, and if families do not get the support that is their right, it will not just be the youngsters and their families who suffer, but all of us. This country will suffer for years as this spiteful act of small-minded envy works its way through the system.

9.59 am

Mrs. Audrey Wise (Preston): I am completely opposed to the withdrawal of child benefit from 16 to 18-year-olds, but Conservative Members would be wrong to think that that means that I am with them on this issue. I was interested that the hon. Member for Ribble Valley (Mr. Evans) did not attempt to use my name in support of his argument, although, as a neighbour of mine, he knows my views. I am here to make my views clear, and I will not allow them to be distorted by Conservative Members.

So far, the debate has been absolutely fascinating, and I shall treasure the *Hansard* report. Conservative Members have given a commitment to universal benefits, referred to "our welfare state" and come out against targeting, giving a good explanation of its drawbacks and disadvantages. It is unusual to hear those views from Conservative Members, who normally tell us about the advantages of targeting. It is Labour Members who usually talk about the administrative costs, unfairness and lack of take-up of targeted benefits. There has now been a conversion, and it is the Government who are in favour of universal benefits. I shall look at the future utterances of Conservative Members on this subject with great interest.

The hon. Member for Sutton and Cheam (Lady Olga Maitland) said that Labour would bring back the hated means test, but I can tell her that it has never gone away. Means test after means test is carried out in pursuit of that darling of the Conservative party, targeting. If Conservative Members are to debate the matter convincingly, they will have to do more homework. The hon. Member for Ribble Valley suggested that the proposal to remove child benefit might lead to youngsters claiming the dole, but they cannot do so. The Government have waged war on 16 to 18-year-olds and their families, and I say that advisedly.

The hon. Member for Ribble Valley talked about Labour's meanness towards what he referred to as "old-age pensioners"; the modern term, I believe, is "retirement pensioners". That is rich from the Tory party, one of whose first acts in office was to ensure that retirement pensioners would no longer share in any increase in national prosperity, by breaking the link between pensions and earnings. That immense attack has cost pensioners dear, year after year. We are not talking about one frozen Christmas bonus, but about pensioners receiving less, week after week, year after year. If the hon. Gentleman is going to delve into history, he should do so a little better.

I am very much in favour of social justice and the maintenance of essential public spending, but it is news to me that that spirit motivates the Secretary of State for Social Security. If so, why was an order laid before the House on Friday concerning the withdrawal of mobility allowance from people in NHS care? I am pleased to see that the order is to be prayed against by my right hon. Friend the Leader of the Opposition.

That allowance has been accepted as necessary for vulnerable people since its inception about 20 years ago—it was, of course, introduced by a Labour Government. Some £40 million will be saved by an act of meanness that will affect children, as well as adults, and the most vulnerable 16 to 18-year-olds who are unable to work because of disability. If they happen to be in NHS care, bang goes their mobility allowance. Then the Conservatives have the nerve to accuse Labour of meanness and to claim that they stand for social justice.

A distinct ignorance about young people has been shown in the debate. When child benefit was introduced—and family allowance before it—it did not extend to youngsters over 16 who left school or full-time education, because it was assumed, correctly, that they were going to work. If they were at work, they would have an income, would be making a contribution to the family budget, and would have some money left over for themselves. They would therefore not be treated as dependent children.

Youngsters who leave school now have no income, and that has introduced unfairness into the system. My hon. Friends on the Opposition Front Bench are wrong if they think that the way in which to deal with that is to remove, or partially remove, the payment of child benefit.

We must ensure that young people and their families are not left without income. But the claimed lack of universality of the benefit arose because, at the time it was introduced, it was not necessary to go on paying those youngsters child benefit, because they would be going to work. Later, it was thought that youngsters in that age group would receive training and a training allowance. So

a youngster could be at school or in full-time education and getting child benefit; in training and receiving an allowance; or in work and getting wages.

It is unfortunate that work has just about disappeared for 16 to 18-year-olds, and training and training allowances are woefully inadequate. Not enough suitable training is available, and some 16 to 18-year-olds are left in limbo. That matter should be addressed, and my hon. Friends intend to do so. I give them full credit for reviewing the situation; the Government do not review or consult—they simply act against young people.

The review will have caused my hon. Friends to concentrate their minds because of the strong objection to the removal of child benefit from Opposition Back Benchers and from within the Labour movement. But Labour's opposition comes from people who are consistent in their determination to safeguard the rights of young people, whereas the Conservative party is simply engaging in some mischievous politics to try to stir up trouble.

I can assure Conservative Members that there is no need for them to tell Labour Members how to make their views on the matter clear to Opposition Front Benchers—we will do so. We know, however, that they are acting with good intentions. The intent of our Front-Bench spokesmen is to ensure greater provision for 16 to 18-year-olds. I could give them a few suggestions, which would not be popular with Conservative Members, about how to get the funds to do that. However, we are in the process of discussing that.

There is no harm in a review, as long as it is undertaken with an open mind and a listening ear. I am sure that our Front-Bench spokesmen will say that that is the spirit of the review. I hope that we will quickly bury the notion of an attack on child benefit.

Mr. Nigel Evans: The hon. Lady suggests that she wants increased expenditure. That money must come from somewhere else. Does she back the proposal by Labour Members to cut defence expenditure by £4.5 billion? If she does, what impact would that have on British Aerospace in her constituency, where there are many defence procurement jobs?

Mrs. Wise: Come on, that is more mischief making. This is not a defence debate. You would soon come down on me, Mr. Deputy Speaker, if I tried to turn it into one. I am on very good terms with the British Aerospace work force, as the hon. Gentleman knows. This is not the place for a constituency squabble between us. We can do that elsewhere in so far as it is worth doing at all—which is not very far. This matter does not affect only our constituencies, but young people at large. We must get back to that.

Young people cannot get jobs or, often, suitable training. They are treated with contempt. They cannot get social security payments. Even a pregnant 16-year-old is not entitled to financial recognition of the fact that she is unemployed. She has to prove that she is not only 16 and pregnant but suffering from severe hardship before she gets a penny out of the Government. From the party of the family, that is quite remarkable. We often get remarkable demonstrations of the meaning of "party of the family" through its impact on real families. To me, a pregnant 16-year-old has problems, and is already suffering hardship.

For the linguistic education of Conservative Members, I might say that the concept of "hardship" includes the concept of "severity". I once spoke for 20 minutes on that very point, but I shall not do so this morning.

I remind Conservative Members that they inflict such things even on pregnant 16-year-olds. They tell them to go on training schemes. They tell the people running training schemes to take such girls for three or four months, knowing that they will not be able to pursue it, that it dilutes the training scheme and is a waste of everyone's time and money.

However, unless a girl proves severe hardship—which, as I said, means that she must prove that her condition is doubly severe—she will not get a penny. Such youngsters cannot claim the dole. Even in that extremity, the Government have no compassion, and do not recognise what young women in that situation need. To me, a 16-year-old pregnant girl is in deep trouble, and her unborn baby needs to come into a world in which his or her mother has not been driven into more and more poverty as well as being over-young.

I have put that to Conservative Members, for instance, during Select Committee inquiries. On one notable occasion, I was given a shrug as an answer when I pointed it out. I have been told that such girls can go to local authorities. The sudden interest of Conservative Members in the plight of 16-year-olds would carry more weight if it was a little more regular, widespread and consistent and a lot more honest.

Lady Olga Maitland: The hon. Lady has been going on about the unfairness of the system and how 16-year-olds who are pregnant and suffering hardship cannot get support. The latest published figures, for 1995, show that they get very good support—79 per cent. of those who apply for hardship payments get them. That amounts to 111,000 young people. How can she suggest that their plight is being ignored?

Mrs. Wise: A pregnant 16-year-old should not have to prove that she is in severe hardship. The fact that 79 per cent. of them go through that charade and prove that their trouble brings severe hardship only illustrates the problems that face young people and the peculiarity of the Government's approach.

Conservative Members, from the humblest Back Bencher—such as the hon. Member for Ribble Valley—to the Prime Minister, have no regard for the welfare state. The welfare state is our welfare state, and that of the people of Britain. It is not the Government's welfare state, except in so far as they unfortunately have a great deal of power to destroy, distort and damage it, which they regularly do.

This debate was instituted not out of care for young people and their families but to make political mischief. I do not think that it will succeed. Labour is having a civilised look at provision for 16 to 18-year-olds with the intention of producing better arrangements.

I am prepared to show my Front-Bench colleagues that one option that was mentioned should be abandoned, but it was first raised in a throwaway manner. I have studied the speech of my hon. Friend the shadow Chancellor. Its thrust was different from that suggested by the reports that came out. In so far as those reports were accurate, I think

[Mrs. Wise]

that it will prove to be a temporary aberration, because the whole Labour movement is showing our Front-Bench spokesmen that it would be a mistake.

However, reviewing provision is not a mistake. To review the situation of the children of unskilled manual workers who leave education with no qualifications with the intention of improving it is good. I will forgive one or two mistakes along the way as long as they are corrected in due time, as I am sure they will be.

Let Conservative Members focus their beady eyes on the Secretary of State for Social Security. Let them consider the attack on those on family credit which will come into force on 2 July. People on family credit with 16-year-old children who leave school will cease getting family credit instantly, instead of having it run to the end of the six-month period. There are problems with that. It might be said that they have ceased to have a dependent child in the family, but that is not so. The 16-year-old will not cease to be dependent, and will not have an income, as I have explained.

The family will have to say whether the child will return to school in September, but they may not know. Some families may lose their family credit, then their child returns to school after all. Will they get a refund? Others may claim family credit thinking that their child will return to school, but, by September, some other thing has supervened and they will no longer be entitled to family credit. Will they be accused of having claimed unfairly?

All such matters are, of course, beyond the scrutiny of Conservative Members, who would be well advised to focus their attention on their own party's attacks on 16 to 18-year-olds in particular and the welfare state generally.

10.19 am

Lady Olga Maitland (Sutton and Cheam): Over the past few weeks, young people in their hundreds of thousands have been going into their school examination halls to sit A-levels. More students have been sitting A-levels than ever before in British history. They have been doing so with the justifiable aspiration to go on to further education and university to improve themselves. They have been able to do that because their parents have been receiving child benefit, which is worth, over two years, £1,000. It keeps children in education to improve their chances instead of having to try their luck in an unskilled world. The Government are trying to improve young people's chances, not hinder them.

The proposed removal of child benefit is a sixth form tax; it is punitive. Those who are being punished are the young people on whom our hopes and the good of the country rely. We do not want to return to the dark ages of throwing them into low-paid work. We want to give them the opportunity to improve themselves, and we want to facilitate their progress.

Labour's muddled, totally misconceived scheme attacks the wrong people. Of course we want to support those who in the lowest incomes groups, and they have such support. Labour's scheme attacks hard-working, middle-class parents who scrimp and save and do everything possible to give their children the chances that they themselves never had. The Conservative party is giving such people that chance. As I said in an intervention on my hon. Friend the Member for Ribble Valley (Mr. Evans), this sixth form tax is a dog in the manger tax, killing chances and opportunities.

Surely it is more important to ensure that, at a vital stage in many young people's lives, they are properly skilled in the three Rs. We are living in a very competitive world. For Britain to have a chance to compete in the world, we must ensure that we have the best skills and the most educated people available. We are not part of the unfortunate skivvy world of third-world nations. We want to ensure that we can compete in the most effective way, and we must therefore prepare our young accordingly.

The other day, I spoke to the headmaster of one of the schools in Sutton—John Vaughan of Cheam high school. The school is interesting and non-selective, and aims to help what I call master and miss average—not obviously academic high flyers. Such young people are being given chances that their parents never had. The school is pushing them forward and giving them the chance to go on to higher education and improve themselves.

They are not children of wealthy parents. The headmaster said that the parents were alarmed at the thought that child benefit, which is essential to keep their children supplied with equipment, clothing and support, could be withdrawn. It would be a tragedy to throw the chances of such children away on a half-baked scheme, when he or she could be the one child in three who goes on to university.

The Labour party is staggering and faltering because even its own Back Benchers do not believe in the proposed scheme. It is salutary that the hon. Member for Preston (Mrs. Wise) began her speech by asking for the withdrawal of the mad idea.

Mrs. Wise: That is far too free a paraphrase.

Lady Olga Maitland: Well, the hon. Lady did not say "mad idea".

However, the Labour party's approach is confused and muddled; it cannot make up its mind. If it is trying to help young people into training, it should get it right. It is getting it so wrong in trying to force employers to enter training schemes that represent disincentives to taking on young people. We should consider examples on the continent. When one goes down the road of artificially forcing employers to enter such schemes, costs of employment rise, and all that happens is that young people do not get jobs.

It is worth noting that, for instance, in France, youth unemployment is 27 per cent., and in Spain it is 38 per cent. That compares with 15 per cent. in this country. The Government are getting the economy right, and ensuring that they do not shackle employers with the minimum wage.

Mr. Nigel Evans: Does my hon. Friend agree that the Labour party is somewhat dishonest in trying to paint the picture that it wants to support people on low wages and middle-income earners? Leaflets and literature are distributed that say:

"New Labour, new Britain.

Taxes which are fair for all and do not hit middle and low income families hardest."

That is what Labour is saying to the public, but we know what it is doing. If it removes child benefit for 16 to 18-year-olds, families earning low to middle incomes will be hit hardest.

Lady Olga Maitland: I could not agree more with my hon. Friend. In essence, the Labour party is covering its tracks. It is being dishonest and deceitful, and trying to lead the country by the nose. At the end of the day, the electorate will give a very clear message to Labour. They will say, "No, no and no again. We want to preserve our children's chances. We do not want to be faced with more punitive taxes." Such taxes are the hallmark of the Labour party. I believe without any doubt that the country will reject the Labour party's daft notions—today and in future.

10.27 am

Ms Liz Lynne (Rochdale): I am grateful for a chance to debate child benefit, and I thank the hon. Member for Ribble Valley (Mr. Evans) for raising it. The Labour party is obviously in total turmoil about child benefit. It does not know what to do about it, especially for 16 to 18-year-olds.

It is not the first time that the Labour party has been in turmoil over child benefit. Twenty years ago, it announced that it would not introduce child benefit for three years, despite the passing of the Child Benefit Act 1975. It introduced child benefit only when the reasons for the delay were made public. The Cabinet minutes about the postponement were leaked to *New Society*. The magazine's headline read:

"Killing a commitment—the Cabinet v Children".

The magazine revealed that the reasons for the delay were that the Labour party was concerned about the cost, and the fact that the money would be paid to the mother. Of course, under child tax allowance, the money had been paid to the man. It was also revealed that the Labour party's other concern was that the trade union movement was not keen on the idea, and the movement's alienation could not be risked. When the Labour party's views were made public—it thought that they never would be—it suddenly decided that it had to change, and change quickly. So child benefit has never had the full enthusiastic support of the entire Labour party. We can see those divisions reopening in the current dispute.

The question is whether the Labour party is serious about retaining child benefit as a universal benefit. It currently argues that child benefit is paid to wealthy mothers whose 16 to 18-year-olds go to public schools. It argues that there are better ways to use taxpayers' money. If that is its case for scrapping the benefit for 16 to 18-year-olds, surely the case is the same for scrapping it for all children. That would be a case for bringing in means testing. The Labour party cannot use the argument it has deployed about 16 to 18-year-olds without following it through.

The Labour party must also accept that it is not cheap to feed, clothe and house 16 to 18-year-olds. I am afraid that many families will say to their children once they reach the age of 16, "We cannot afford to keep you any longer. You will have to go out and try to find work." That is what I fear will happen, not just in poorer families, but in families across the board. I wish that the Labour party would change its mind.

I am sure that the hon. Member for Croydon, North-West (Mr. Wicks) will say that it is the Opposition's policy to help those in greatest need. The abolition of child benefit, which is paid to the mother, will not do that. Any means testing will cause some in greatest need not to claim the benefit, and administration costs will absolutely soar. I honestly do not believe that any money will be saved by redistributing it anywhere else, especially when one considers the administration costs.

Child benefit has many, many advantages. It is still guaranteed to those in work and out of it. It helps to overcome the poverty trap. That is another reason why I am extremely worried about the Labour party proposal, because it will create, yet again, a new poverty trap. If one has to claim for child benefit, a stigma will be attached to it. Because it is a universal benefit, there is little evidence of benefit fraud. The Labour party must change its mind—I mean those on the Opposition Front Bench, because I know very well that many of their colleagues on the Back Benches are totally opposed to scrapping child benefit for 16 to 18-year-olds.

The Conservative party must also make clear its commitment to child benefit as a universal benefit, and say that it will increase it each and every year in line with inflation. I would like the Minister to make that commitment today.

Child benefit is vital, and any plans to scrap it for 16 to 18-year-olds make no sense and have been broadly condemned. Child Poverty Action Group played a vital role in introducing child benefit in the late 1970s. In response to the Labour party proposal on child benefit for 16 to 18-year-olds, it has said:

"We welcome the recognition of the importance of education and training for young people, but it is vital not to ignore the immediate basic needs of those on low incomes. The fact remains that you cannot eat education, wear it or heat your home with it."

I think that the CPAG has made my case.

10.33 am

Mr. Malcolm Wicks (Croydon, North–West): I welcome the debate, and congratulate the hon. Member for Ribble Valley (Mr. Evans) on introducing it, because, whatever his motives, there is a need for fresh thinking about that important age group of 16 to 18-year-olds. Some important points have been made.

Fresh thinking is required, because a number of significant trends and developments have affected that group of young people since the mid-1970s. One need only go back to that time to discover that six out of 10 children left school at 16 and found jobs. My hon. Friend the Member for Preston (Mrs. Wise) reminded us of that. Today, of course, only a small proportion of that age group are in employment. The great majority are in education and training, but too many are unemployed or unskilled, and often ill equipped for the jobs that are on offer in a modern economy.

Policy must therefore be based on two things first and foremost. First, we must analyse the characteristics of that age group. Who are they? Where are they in terms of education and employment? Secondly, we need to assess how current policy and practice impacts on that group of young people.

Although today's debate has been wide-ranging, it is essentially about child benefit. We should therefore ask questions particularly about the impact of child benefit on 16 to 18-year-olds.

[Mr. Malcolm Wicks]

Child benefit goes to those in full-time education. Currently, according to the figures I have, 56 per cent. of 16 to 18-year-olds are in full-time education—that includes 71 per cent. of 16-year-olds; 58 per cent. of 17-year-olds and 38 per cent. of 18-year-olds. Of that entire age group, 17 per cent. are in maintained schools; 35 per cent.—a significant proportion—are in further or higher education, and 4 per cent. are in independent schools.

Of course, a large proportion of young people do not stay on in education, and that inevitably correlates with their income and socio-economic status. In simple terms, poorer children are less likely to stay on in education. The youth cohort study for England and Wales for 1994 found that, whereas 85 per cent. of 16-year-olds from managerial and professional families were in full-time education and an equally large proportion—83 per cent.—from other non-manual families, that proportion declined to 61 per cent. of children from semi-skilled and manual families and 56 per cent. of children from unskilled manual families. Those facts alone represent major challenges for public policy.

Current policy includes a range of options—significantly, child benefit. Obviously, as that benefit is paid after the age 16 only to those families with children in full-time education, it follows that the distribution of child benefit resources is skewed. That means that, while a child from a high-income family in full-time education receives child benefit, a family supporting an unemployed 16-year-old receives no child benefit.

As for other options, the policy governing the education maintenance allowances is frankly a mess, because there is no rationale or fairness to it. The amount paid in those allowances ranges from just 90p a week in some local authorities to as much as £20 a week in others. In some local education authorities, as few as one child in 1,000 receives education maintenance allowances.

Similar problems are apparent in the provision of grants. At present, some 16-year-olds receive grants for their fees while others do not, but they are taking exactly the same educational courses. Again, there is no uniformity nationally, and the policy is in a mess. Some young people have their fees paid for courses, while others do not.

What about youth training schemes? We all understand that young people need to take training seriously and that that training must be of a high quality. It must be successful and effective. According to Sir Ron Dearing, just 46 per cent. of young people who enter youth training schemes complete their course of study. In Merseyside, 72 per cent. of those who start such courses fail to complete them. In Sunderland, that figure is 66 per cent. Only one in five training and enterprise areas has a completion rate better than 50 per cent. I put it to the House that that is a pathetic record.

Lady Olga Maitland: Does the hon. Gentleman agree that, far from having a so-called pathetic record, the youth training scheme has been an enormous success? Is he not aware that 80 per cent. of those who complete youth training courses go on to jobs? Surely that is a success.

Mr. Wicks: I am pleased that many of those who complete their courses find jobs; that is the purpose of the scheme. To be fair, the hon. Lady must be extremely concerned that less than half those who start youth training courses complete them. I use the word "pathetic" because something is wrong with the quality of the courses.

Faced with these facts, and given the immense challenges facing policy for young people, can anyone say that resources are currently being spent effectively and equitably? Are policies encouraging young people to pursue their education or to enter training courses? We consider those questions to be vital, so we have announced a review of policies and resources for children post-16.

The review will examine the whole range of post-16 finance and policy, including grants, fees, discretionary allowances, education maintenance allowances and child benefit. The Government are seldom able to look effectively at policies across Departments—we are doing that through this review, in shadow government.

Despite the scaremongering from the Government Benches this morning, the Labour party has no intention of interfering with child benefit for children under the age of 16. The Labour party initiated the child benefit scheme—in fact, the great pioneer Eleanor Rathbone was the founding mother of family allowances in this country. The Labour party is committed to child benefit as a universal payment, not least because it is an income for mothers. Let there be no scaremongering about that.

Mr. Nigel Evans: If the Labour party is opposed to parents who are wealthy or on high incomes getting child benefit for children aged between 16 and 18, why does it not hold the same view in relation to wealthy parents with children below the age of 16?

Mr. Wicks: Those below 16 are children; those between the ages of 16 and 18 are in a vital transition period through childhood, into adolescence and then into adulthood. We are talking about a range of policies—education, training and social security—that impact on that age group. I have argued that, at the moment, those policies are ineffective, and that is the case for a review—we want something better, fairer and more effective. No decisions have been made because the review is currently under way. It would be wrong to pre-empt any options at this stage.

I believe that the review represents a major step forward. It shows that the Labour party is not complacent about the position facing many young people in Britain today. I think I heard the Under-Secretary of State for Social Security say that we have had four years—by golly, the Government have had more years than that, and look at the mess that we are in.

It is sensible to examine the use of existing resources to see how they are being spent and whether they can be spent more effectively. The review deals with some substantive and complex matters. The prime concerns of the review are to encourage and enable significantly more young people to enter education or training, and equip them to take their place in the employment market in a modern, complex and challenging world. The review is

about offering support to young people and their families, and about producing a coherent system that operates uniformly across the nation.

Ms Lynne: Does that mean that the Labour party is committed to restoring benefits to those aged between 16 and 18?

Mr. Wicks: There is no point in us undertaking a review if we know all the answers before the review. We are looking rigorously at the resources and the policies, so that, when we take our place in government, we will have the policies that Britain needs.

I have welcomed the debate with great enthusiasm because it enables us to remind the House of the Tory record on child benefit. The hon. Member for Ribble Valley—who clearly has a dry sense of humour—presented the Tory party as the party of child benefit. That is one of the better jokes we have heard in the House in an already somewhat whimsical week for the Tory party.

The Government's record on child benefit includes a three-year freeze on the level of child benefit in the late 1980s. Today, Conservative Members have posed as the champions of the family and of child benefit. However, so committed were the Conservative Government to child benefit that they chose to freeze it for three consecutive years: 1987-88, 1988-89 and 1989-90. This was a withering on the vine strategy. The Government thought that, if they could get away with freezing the benefit, it would disappear and be replaced by the means-tested family credit.

How does that square with what the hon. Member for Ribble Valley had to say today about the universality of child benefit and his critique of means tests? When he was a parliamentary candidate and Conservative activist in the late 1980s, did he have the courage to attack the Conservative Government because of the freeze of child benefit? I suspect not.

Nigel Lawson was the Chancellor of the Exchequer at that time. In his memoirs, he was remarkably candid about the strategy. He stated:

"The argument was that help should be concentrated on the poorest families—which meant that what mattered was not the indiscriminate Child Benefit, but the means-tested Family Credit."

I wonder what the hon. Member for Ribble Valley has to say about that? Nigel Lawson continued:

"Needless to say, having established the principle, John Major (the then Chief Secretary to the Treasury) . . . with my strong backing, was anxious to consolidate it with a further Child Benefit freeze".

That was the strategy of today's Prime Minister. The Government froze benefits—they had a frozen heart about social policy. The policy was implemented by the then Chancellor of the Exchequer and by his loyal Chief Secretary—today's Prime Minister.

This policy, mean-minded as it was, was changed only because of the force of public opinion, led by attacks from the Labour party. The so-called party of the family, after its three-year freeze-up, was forced to increase the rate of this key family benefit. In 1991, child benefit was uprated, and the Conservative party had to commit itself to raising benefits in line with inflation. Why did this happen in 1991? Because a general election was forthcoming—for political reasons, they had a change of heart.

Mrs. Thatcher, the then Prime Minister, was hardly happy about this, as she revealed in her memoirs—they all write memoirs. She stated in her memoirs—I am sure that Government Members know every passage off by heart:

"This sum was paid—tax free—to many families whose incomes were such that they did not really need it, and it was very expensive."

She would have preferred a reform that included child tax allowances.

More recently, the No Turning Back Group—which includes the hon. Members for Rutland and Melton (Mr. Duncan), for Chingford (Mr. Duncan Smith), for Colchester, North (Mr. Jenkin), for Milton Keynes, South-West (Mr. Legg) and for Colchester, South and Maldon (Mr. Whittingdale)—issued a paper on the welfare state. They are the welfare state sceptic wing of the party.

What did these five social philosophers have to say about child benefit? Did they agree with the hon. Member for Ribble Valley? No, they did not. They stated in their pamphlet of 1993:

"We believe that the full up-rating of Child Benefit . . . is unsustainable."

That is the view of the hard right of the British Conservative party. It is certainly different from what we have heard today. So much for the Tory party posing as the friends of child benefit.

The Labour party faces the future with confidence—Government members should watch the next election to see how confident we are. We propose a review, for positive social and educational reasons. We care about British families and their children. In contrast, the Conservatives are never less convincing than when they pose as the defenders of the family. When the Tories pose as the friends of child benefit, mothers should hold their purses tightly, and parents should ensure that their children are safely tucked up in bed. The Conservative party has attacked the family; the Labour party will defend it. That is why we need a review.

10.48 am

The Parliamentary Under-Secretary of State for Social Security (Mr. Andrew Mitchell): As the hon. Member for Croydon, North-West (Mr. Wicks) said, this is a timely debate. My hon. Friend the Member for Ribble Valley (Mr. Evans) has done a service to the House in introducing the debate: it can examine the extent to which the thinking of the Labour party on this most important area of public policy has progressed since the debate on 17 May. As is becoming increasingly clear, the answer is that it has not progressed at all.

We absolve the Labour Front-Bench spokesman from any guilt, because he is far too intelligent to believe in that absurd proposal. To use a military metaphor—there was reference to defence earlier in the debate—he has laid down smoke, and not addressed the proposal that we are discussing today. He is simply the hapless Labour spokesman who must come to the Chamber today to defend it.

The proposal lies alongside Labour's much-vaunted social security review, which has been revealed as a sham and a shambles. The Leader of the Opposition urged his social security team to think the unthinkable, but I am

[Mr. Andrew Mitchell]

sure that those hon. Members could not have dreamt that such an unspeakable proposition would emerge. To be fair to the hon. Member for Islington, South and Finsbury (Mr. Smith)—who is my Member of Parliament when I am in London—it is not entirely the fault of him and his colleagues. He has had to endure an ill thought-out intervention from his colleagues in the shadow Treasury team.

Virtually no Labour Members defend the proposal. My hon. Friend the Member for Ribble Valley referred to the Labour Members of Parliament who live in or near Islington and to their comments about the scheme. The hon. Member for Rochdale (Ms Lynne)—with whom I usually never agree—eloquently highlighted the foolishness of Labour's proposal. Although the hon. Member for Preston (Mrs. Wise) was not keen on my hon. Friend's argument, in a concise and a withering attack, she dismissed the thinking—if one could call it that—of her own Front Bench. She has the courage to say publicly in the House what her Back-Bench colleagues are saying in the highways and byways of Westminster.

It is important to examine where this absurd proposal has come from. It is wrong in principle, profoundly unfair in practice, based on inaccurate information, and likely to achieve the opposite result to that which is intended. On 17 April, the shadow Chancellor announced plans to abolish the child benefit for 16 to 18-year-olds for the purpose of providing additional educational opportunities to children from less well-off families. It seems this week that young people would receive up to £20 per week to encourage them to stay on at school.

Whatever the plan, Labour's policy is founded on the assertion that 80 per cent. of children with unskilled parents leave school at age 16. It would be shameful if the Government had presided over such a record. Some 20 years ago—after four years of a Labour Administration—those figures prevailed. However, the figure today is 56 per cent. Last year, 72 per cent. of 16-year-olds stayed on at school or further education—an increase from 42 per cent. in 1979-80. Almost 90 per cent. of all 16-year-olds now take part in education or training—five percentage points higher than four years ago.

As my hon. Friends have said, Labour's proposal would take away £560 per year from families with one child. That sum would not be returned to taxpayers, in whole or in part, through lower taxes. Therefore, it is effectively a tax increase equivalent to a 5p increase in the standard rate of tax for families on average earnings. It is Labour's teenage tax. Labour Members who are always keen to suggest that our provision is deficient in comparison with that of other European Union states should note that removing child benefit would make the United Kingdom the only country in Europe that did not provide assistance to families with 16 to 18-year-olds in non-advanced education.

It is an understatement to say that the response to the initial proposal was critical. It was criticised by other Opposition spokesmen who had not been consulted, and it was roundly condemned by Back Benchers on both sides of the House in early-day motions. The Child Poverty Action Group opposed the proposal, and correspondence columns in the newspapers showed that the public were profoundly unimpressed. In fact, apart from the Leader of the Opposition and the shadow Chancellor, the only person to support the proposal was the hon. Member for Rotherham (Mr. MacShane)—a man whose good sense is clearly exceeded by his ambition.

It was then suggested that child benefit be withdrawn only from those children at fee-paying schools. That idea was also based on erroneous statistics. We were told that 25 per cent. of 17-year-olds in education attend fee-paying schools, but the true figure is closer to 10 per cent. That is another miscalculation, by a margin of 150 per cent.

Parents naturally want to do the best for their children, and many make great sacrifices to send them to fee-paying schools. The children who attend such schools are not all from well-to-do families. The 75,000 families who would be affected by such a change include many of modest means. That is useful information, which proves that Labour has lost none of its malice and envy towards those who try to better their position and that of their children in that way. Young people must be supported while they stay on in education, and child benefit can make an important contribution in that regard.

As the hon. Member for Rochdale pointed out, child benefit may be crucial in determining whether young people from less well-off families stay in education to gain better qualifications that improve their prospects and life chances. Economic pressures may force many young people to leave school and enter the world of work prematurely. For example, child benefit for a 16-year-old contributes a healthy chunk of the income for a family that is just above the point where entitlement to income-related benefits runs out.

The absurdity of Labour's proposal to abolish child benefit is highlighted by its other proposal, to make it available to bogus asylum seekers. I recently received a letter from the Labour Nottinghamshire county council urging me to support Labour's amendment in another place to pay child benefit to the children of those who seek to enter this country illegally. In other words, Labour believes that ambitious young people from British families should be penalised, but that the children of those who come from overseas and have no right to remain in this country should retain child benefit.

It is not only young people in education who will be penalised: the Opposition's other policies would damage the opportunities available to any young person with ambition. Between now and the general election, the electorate must try to imagine what life would be like under a Labour Government. They should heed this warning: "Don't be young under Labour. Don't come from less well-off families. Don't try to better yourselves."

Labour's policies would hit people from five directions. First, they would hit those young people who want to stay on at school after the age of 16. As I have described today, Labour would take £560 from families by abolishing child benefit as a result of introducing the teenage tax. Secondly, Labour's policies would hit those young people who wish to leave school and enter employment. Labour's minimum wage would cost hundreds of thousands of jobs, as employers would find it more costly to hire new staff.

Thirdly, young people, who tend to earn low wages, would be hit the hardest. Those who choose to leave school and learn a trade would face many difficulties. At present, employers are taking on more young people as apprentices and training them in a practical and successful manner. Under Labour, employers would have to give

16 to 18-year-olds one paid day off a week—whether or not it suited their training needs. Labour would tell employers that they must give five days' pay for four days' work. Why should employers take on young people in those circumstances, when they could employ older people whom they could train in the manner which best suited the firm and the individual concerned?

Fourthly, young people will be damaged by the abolition of grants as a result of Labour's proposal to introduce a graduate tax. Fifthly, there is Labour's proposal for a curfew on young people, which even some Labour Front Benchers have rightly dismissed as crackers. Under that proposal, Labour would make it a police priority to catch youths, whether guilty or innocent, who are not in their homes after a certain time. Labour fails to understand that guilty youngsters, not the innocent, are the real problem. While the Government seek to crack down on the guilty with our tough law and order policies, Labour Members regularly vote against our proposals.

Conservative Members understand what young people need: they need to learn and we have helped them to learn. In 1979, one in eight young people went to university, now that figure is one in three. Young people need to work and we have helped them to work: since December 1992 unemployment has fallen by nearly 800,000. Young people need to learn a trade and we have helped them to do so: by the year 2000 there will be 150,000 modern apprentices with the right skills to succeed in the businesses of the next century.

What the hon. Member for Preston said about the opportunities available to 16 to 18-year-olds was a caricature of the reality; she painted the wrong picture. Young people do not need their opportunities abolished by a future Labour Government. As today's debate has shown, a Labour Government would be an unmitigated disaster for young people and we shall not hesitate to remind the electorate of that fact at every opportunity.

Drugs (Safety)

10.59 am

Dr. Jeremy Bray (Motherwell, South): The House has given a good deal of attention to the warning given by the Committee on Safety of Medicines on third generation oral contraceptives last October. The committee was right to hold the views and take the actions that it did, given the evidence available at that time. Certainly, there was, and is, a need to review the announcement procedure. Owing to the immediate public reaction, there was a deplorable jump in the number of unwanted pregnancies and abortions. Sadly, some women ignored the committee's advice that no one need stop taking oral contraceptives and that women taking the third generation pill should see their doctors.

This morning, I wish to talk about the lessons to be learnt about the general arrangements for monitoring the safety of drugs. The second generation pill, which was introduced from 1970, greatly reduced the risk of a blood clot forming in the veins of the legs and moving to the lungs—a pulmonary embolism—with sometimes fatal consequences. Second generation pills are still in use today and the Committee on Safety of Medicines' letter of 18 October reported even lower risks in their use than had previously been observed.

During the 1970s, there began to be concern about other circulatory side effects. Large cohort studies by the Royal College of General Practitioners and the Oxford Family Planning Association found a slightly increased mortality from heart attacks and strokes, and found factors in those cases that increased the risk of the pill. With appropriate prescribing and lower dosage, the incidence of circulatory side effects and mortality were reduced to very low levels.

There is a large—and what was a profitable—market for the pill in the United Kingdom, but the patents and trade agreements in the second generation pills held by Schering and Wyeth and by Janssen-Cilag and Syntex began to run out in the 1980s and 1990s. The search was on for new patentable products aimed at further reducing risks and side effects. The risks had become too low to be picked up by the public cohort studies and public funds were not available for a wider form of monitoring of a research standard.

Researchers began to pay more attention to surrogate or proxy bio-chemical markers to represent the side effects of the pill. At the same time, there was a great deal of research on fats and cholesterol, and their effects on the circulatory system. The relationship of those effects to the use of oral contraceptive pills is somewhat distant: it depends on a connection between the effect of the pill on cholesterol and the effect of cholesterol on arterial disease. Most of the studies of cholesterol changes have been on middle-aged and elderly men, not many of whom are on the pill.

Before they experience the menopause, women have a particularly low rate of coronary heart disease. Pharmaceutical companies came up with third generation pills with new progestogens that are claimed to protect women against coronary heart disease and strokes. The three firms that hold the third generation patents are Organon, Wyeth-with-Schering and Janssen-Cilag. The latter two had held second generation patents that were running out. Third generation pills were vigorously marketed and about

[Dr. Jeremy Bray]

1.5 million women in the United Kingdom—out of a total of 3 million pill users in the country—were using them last October. Half the pill users were taking third generation pills.

It was against that background that the Committee on Safety of Medicines had to issue its warning on 18 October last year that three independent new studies showed that the third generation pills, on a pooled estimate, doubled the risk of the old problem of blood clotting in the legs, leading to pulmonary embolism. It is a good idea to keep a sense of proportion and to bear the numbers in mind. The background risk of pulmonary embolism was five cases per 100,000 women per year not taking the pill, 15 cases per 100,000 women per year taking second generation pills and 30 cases per 100,000 women per year taking third generation pills. The 50 per cent. of young, pill-taking women, probably raising their families, using third generation pills, were therefore suffering 75 to 150 more thromboembolisms, and each year one to two more of them were dying.

It was not a major disaster by serious epidemic or public health disaster standards, but even those numbers should not be on the conscience of any firm or group of workers. Following the warning in October, sales of third generation pills have dropped drastically. One of the firms affected, Organon, has a factory in Newhouse next to my constituency, so I am acutely aware of the industrial effects. At the time of the announcement, the lay media did an excellent job of accurately reporting the relevant brands and passing on the committee's message that no one need stop taking oral contraceptives, but the scientific press made an ass of itself.

On 18 October, Schering, one of the three patent holders, flew over from Montreal Professor Spitzer, the author of one of the studies. He gave a press conference at Heathrow criticising the Committee on Safety of Medicines, based partly on his own work—possibly without knowing the other two study results.

Organon, another of the patent holders, paid for a conference in London for 400 family planning doctors in order to argue its case. Both the *British Medical Journal* and *Nature* managed to get their reporting of the facts wrong. For comic relief, the hon. Member for Southwark and Bermondsey (Mr. Hughes)—who I see is in his place and who is the Liberal Democrats' spokesperson on health—persisted in suggesting that the committee's announcement was a Government conspiracy to divert attention from the Home Secretary's troubles with Derek Lewis. I do not think that the Secretary of State for Health is that stupid, but the hon. Gentleman should not attack the independence and integrity of scientists doing their public duty.

The Committee on Safety of Medicines' announcement was not rushed: data for the two case control studies were collected between 1989 and 1993. The general nature of the results was known to those involved in the industry and in the regulatory agencies in advance of the announcement by the Committee on Safety of Medicines. Owing to the nature of its work, the committee has to base its findings on mostly unpublished work, and when the three studies were published, it was generally agreed on reflection that the committee was right to act as it did.

In one way, the episode has demonstrated the effectiveness of modern pharmaceutical research and monitoring. Yet, and yet, and yet—was it necessary for that decade of commercial research to be wasted on the blind alley of the third generation pills? More fundamental medical research might have come up with real advances in contraception, but instead contraceptive research was run down by the Medical Research Council. Had the United Kingdom publicly funded cohort studies been extended and had new research methods been adopted, could not the epidemiology of pulmonary thromboses, cholesterol levels, heart attacks and strokes have been properly measured in women at a much earlier stage and at much reduced cost?

What about the use of the United Kingdom general practice research database? American drug companies often say that the United Kingdom is a good place to do pharmaceutical research, because the national health service provides such a coherent and well-ordered source of data. The general practice research database is a good case in point. It is a computerised record by general practitioners of all the medical events affecting some 3 million or 4 million people and accumulating in the past five or six years. It is a record that could not have been built up in the United States without a general practitioner system. It is a development of the VAMP—value added medical products—system which this privatising Tory Government nationalised absentmindedly when Reuters decided that it could not afford to develop it. It is now run by the Office of Population Censuses and Surveys which has now been merged into the new Office of National Statistics. The software is archaic and the only person who seems to be able to wring real results out of the database is Hershel Jick, an American in Boston who is 70 years old and operates on his own with half a dozen assistants. It was to him that the Committee on Safety of Medicines had to go for a database study on third generation pills.

Open access to the general practitioner research database costs £250,000 a year, which puts it out of the reach of academic researchers. It is a neglected gem of a resource. There are two United Kingdom efforts at exploitation of the database. One is by Dr. Alan Dean, the remarkable medical practitioner who pioneered the database. The other, which is apparently inadequately resourced, is by the Office of Population Censuses and Surveys. Contrast that with the sophistication of the human genome databases. Three independent versions are emerging, two of them with free access and two of them privately financed.

Let us suppose that the Committee on Safety of Medicines wanted a pharmaceutical company to carry out a study on a licensed drug, as it could have done using the general practitioner research database. The Committee on Safety of Medicines has no powers to require a pharmaceutical company to do that. In the trials before licensing, the CSM has the obvious sanction of refusing the licence until the study is done, but afterwards it has no sanction. It could withdraw the licence, but often that is not desirable because there may be cases in which the drugs are useful, as with third generation pills for older women who persist in smoking while taking the pill. The CSM can ask for new studies on a licensed product, but only if it has new evidence rather than a new judgment on existing evidence.

The Medicines Control Agency, the CSM, the Royal College of General Practitioners, the British Medical Association and the Association of the British Pharmaceutical Industry have issued agreed guidelines for company-sponsored safety assessment of marketed medicines. That is an admirable example of the way in which progress is made by agreement in the United Kingdom, but the so-called SAMM guidelines do not cover database methods, nor does the CSM have powers to require such studies. Drug companies can be recalcitrant and tough, as the third generation pill affair showed. Could not the CSM have powers to require companies to carry out specified studies on licensed drugs or pay for others to do so?

In discussing these issues, members and staff from all the organisations concerned, pharmaceutical companies included, have been very helpful, especially John McEwan, a consultant at King's College hospital who alerted me to the broader issues; Michael Rawlins, the chairman of the CSM; Susan Wood, a director of the Medicines Control Agency; and Frances Charlesworth, a director of the Association of the British Pharmaceutical Industry. The views that I have expressed and any mistakes that I have made are, of course, entirely my own.

I think that the practice in the United Kingdom of seeking informal agreement is more healthy and productive than the lawyer and litigation-ridden world in the United States and the regulated, directive-laden world of the European Union, but we have to live with those worlds and they have great strengths, including the enterprise of the American and the thoroughness of the European. We go too far in our passion for informality and agreement if we let things slip.

Safety is not the only aspect of medicines that has to be considered. Important issues arise in patenting, research and pricing. Safety must not be compromised by those or any other considerations, yet there are interactions. An enhanced pharmaco-vigilance system would increase the price of medicines. Firms will not do research that does not offer the prospect of a commercial return, yet the prospect of a valuable patent can unlock resources for research quite beyond the reach of the basic research funding bodies, whether charitable or public. The CSM and the Medicines Control Agency must not be diverted by interesting research questions, by difficult patent issues, by tough commercial pressure or by political pressures. They must have the uncompromising support of Parliament in discharging their responsibilities for safety, but Parliament must likewise provide other ways in which the interactions can be explored and reviewed.

Medicines have a long history. The existence of the overarching Medicines Commission was a factor that led the Select Committee on Science and Technology recently to recommend the setting up of a human genetics commission to keep an overview on that rapidly developing field. The Government seem about to accept the principle of that recommendation. A similar breadth of view needs to be, and could be, taken for medicines generally by the existing Medicines Commission without in any way compromising the independence and integrity of the CSM and the Medicines Control Agency.

The integration of national pharmaco-vigilance in a European framework, which is an important current development, will of course continue, and that offers great advantages if it operates well. We should certainly play our full part in its development. But it will increase the complexity of the interactions with the other considerations—for example, patenting and research—that have to be watched. I hope that the Minister will be able to show the House that the Government have learnt the broader lessons from the third generation pill story.

11.18 am

Mr. Simon Hughes (Southwark and Bermondsey): I am grateful to the hon. Member for Motherwell, South (Dr. Bray) for introducing the debate, but I take a fundamentally different view of the lessons to be learnt and I shall set out why. For the record, I must say that, last October—the time that is most relevant to the debate—I was not doing my current job on health for my party, and I was therefore not directly involved at the time.

I was appointed to my current job later in the autumn and, by doing by my own research and investigation, I have come to the conclusion that several severe questions have yet to be answered by Ministers and that they have not yet come clean. Something appears to be rotten in the state of the advisory system on the safety of drugs. I am not a conspiracy theorist, but I remain to be persuaded that politics and medical advice were not intermixed in this instance, with the serious result that the health of a considerable number of women was adversely affected—in one case, potentially, fatally.

About 1.5 million women were using third generation oral contraceptives during the second half of last year and, as the hon. Member for Motherwell, South said, a preponderance of them were young. They were much more likely to be prescribed what are called third generation oral contraceptives, the clearest definition of which, as I understand it, is those that contain one of two chemicals—desogestrel or gestodene. They are the type of products affected.

I want, first, to put on record what I understand to be the sequence of events surrounding the Government's announcement on birth control pills, and a letter sent to general practitioners, last October, which had the same sort of effect as their subsequent announcement on bovine spongiform encephalopathy—namely, that they caused people to change their habits. It is clear that, as a result of the announcement in October, a considerable number of women stopped taking a particular pill, or any pill. The result was that many women had either abortions or unwanted pregnancies.

No later than July last year, interim results of a World Health Organisation study into second and third generation oral contraceptives were issued. The results were sent to the Medicines Control Agency, the body with responsibility for regulation in Britain. On 19 September, the MCA requested a meeting with Professor Spitzer, one of the three academics referred to by the hon. Member for Motherwell, South. Spitzer is the author of the transnational report. The meeting took place on 9 and 10 October, and those who attended were given tables from the expedited analysis of the study. On 10 October, Professor Spitzer met the MCA and the Committee on Safety of Medicines sub-group, which specifically comprises the people who make the decisions and recommendations.

The very next day—11 October—the MCA called a special meeting of the Committee on Safety of Medicines for 13 October. On the same day, it referred the matter to

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the European Committee for Proprietary Medicinal Products, the CPMP. Papers were sent on 11 October to CSM members who, on the same day, received the final manuscript from one of the other academics referred to by the hon. Member for Motherwell, North, Professor Jick.

CSM members received the papers—about 150 pages each—on 12 October. On the same day, the MCA met the producer companies, Organon, Schering and Wyeth. On 13 October, with only two days' notice, the CSM met. I hope that the Minister will tell us what it decided and specifically what it recommended, because it would be very helpful if its decision and recommendations were put in the public domain.

On 16 October, the hon. Member for Bolton, West (Mr. Sackville), who was then an Under-Secretary of State for Health, approved the sending of what has come to be known as the "Dear Doctor" letter, to be issued on 18 October. On 17 October, the European Committee met to consider the safety of oral contraceptives and that meeting went on until 18 October. On the afternoon of 18 October, the "Dear Doctor" letter was sent to about 27,000 GPs across the country. I shall deal later with whether it actually reached all those whom it was intended to reach.

On 19 October, there was a press conference to announce what was going on and that the letter had been issued. A press release was also issued. The press release is material because it gave doctors advice on what to say to patients but it also specifically made it clear that some women should be advised to change their contraceptive. In the press release, the chairman of the CSM stated:

"I have written to all doctors and pharmacists to provide them with detailed advice . . . We realise that our advice will place a burden on doctors and pharmacists . . . Doctors should discuss the CSM's advice with patients taking the pills listed in order to determine whether a change in brand is necessary. In general, women taking a pill containing gestodene or desogestrel should be advised to change to another brand, unless they are intolerant of other oral contraceptives."

The salient part of the press release is that advice should be given to change from an otherwise commonly used third generation oral contraceptive.

The very same afternoon—the public and the House can draw their own conclusions about this—and a matter of four hours after the press conference, there was a debate in the House on the Learmont report, during which the Home Secretary, more than ever before or since in his career at the Home Office, had his back to the wall. The Government were in considerable difficulty. On Friday—the following day—the Department of Health issued a press release refuting the claim that its analysis of the three independent studies was not the final one.

Mr. John Marshall (Hendon, South): The hon. Gentleman is obviously trying to create the conspiracy view of history, but on that particular day the Home Secretary gave the shadow Home Secretary such a beating and won such a parliamentary victory that the Government would have wanted it to make the headlines.

Mr. Hughes: I accept that, but nobody was to know in advance that the Home Secretary would come out on top, not least the Home Secretary.

Mr. Marshall: The Home Secretary wins against the shadow Home Secretary in every debate. The shadow Home Secretary is an embarrassment even to members of his own Front Bench.

Mr. Hughes: I am not going to respond to that. I have my own views on those particular battles, but this is a debate on another matter which appears to have become intertwined with the Government's agenda of defending themselves against a serious report on the conduct of the Prison Service.

On Monday 23 October, the Secretary of State for Health made a statement to the House. In that statement, he did not reveal, although he knew it, that the "Dear Doctor" letter was going to be supplemented by a further letter intended to limit the damage caused by the first. The second letter was being prepared, and was sent on 26 October. It clarified and, in a sense, sought to allay the alarm caused by the first letter that had been sent only a few days earlier. Both letters came, in effect, from the Committee on Safety of Medicines.

To complete the series of events, in November, the hon. Member for Bolton, West was moved to the Home Office but, most materially, in April this year, the CPMP recommended that no action needed to be taken. On 1 May, however, the CSM sent a letter, which also is not yet in the public domain, to the manufacturers stating that it, the CSM, had advised the licensing authorities that regulatory action should now be taken. I understand that manufacturers are now considering appealing against that.

Dr. Bray: At this point in the hon. Gentleman's account of events, might it be relevant for him to say that, although the European committee did not recommend action, the German committee took action in amending the licence and, furthermore, since then I understand from a pharmaceutical company that the CSM has written to it proposing a change in the licence?

Mr. Hughes: I accept the hon. Gentleman's first point, although I am not in a position formally to agree it. On his second point, I said that my understanding was that the CSM had written on 1 May, and that and it is against its position that there will be some regulation that the producers are now considering appealing.

I contend—it is a belief that is also widely held in relevant professions—that there was great haste in rushing the issue through the CSM, in literally two days, and then on into the public domain, that that great haste was unjustified and that it cannot be adequately explained either by the scientific evidence or by the supposedly increased risk faced by women.

That view is supported by eminent people. For example, the Government's chief medical officer in Scotland, writing in the January 1996 edition of his official publication, "Health Bulletin", said:

"Last October's decision to publicise the CSM's warning to all doctors . . . was taken too hurriedly."

He refers to it as "an error of judgment". He goes on to say:

"The Health Departments owe general practitioners an apology"

for what he then called

"the fiasco over oral contraceptives."

That is the view of the Government's chief medical officer in Scotland, and I should be grateful to know whether the Minister agrees with it, and if not, why not.

Secondly, the chairman of the family planning faculty of the Royal College of Obstetricians and Gynaecologists, David Bromham, who I understand was present at the CSM meeting on 13 October as an outside adviser, has said:

"one is forced to wonder whether the haste in disseminating the CSM letter was justified."

I shall come back to him in a minute.

Why was there such urgency to get the CSM advice on supposedly new information relating to third generation oral contraceptives on 11 October? Again, to pick up a point made by the hon. Member for Motherwell, South, the issue was not considered by the sub-committee on pharmaco-vigilance, on the ground of the urgency of the matter, on any date before 13 October, even though it is the normal practice for safety issues to go to that committee for prior consideration.

The Minister, in an answer to me on 19 December, said that it is normal practice for urgent safety issues to be considered without prior consideration when there are time constraints, but here there were no necessary time constraints. The evidence had been around at least for weeks, if not for months. I say that for this reason. The regulatory bodies had information and did nothing about it from May last year until October. It is clear that the sub-committee met on 5 September and 3 October. We know that oral contraceptives were placed high on the agenda of the European working party in August last year. Therefore, it was already known that there was a problem.

The question is, why was the matter not on the agenda of either of the two meetings of the relevant sub-committee of the CSM in the UK, which had the principal responsibility for considering these issues, when it could have considered the matter on either of those dates last summer. A full committee meeting was called, at two days' notice, in October, the sub-committee was by-passed, and members were given 24 hours to read all the papers.

Next, I have a set of questions about the regulatory action. Why, if there was such an urgent need for people to know about the increased dangers, was no regulatory action taken from last October until 1 May this year? If the pills were dangerous, why was it perfectly permissible for them to go on being prescribed? The MCA specifically asked the CSM to consider at its meeting the regulatory implications and whether there should be withdrawal or warnings. Nothing happened for more than six months.

To make it clear, the word "warning" is, I am advised, a synonym of the technical term "variation"—a variation that applies to the regulations which govern the use of pills such as these.

The CSM was specifically asked about regulatory action in October. What we have not heard, and what the Minister has so far refused to reveal in any parliamentary answers, is whether the CSM recommended any regulatory action. I ask the Minister to make sure that he tells the House that in his answer today.

With regard to the regulatory issues, as far as I can judge, and as far as I have been able to research and am advised, it is unprecedented to make an announcement, as the Government did and always planned to do, and then not to take regulatory action within a short period thereafter.

There was always going to be a public statement. It would have created as much of a scare as did the one issued at midday by the Department of Health. We know that because the Secretary of State said, in his statement to the House on 23 October, that the MCA planned a public announcement on Thursday afternoon. The Minister has twice refused to answer parliamentary questions from me asking him on which other occasions, if any, such a warning letter has been issued without follow-up action.

For fear that the Minister might interpret that as an unqualified criticism, I should say that I am grateful to him and to his officials, although they may not love me for it, for the many answers to my many questions that I have received. I do not want anyone to assume that a large amount of information has not been revealed. However, some of the key questions have not been answered and I do not want the Minister to believe that he is yet off the hook, because I do not think that he should be. I hope that he will answer today the questions that I pose today. If he does not, I give him warning that they will certainly be pursued. Has there been any warning letter in the past to doctors without regulatory action linked to it?

The only reason that I have been given for our not having the answer so far is that it would be disproportionately costly. That is a normal let-out of the Government, but compared with the consequences of this action, it could be argued that the costs would be worth paying. Perhaps the answer would be unhelpful to the Government.

Can the Minister be clear in his answer whether the pharmaceutical companies have a right of appeal? Were the regulatory authorities right to behave as they did? My advice is that, although they were given early advice that they were acting within their power to take the action, or inaction, that they took, they were subsequently told that they were not. We need to be told.

The fact that such issues have not been addressed and that answers have not been given is ground for suspicion about what the Government were playing at through those crucial days in mid-October last year. What was the outcome? Nothing happened in October, but on 1 May this year, more than six months later, the committee sent a letter to companies stating that it had advised the licensing authority that regulatory action should now be taken.

The only thing that had happened, apart from, if the hon. Member for Motherwell, South is right, the change in the German regulatory body's view, was that the European body, meeting on 16 and 18 April, decided that there was no decisive evidence of any increased risk from oral contraceptives, and had declined to recommend any regulatory action. Indeed, the chairman of the European body, Professor Alexandre, said last month that it would be "absurd" to take any regulatory action against any of the pills, given the uncertainty of the data.

If the Government did not take any action until May—they have now, apparently, taken action—because they were waiting for pan-European advice or action, why have

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they now proceeded to propose regulations through their agency, the CSM, against the recommendation of the European body?

In any event, the Minister for Health at the time said:

"it is a matter for individual states to deal with"—[*Official Report*, 7 November 1995; Vol. 265, c. *681*.]

In his statement, the Secretary of State for Health said:

The responsibility for reaching clinical judgments about which contraceptives satisfy the standards required by law rests on me, subject to the advice from the Committee on Safety of Medicines."—[*Official Report*, 23 October 1995; Vol. 264, c. 704.]

I assume, therefore, that that means that the Secretary of State takes responsibility for the regulatory action that the regulatory authorities have the power to take. The conclusion to be drawn must be either that the oral contraceptives concerned did not satisfy the standards required by law, in which case regulatory action should have been taken, normally on the same day, or they satisfied the standards, which we must assume was the case given that nothing happened for six months. If that was the case, why on earth did we have such an alarmist announcement in October?

Dr. Bray: Does the hon. Gentleman consider that he is advancing the cause of safety of medicines if he asks for watertight, cast-iron judgments on whether a product is safe? To insist on a reply to such a question would force Ministers and the system into a quite impossible position. The Minister must ensure that agencies spell out the facts and that a judgment is given, but we must recognise that it is a judgment. Now that all the material has been published, is the hon. Gentleman saying that the general view of the medical profession is that they should prescribe third generation drugs in preference to second generation drugs in the ordinary case?

Mr. Hughes: The hon. Gentleman asks a perfectly proper and profound central question. I share his view. On this issue, I have been supportive of the Government, such as when the Secretary of State for Health made a statement about bovine spongiform encephalopathy. It is not my case that the Government should always reach conclusions on the basis of scientific evidence, and I hope that the hon. Gentleman accepts that. My case is that the letter and the press release that went out in this instance made it clear that the advice that should be given to general practitioners, and which it was suggested they should give to their patients, was that women on the third generation pill should change their prescription. That was the balance of view that was taken. I do not argue that the Government should substitute their view for that professional one.

The hon. Member for Motherwell, South is a scientist, and I am not, but I have done enough science to understand the issue. My case is that we should give people the evidence and the facts and that, from it, different conclusions can be drawn. I hope that the hon. Gentleman will accept that it is not the burden of my case that the Government should always have a definitive view, and I would not wish to push this or any other Government into that position. It is important that we do not spoon feed, or pretend to spoon feed, the public when evidence is often contradictory and difficult to draw conclusions from.

I shall move on to my final remarks, as I know that the hon. Member for Fife, Central (Mr. McLeish) wishes to speak from the Labour Front Bench, and I am keen to give the Minister plenty of time to answer the questions that remain to be answered. I have given the Minister notice of three specific questions.

First, the Secretary of State stated on 23 October 1995 that the concerns relating to oral contraceptives arising from the World Health Organisation study were brought to the attention of the Medicines Control Agency in July. Will the Minister confirm that that is not correct and that the MCA had the information in May, not July, as the evidence shows that it had a further two months' notice, which the Government have so far not admitted?

Secondly, in his statement, the Secretary of State indicated that adequate information had been made available to doctors to allow them to make informed decisions. That point was made by the hon. Member for Motherwell, South. When the Secretary of State made that assertion, the MCA was working with the Family Planning Association to sponsor a letter to correct some of the deficiencies of the 18 October "Dear Doctor" letter. The chief medical officer in Scotland made it clear that the "Dear Doctor" letter did not get through to all doctors, and he has severe concerns about the fax system, however good it might be in theory. The MCA spent in excess of £90,000 to sponsor the second letter, which was, in effect, a correction of the first. One of the Minister's written answers describes the second letter as having been issued because of a clear need to provide health professionals with additional advice and guidance on the practical management issues arising from the advice issued by the CSM. I hope that the Minister will issue a correction to the statement of 23 October, and confirm that the Government accepted that the information issued on 18 October was inadequate and flawed and that they knew that by the time the Secretary of State came to the House on 23 October.

Thirdly, in a written answer on 19 December 1995, the Minister stated that the final report of the WHO study had been received by the MCA on 6 October. A further question, on 30 April, elicited the information that the final WHO report was dated 13 October. Any document received on 6 October cannot therefore have been the final report, which must mean that the answer given to the House on 19 December was inaccurate.

We are told, in "Questions of Procedure for Ministers":

"Ministers must not knowingly mislead Parliament and the public and should correct any inadvertent errors at the earliest opportunity."

I hope that the Minister will correct today what I am still perfectly happy at the moment to accept were inadvertent errors.

Finally—this is a scientific point—why was an announcement made when there was no new evidence of increased risk? I have taken the advice that is available to all of us, and it has always been known that there is a small risk of blood clots—thromboembolism—from all oral contraceptives. It has generally been supposed that the risk was to about 30 cases per 100,000 women each year. All that the new evidence revealed was that the risk continues with third generation oral contraceptives, while for those containing second generation drugs it is lower than was previously supposed. The news was, therefore,

good news. It was that there is no greater risk and, therefore, there was no need for any alarming announcement.

Dr. Bray: There were new data—I am sure that the hon. Gentleman accepts that—on second and third generation drugs. The new data showed that the risks from second generation drugs were lower than was thought and that the risks from third generation drugs were twice those of the second generation ones. The absolute level of risk depends on the denominator. A notorious problem in testing is that it is very difficult to know with what a comparison is being made, but in this case it is quite clear: it was between second generation and third generation drugs. I think that there is no dispute about the evidence.

Mr. Hughes: I am happy to tell the House that, on those facts, there is no dispute between the hon. Gentleman and me, but I draw the same conclusion as I drew before: what went out was a warning. I think that he will accept that it was stated in the letter that GPs should advise women on third generation pills to change their prescription—but there was no evidence of greater risk. It was greater than with second generation drugs, but there was no evidence of greater risk than was known before. I shall conclude with what the professionals say about that.

The family planning faculty of the Royal College of Obstetricians and Gynaecologists advised GPs this January that it is safe for them to continue to prescribe third generation oral contraceptives. The chairman, who was present at the meeting of 13 October, said:

"The surprise is that the older Pills carry a lower risk than previously supposed. As this emerges as the true situation, one is forced to wonder whether the haste in disseminating the CSM letter was justified."

On 23 October, the Secretary of State said:

"the evidence is that . . . women do not find it"—

the advice—

"confusing."—[*Official Report*, 23 October 1995; Vol. 264, c. 706.]

I do not think that that is true. A survey of 1,300 third generation pill users carried out in November by Exeter university found that half had had their confidence shaken and that teenagers were particularly confused about the level of increased risk.

A separate survey by a family doctor in Oxfordshire found that 12 per cent. of users at her practice had stopped taking the pill on the day of the warning. A family planning expert, Dr. Horrocks, at Frenchay hospital in Bristol, said that at least 56 women were known to have had a termination in the past three months because fear had prompted them to stop taking the pill. She said:

"This is probably an underestimate. In February, we could barely cope with the numbers coming in. Instead of having 70 waiting at one time, there were 170. The waiting list was much longer. Sometimes it was difficult getting women seen before 12 weeks."

There was widespread confusion and there was panic. Some doctors advised women to stop taking the pill immediately, even if they were in mid cycle. Others advised an immediate change to second generation pills and it has been professionally argued—I say this carefully because I do not want to be alarmist—that there has been one death of a woman who suffered a massive blood clot as a direct result of being switched from a third-generation pill to another.

There was a public health "fiasco", to use the word of the chief medical officer in Scotland. There are no clear answers to some of the crucial questions, the most important of which is what the advice of the CSM was in October. It is, therefore, difficult to escape the conclusion that there is something as yet not revealed by the Government, and possibly something that they still wish to hide about why there was a rushed announcement in October.

Why did we get such a slow set of events between May and October last year and then another slow set of reactions between October and May this year? Why did we have a public health warning and no regulatory action, despite the fact that advisers were asked specifically to consider it? Why have we had a further six-month delay before any regulatory action has been taken? Why was regulatory action taken two weeks after the European advice that we did not need to take regulatory action? If this is not a serious set of questions about the control of medicines, I do not know what is.

11.51 am

Mr. Henry McLeish (Fife, Central): I congratulate my hon. Friend the Member for Motherwell, South (Dr. Bray) on bringing this debate to the Floor of the House. It is an important debate in many respects, the first being the recent health scares—the most notable being the BSE scare. We need to have a debate on the safety of medicines and on the way in which the Government handle the issue.

Secondly, very sophisticated electronic news-gathering now exists, and increasingly the Government do not appear to be aware of that. Scares can develop very quickly. Thirdly, with the advances in research in science and technology we are in a much better position to identify adverse reactions to drugs, which is much to be welcomed. Fourthly—this is really the background to the debate—we need to have a wider public who are more informed and educated on health matters. It is ludicrous that in 1996 a scare can develop so quickly. One of the reasons for that is the Government's lack of trust in the public and the lack of information that the public have on which to make informed choices about their health and the health of members of their families.

Above all, there is the question of public confidence in the scientific community, and in the ability of Government to disseminate information, which is a matter that we have to take extremely seriously. It is obviously an issue of public interest, but it is also an issue for manufacturers, who use sophisticated processes to produce excellent products and have a great interest in how we deal with the safety of drugs.

As my hon. Friend the Member for Motherwell, South suggested, we owe it to our scientific community to take them seriously. Scientists do an excellent job of advising Government, but they are often dragged into a debate and treated very unsympathetically. The issue is also vital for the medical profession, especially general practitioners, who are often at the sharp end of receiving information from Government and from the Committee on Safety of Medicines. They are also at the sharp end of public reaction, as we have seen with the scare about the oral contraceptive pill. The issue is of enormous interest for all concerned.

There are, however, no easy solutions. The hon. Member for Southwark and Bermondsey (Mr. Hughes) rightly made the point that there is no quick fix for some

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of the serious concerns. Nevertheless, it is incumbent on parliamentarians and on all the organisations that I have mentioned to try always to improve communications techniques so that the public have information on which to make sound choices.

I will concentrate on two areas. The first is informing the public and the professionals when there is a safety alert involving drugs and medicine. Secondly, I will refer briefly to pharmaco-vigilance and the post-market surveillance of medicines as that is clearly an important issue for those in the field who seek to monitor what is happening in relation to prescribed drugs.

Today's debate has largely, and rightly, been taken up with last October's scare about contraceptive pills. That has been well documented and I do not intend to go much further into the details. However, important lessons can be learnt from the substance of that issue. It is important to stress that Government can learn lessons. Clearly, we have become immune to the Government's indifference in recent years in relation to certain issues. However, it is vital that they take seriously criticisms that are intended to help the public and not merely to be another debating point in the Chamber.

An article in *The Times* on 20 April this year was headlined:

"Britain is criticised over pill scare".

It talked about the alert which, as the hon. Member for Southwark and Bermondsey said, is likely to lead to several thousand unwanted pregnancies or abortions. We should not underestimate the importance of that. *The Times* article then said:

"The announcement leaves Britain isolated over its stand on so-called third-generation Pills."

We are well used to the scepticism and exaggeration that can accompany press articles, but *The Times* makes an important point. The article continues:

"But the European agency said that there were too many uncertainties in the three studies used by the Government to justify its alert . . . The European agency said it was calling for more research."

The article highlights the concerns about why the Government took action and when they took action. It is now important to look further at some of the lessons that can be learnt from the way in which the matter was dealt with.

Crucially—I have made this point before, but I will make it again because it is worth repeating—the public deserve to have proper guidance and proper information. In many respects, the BSE scare highlighted a real crisis of communication from Government to people. There was no attack on the scientific community, but the initial scare was the basis of the subsequent scares, for which everyone is now paying the price. Information is important.

An article in the *British Medical Journal* of Saturday 28 October advising women about which pill to take was a constructive piece. However, the article said that

"legitimate questions may be asked about the timing of the announcement, procedures for circulating information to doctors, and the detailed content of the committee's letter".

Again, that illustrates the basic problem of communication between a Government who have absorbed information given to them and the professionals and the public to whom they give information.

It is also important to consider an article in *The Lancet* of 27 January 1996, which states:

"The UK and German regulatory agencies have erred and their respective governments must ensure that such intemperate action does not happen again. The European Union's regulatory authority and regulatory agencies in other countries, including the US Food and Drug Administration, have waited for the opportunity to examine in detail the published, peer-reviewed . . . studies."

That is another example of the wide-ranging criticism of the Government's handling of the matter. Articles in distinguished periodicals, the British Medical Association and many consumer organisations have also criticised the Government.

It is crucial that we have safety margins, but monitoring must not create medical scares. I stress that point and I hope that the Government will respond to it. I have spoken mainly about the public, but in that particular scare, GPs, who are in the front line in terms of patient in care, were given only perfunctory notice of what was happening. Again, they were reading about it in the press while information was filtering through to their surgeries as to what they could tell patients who telephoned them. That smacks of a fundamental weakness in the process.

If the Government learn nothing more from today's debate than that they must continuously give information to the professionals to pass on to the public, we shall have done the nation a favour. That said, it strikes me that the Government are often unwilling to take lessons.

Let me summarise the serious issues. First, the quantity, quality and consistency of scientific evidence must be taken seriously. Secondly, although I do not want to join in the attack on the Government in respect of the announcement regarding the contraceptive pill, it is obvious that timing is crucial. Professionals must be informed and the Government must follow up initial health alerts with positive helpful guidance. It did not happen with BSE; we nearly had another crisis on the phthalate in powdered baby milk; and then, of course, there was the oral contraceptive scare last year. There are too many scares. Ultimately, the Government must bear responsibility for improving the handling of information.

Thirdly, the Government should review the process of circulating information to doctors. Fourthly, we need to examine the process of informing the public. Fifthly, there is concern about the detailed contents of letters and advice as there have been many criticisms in the past that, to use the old adage from one of the adverts, one should never make a drama out of a crisis. Clearly, we should be cognisant of wording and keep it very simple.

My final point relates to transparency and secrecy. It is not a particular attack on the present Government, but on all Governments. We simply do not take the public into our confidence in the way that we should. There is always reluctance to provide information when we feel more comfortable hanging on to it. It is clear from the medical press and consumer groups generally that there is too much secrecy about health matters. I hope that the establishment of the European agency will provide new opportunities to make issues more transparent.

I acknowledge that companies need to have an eye on commercial confidentiality and that sophisticated processes are at work, but none of those issues should be subservient to the need for the public to know and to make informed choices on the knowledge that they have. It is a difficult balance to strike. Nevertheless, we should be making greater efforts towards it.

I have outlined the issues to which the Government should respond, which involve their attitude as well as the implementation of practical policies. They have demonstrated more than a hint of arrogance and complacency in dealing with issues involving the public. We should remember that we are elected by the public and the Government are selected from a group of elected representatives. Therefore, the public should always be the overwhelmingly important factor.

Finally, so that the Minister, who is desperate to get to his feet, can have adequate time, I turn briefly to pharmaco-vigilance and surveillance in the marketplace. The system in operation is known as the "yellow card" system. It is a basic procedure whereby adverse drug reactions are recorded and forms are submitted to the authorities monitoring drug safety. The system is working well, but the BMA has raised two issues that I should like to put to the House.

First, it is clear that there are fluctuations in the reporting of adverse drug reactions. There could be good reasons for that, but the BMA suggests that there should be further research into how the system is operating. It could be that there are fewer adverse drug reactions, which would be warmly welcomed by all concerned. Secondly, there is a possibility that the time involved in filling in forms could be a disincentive to some GPs properly to report adverse drug reactions. There may be problems that require investigation.

The second issue raised by the BMA concerns the confusing terminology used in reporting adverse drug reactions. According to the BMA:

"For example the British Natural Formulary uses the terms 'cautions', 'contradictions' and 'side-effects', while MIMS (the monthly index of medical specialties) uses 'special precautions','drug interactions' and 'adverse drug reactions'. There is a European Union definition of what is an adverse drug reaction."

It suggests that a standardised definition might be helpful, but acknowledges the complexity of these matters. Nevertheless, the BMA has contributed two positive ideas to the debate and I hope that the Minister will consider them.

My hon. Friend the Member for Motherwell, South and the hon. Member for Southwark and Bermondsey have made the issues quite clear. We have had a scientific and technical discussion, but at the end of the day I return to the point on which I started. We must always reassure the public that their drugs are safe in the hands of the Government and the experts who are dealing with them.

Finally, I call on the Government to review the way in which they handle health issues. It seems to me that we have built up a catalogue of scares. On reflection, some of them might not have been avoidable—perhaps the complex process of society means that it is impossible to get it completely right or wrong.

The Minister for Health (Mr. Gerald Malone) *indicated assent.*

Mr. McLeish: The Minister agrees with me. When we have three or four such scares in a row, however, Oscar Wilde's comment about carelessness comes to mind. It would be worth while for the Government to review the way in which they handle the interface with the public on health issues. I hope that the Minister will consider that point. It is not only germane to the Health Department: Ministers at the Ministry of Agriculture, Fisheries and Food could use a significant dose of reality to knock some of them out of their complacency, particularly Ministers dealing with the BSE crisis. However, I will not spoil a speech in which I have tried to be constructive by making any further attacks on the Government. That can wait until another day.

12.7 pm

The Minister for Health (Mr. Gerald Malone): I welcome the opportunity to respond to the important debate that the hon. Member for Motherwell, South (Dr. Bray) has been successful in securing. In the time that remains, it may be helpful if I address the specific points that the hon. Gentleman made in his speech and then turn to wider issues and set them in the context of the Government's policy in these matters. I am sure that the hon. Gentleman will not take it amiss if I begin with the points raised by the hon. Member for Southwark and Bermondsey (Mr. Hughes), with the intention of getting them out of the way before dealing with the substance of the debate.

With typical courtesy, the hon. Member for Southwark and Bermondsey gave me notice of the specific questions that he wished to raise. I shall deal with those before explaining how I intend to deal with the range of eclectic points that he made and I shall set out my reasons for dealing with them in that way.

First, the hon. Gentleman asked when the Medicines Control Agency first became aware of the World Health Organisation study. The MCA first became aware of the likelihood that information would become available from the WHO study in May, but it was not until July that information from the study was provided suggesting that there was concern as to the safety of some oral contraceptives.

The hon. Gentleman also suggested that the advice of the Committee on Safety of Medicines was not adequate. He has questioned the value of the committee's information on other occasions as well, although in fact it has given doctors extremely clear advice on the use of the relevant oral contraceptives. He then tied that in with the guidance of the Family Planning Association. I remind him that the purpose of that guidance was to place the CSM's advice in the context of family planning practice, which can be different.

There is no point in the hon. Gentleman's pointing out that the two are different in substance. Of course they are: they are specifically designed to be. The hon. Gentleman, however, seems to take a perverse delight in refusing to recognise what are often simple facts. It is the role of the FPA, not the CSM, to give guidance on the practicalities of management of the care of women. I hope that he will now accept that distinction.

The hon. Gentleman has often repeated his serious accusation that Parliament was misled about the date of the final World Health Organisation study. I have answered that question at least once, and I do not intend to go over the same ground again; but I must tell the hon. Gentleman that he has made some serious accusations. I am not sure whether he thinks that they are part of the cut and thrust of politics, and that that enables him to make his point. I am much less concerned about his accusation that I have misled the House—important though that may

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be—than about the accusation that he levelled, at least by implication, against both officials and professionals who advise the Government on issues relating to the safety of medicines. He suggested that they were involved in some complex and incomprehensible conspiracy connected with the way in which the matter was brought to the public's attention.

It is disgraceful that, notwithstanding the evidence that I have provided in answer to more than 200 written questions tabled by him, the hon. Gentleman persists in the accusation that a conspiracy has taken place. It is time that he abandoned that false trail, and concentrated on the substance of the issues—which he pretends to do, while using that as a smokescreen for what is simply a political campaign.

I will check the points made by the hon. Gentleman with the questions and answers that are already in *Hansard*, and if there are any blank spaces I will write to him. I must deal with this complex subject in that way because I was not able to flick through the answers that had already been provided while listening to the hon. Gentleman's speech in order to establish whether I had answered all his questions. When providing him with written answers, I have often found that answers have already been given to questions which, if not asked by the hon. Member for Southwark and Bermondsey, have been asked by his hon. Friend the Member for Gordon (Mr. Bruce), who ran around the race track about six times before handing the baton on to his hon. Friend to run around again in ever-decreasing circles and at ever-increasing speed. I will check carefully what he has said, and, if the House allows me, I will leave this part of the debate at that.

I will now deal with the serious points made by the hon. Members for Motherwell, South and for Fife, Central (Mr. McLeish). Having listened with great attention to what was said by the hon. Member for Motherwell, South, I will explain the purpose of controls on medicines and the way in which we try to provide medicines where they can be effective while still maximising the benefits and minimising the risks. That is the general objective of the policy.

A focal point for the debate must be the recognition of the enormous benefits conferred by modern medicines. They certainly prevent far more adverse events than they cause. The appropriate use of medicines relieves human suffering, and cures or alters the course of many life-threatening diseases. They also provide a cost-effective form of treatment. For example, modern antibiotics and vaccines have markedly reduced the impact of infectious diseases in the past 50 years. Developments in biotechnology and molecular biology are bringing about a further revolution in treatment. That is expected to have an equally dramatic impact on diseases such as cystic fibrosis, which has been extremely difficult to treat hitherto.

The hon. Member for Motherwell, South struck the right note when he spoke of finding the appropriate balance between what medicines can achieve and the possible risks. In a powerful intervention on the speech of the hon. Member for Southwark and Bermondsey, he pointed out that value judgments must often be made, and that finding the right balance was the answer. Mechanisms must be designed to find that balance, and when it is found, if it is on the side of risk, the mechanisms must deliver that information at the earliest opportunity, not only to the health care professionals who administer the medicines but to the public who consume them. The truth is that no medicine is entirely risk-free.

There is a well-defined framework for the control of medicines. As the hon. Gentleman said, in a sense the definition of that framework and its development is never completed; there is a continuing debate about how mechanisms can be improved and advanced. The hon. Member for Fife, Central asked whether, in the light of circumstances, the Government would conduct a review. There would be no specific review, but these matters are always open to debate. Better information leads to change. There is, in fact, a constant review of progress, and the hon. Gentleman will know—especially in the light of recent events—that the Government have made clear through the chief medical officer that the dissemination of information to professionals in particular is a process that we think we can improve. That is being examined, and much of it ties in with the development of technology within the national health service.

The framework for medicines control in the United Kingdom is provided by the Medicines Act 1968, and by a series of EC directives dating back to 1965. It is a comprehensive system of standards, used as the basis for authorisation, marketing and monitoring of medicines in the UK. Those standards are incorporated into the EC licensing system that came into force in January 1995. The system requires all medicines used by the public—either prescribed by doctors or purchased by consumers—to be licensed, with only a few closely controlled exemptions. Licensing is based solely on a scientific assessment of safety, quality and efficacy; other factors, such as costs, do not affect licensing decisions.

The licensing process involves rigorous assessment, including toxicity tests on a variety of animal species before any medicine is tested on humans. Prior to marketing, clinical trials of efficacy and safety are conducted in between 1,000 and 2,000 patients. As part of that assessment, the Government receive advice from independent experts—I stress the word "independent"—and from those working in the Medicines Control Agency.

Pharmaceutical companies also have responsibility for the safety of the medicines that they sell, and must meet statutory pre-marketing and post-marketing obligations. I emphasise that aspect because it relates to what seemed to be the burden of the speeches of the hon. Members for Motherwell, South and for Fife, Central: what happens at the post-marketing stage. Those obligations are to provide the licensing authority with information on safety, quality and efficacy. Extensive guidance on those requirements is available, and in general the industry complies well. If it does not, the Medicines Control Agency has power to deal with that and to ensure that it complies in future.

Pharmaco-vigilance has been referred to by all hon. Members who have spoken in the debate, and I shall set out the procedures, the powers and the recent developments which ensure that pharmaco-vigilance is as effective as possible. Once a medicine is licensed, the Government monitor its adverse effects closely to ensure that it is safe in widespread use. The UK is respected world wide in this area, and the MCA also has an excellent record.

There are a number of key elements in the pharmaco-vigilance system. Access to the best advice, prompt action and effective dissemination of information about the safe use of medicines are the foundation stones on which the system is built. The licensing authority has powers to suspend, revoke or vary marketing authorisations in response to concerns about safety or efficacy, and there is an appellate process involving expert bodies before final decisions are made. The system has a clearly defined process, and has teeth to make things happen.

I pay tribute to the independent critical review provided by the Committee on Safety of Medicines. Ministers—especially the Minister for Health, in the role of licensing authority—know from direct experience that its advice is sound and can be relied upon. I shall return to how the information is disseminated, but we should consider the means by which possible safety issues with medicines are identified and investigated.

The first question is that of monitoring. The yellow card scheme, which encourages doctors to report adverse effects of medicines to the MCA, is one of the best-supported reporting schemes in the world. It is underpinned by a purpose-designed, state-of-the-art computer database that enables the MCA to identify important hazards as early as possible. The scheme has a proven track record in identifying drug safety problems promptly. The agency also has access to reports of adverse effects occurring abroad so that it can benefit from worldwide drug safety experience. Wherever possible, the scheme plugs into a wider network.

Formal post-marketing studies are an important part of the process, and a range of other methods to assess the safety of medicines are also used. The UK has taken the lead in this area by developing guidelines for those studies that are sponsored by pharmaceutical companies. The hon. Member for Motherwell, South asked whether we were running down studies in these areas in a formal sense, whether enough was being spent on research and how that tied in with what happens to the commercial studies carried out by pharmaceutical companies.

The guidelines were a first for the industry, and have been followed elsewhere. They were agreed in 1993 with representatives of the industry and the medical profession. They are important because they provide for independent advisory groups to oversee the studies and for the MCA to comment on their design and receive regular reports on the findings. They are the basis upon which European Union guidelines are drawn up, and they have been incorporated into them. That is sufficient testimony to their robustness.

The hon. Member for Motherwell, South knows that not all the funding of clinical studies that assess drug safety comes from the companies. Many relevant studies use direct or indirect public funding, including some commissioned by the Department's NHS research and development division—which now has an annual research budget of £21 million—and others funded by the Medical Research Council. The Government also fund the UK Cochrane centre. The hon. Gentleman, who takes a keen interest in these matters, will know that the centre plays a vital role in the dissemination of information about a range of drugs and procedures, not just in this country but world wide.

The hon. Member for Motherwell, South referred to the general practice research database, and described the present situation as a kind of reverse privatisation. I can tell him that the Department of Health knows a bargain when it sees one, and we were delighted to seize the opportunity when the GPRD became available. Since then, there have been important opportunities to develop the use of this important resource for pharmaco-vigilance purposes. This has been pursued vigorously by the MCA, which has set up an epidemiology unit directed by a leading professor of medical statistics. The goals of the unit are to make the best use of recorded linkage databases in the UK and abroad and to develop other approaches to investigating drug safety.

Dr. Bray: Will the Minister look further at the arrangements made for the exploitation of the GPRD, because a good deal more could be done?

Mr. Malone: I was going to give an undertaking that I would look carefully at the hon. Gentleman's remarks. Clearly if there are ways in which greater use can be made of this asset, we would wish to use them. I will take his remarks on board and look at ways in which we might take the matter forward. The MCA has used the GPRD on, I believe, 14 occasions until now. The database is important, and its value is clearly recognised by the Government.

The provision of information is vital, as hon. Members will recognise. Without it, collecting the information is valueless. Often information arrives that must be made available to the public rapidly because of public safety issues. Value judgments must be made, and I make no bones about the fact that—with the benefit of hindsight—better methods could have been used or further investigations carried out. The Government take responsibility for drawing to the public's attention as early as possible any information affecting public safety. If the hon. Member for Southwark and Bermondsey can create a conspiracy theory from Ministers coming to the House to provide information, I wonder what theory he would have concocted had the decision been not to do so.

There is a range of ways in which information is made available to the professions and the public, including the British National Formulary. Other regular publications bring the information up to date and draw it to the attention of the profession. Perhaps the best known is the bulletin, "Current Problems in Pharmacovigilance", which provides more detailed and technical information on specific drug safety issues. In addition, if an important new hazard is identified, the chairman of the Committee on Safety of Medicines writes to all doctors and pharmacists as a matter of urgency. We also make use of electronic communication networks to get important information to health professionals more quickly. That is a rapidly developing field.

The MCA is playing a key role in initiatives—both within the EC and more widely, involving the USA and Japan—through the International Conference of Harmonisation to develop standards to support electronic transmission of pharmaco-vigilance information. It is important that the network spreads and that information can be made available in a comprehensible way so that it can be brought to the public's attention and to the attention of health care professionals as quickly as possible.

[Mr. Malone]

This has been an extremely useful debate that the Government very much welcome. Everyone recognises that medicines sometimes have adverse effects. I accept the point made by the hon. Member for Motherwell, South that we must develop the systems that inform us and improve, where we can, the research that is undertaken. We must always get the balance right but never, as Ministers and as the licensing authority, be afraid to go to the public with information as and when it becomes available.

Dr. Bray: In half a minute, will the Minister say what is the machinery for examining the interactions between safety and other matters?

Mr. Malone: I am not certain that I shall be able to deal with that point in the 30 seconds available. I have listened carefully to what the hon. Gentleman has said and I will write to him in detail on that.

In conclusion, we take our obligations very seriously. This has been a useful opportunity to air the Government's policy and I am grateful to the hon. Gentleman for choosing this subject.

Child Abduction (Hague Convention)

12.30 pm

Sir John Stanley (Tonbridge and Malling): I warmly welcome my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department to his maiden voyage at the Dispatch Box. I am sure that he will have a successful time there and stay there for many years to come.

I have initiated this debate in my capacity as a vice-chairman of the all-party child abduction group. With your consent, Mr. Deputy Speaker, I know that the chairman of the group, the hon. Member for Nuneaton (Mr. Olner), wishes to intervene briefly in the debate. The all-party group felt that this was an important moment to have a debate on the Hague convention on child abduction, given that the third review meeting of the Hague convention will take place early next year.

Mercifully, child abduction is not numerically a severe problem. There are between 100 and 200 new cases a year of children abducted from the UK which come to the Lord Chancellor's Department as the central authority under the Hague convention. There are another 100 to 200 cases of children who have been abducted to the UK, which also fall to that Department to deal with.

However, the trends are disturbing. The figures that my hon. Friend the Minister gave me in a parliamentary answer yesterday show that cases of abduction both to and from the United Kingdom have risen in each of the past five years since 1991. Although the problem may be numerically relatively small, one cannot overstate the magnitude of the distress caused to those who are involved in the forcible removal of their children. There is the distress caused to the parent from whom the child is abducted and the distress caused to the children.

There are five issues on the working of the convention that I wish to bring to my hon. Friend the Minister's attention. First, there is the issue of entitlement to legal aid. The convention's provisions are effective only to the extent that they are legally enforceable in the jurisdiction that is dealing with the case. Inescapably, many parents—probably the great majority—find the cost of lengthy litigation beyond them. Eligibility for legal aid is of paramount importance for their ability to enforce their rights under the convention. The UK has a reasonable and creditable record on that. The chief executive of the Legal Aid Board, Mr. Stephen Orchard, has confirmed to me that what is creditable about our position is that the country of residence of the individual is irrelevant in deciding whether legal aid can in principle be made available.

The answers that my hon. Friend the Minister gave me yesterday showed that our expenditure on legal aid in child abduction cases in the past financial year was higher in respect of overseas claimants than in relation to claimants who are resident in this country.

Unhappily, the position is different for cases that involve UK residents who have had their children abducted overseas and who seek to obtain legal aid in countries overseas. There are many cases of UK residents having had extreme difficulties in getting legal aid to enforce their rights under the convention. There is a serious issue of reciprocity. In equity, it is only right that, if we extend a level of legal aid availability to overseas residents pursuing cases in Britain, the same legal aid rights should be extended to UK residents who are pursuing cases overseas by those countries.

The second issue that I want to raise relates to one of the most difficult parts of the convention, but it is critical. It is the extent to which the wishes of an abducted child should be taken into account in determining to which parent he or she should be returned. The relevant provisions of the convention are set out in article 13, which states:

"The judicial or administrative authority may also refuse to order the return of the child if it finds that the child objects to being returned and has attained an age and degree of maturity at which it is appropriate to take account of its views."

The wording is unexceptional in itself. There is no doubt that an inflexible provision whereby every abducted child would be automatically taken back to the parent from whom the abduction had taken place would be wrong. In some compelling cases, there might be justice, in the child's interest, in the child remaining with the parent who had abducted the child.

The provision is sensible, but it is evident from the study of individual cases that it can be used exploitatively by a parent who has abducted a child. A young child will be easily capable of being influenced by the parent that the child is with. It is possible to manipulate a child to express a wish that he or she should remain with the parent who had carried out the abduction, rather than going back to the parent from whom that child was abducted.

In the forthcoming review, close attention must be paid to how that provision has worked in practice, and, as far as possible, steps should be taken to try to ensure that it is not exploited and abused by parents who have carried out abductions to try to secure the retention of the children that they have abducted.

Thirdly, there is the critical issue of the extent to which independent professional advice is made available to the courts in the jurisdiction in which the case is being held about which parent the child should reside with. In part, that flows from the previous point that I made about the wishes of the child.

It is clearly essential that the court has access to the wholly independent advice of child psychologists, possibly psychiatrists, social workers and others, who have been professionally involved with the child and are able to advise the court on where the child's best interests lie. It has been patently clear in many cases that the court has not taken steps to have before it fully independent advice, wholly divorced from one of the parties.

My right hon. Friend the Member for Chelsea (Sir N. Scott) brought home the lack of fully independent advice that had been available in the court proceedings in Germany concerning his constituent, Mrs. Catherine Laylle, in a debate that he initiated in July last year. It is imperative that wholly independent professional advice is made available.

My fourth point concerns the operation of the convention's rights of access, which are set out in article 21. The wording of article 21 is very reassuring. It refers to

"the effective exercise of rights of access"

and continues:

"The Central Authorities are bound by the obligations of co-operation which are set forth in Article 7 to promote the peaceful enjoyment of access rights . . . The Central Authorities shall take steps to remove, as far as possible, all obstacles to the exercise of such rights."

There is clear evidence in individual cases that those clear rights of access, especially for the parent who does not have possession of the child—invariably the parent from whom the child has been abducted—are not being properly fulfilled. Given that such rights concern the only point of contact that the parent has, it is essential that there are effective rights of access as stated clearly in article 21.

My fifth point is that the convention's wording is generally satisfactory and has stood the test of time since its drafting was concluded in 1980. The convention's weaknesses concern the way in which it is operated and interpreted in some overseas jurisdictions. Clearly it would be an extremely laborious task to amend the convention.

Will my hon. Friend the Parliamentary Secretary consider extremely carefully whether we could improve the convention's operation by introducing an internationally agreed code of practice on the operation of its sensitive provisions, especially in the sort of areas to which I have referred? I hope that he will consider tabling at the review meeting next year a draft code of practice for such areas, to try to improve the effective and fair working of the convention's provisions.

The Government have frequently stated that they are in favour of open government. This issue provides an excellent opportunity to practise that desirable principle. The review meeting will take place early next year, and many people outside the House and beyond Whitehall have a contribution to make to it.

I therefore hope that my hon. Friend the Parliamentary Secretary and his Department will consider issuing a consultation paper or letter, so that those who want to contribute from their own experience of the convention's operation can do so when the Lord Chancellor's Department is formulating its policy on the review meeting. Many very experienced practitioners outside the House have a great deal to offer. The excellent and most effective charity Reunite National Council for Abducted Children has a major contribution to make, as do, perhaps most importantly, people who have been the victims of child abduction.

I hope that I have put a constructive series of proposals to my hon. Friend the Parliamentary Secretary. I know that he will bear in mind when considering the issue the fact that, although, numerically, child abduction does not occur on a huge scale, it is as heart-rending a human issue for adults, and particularly children, as one can find.

12.44 pm

Mr. Bill Olner (Nuneaton): I congratulate the right hon. Member for Tonbridge and Malling (Sir J. Stanley) on securing this very important debate, and I thank him for leaving me a few minutes in which to add to his excellent comments. I also congratulate the Parliamentary Secretary, Lord Chancellor's Department on his new post. I think that the first time I saw him was when we were both being issued with our security passes in early April 1992.

I should like to follow the latter points made by the right hon. Member for Tonbridge and Malling on the review of the workings of the Hague convention. I know that Reunite National Council for Abducted Children is doing some excellent work in considering all the problems that people face. It certainly has strong links not only with

[Mr. Bill Olner]

the Lord Chancellor's Department but with the Home Office and the Foreign Office, and is well able and professional enough to bring all those strands together.

I also think that it would be very difficult to get all the signatories to the Hague convention to alter the wording. We need to take action fairly quickly, however, so I hope that the Government will first concentrate on considering mediation. Perhaps mediation should be included in the international code of practice that will be given to judges. Many cases begin domestically and could be sorted out before they become involved in all the ramifications of the Hague convention. Some guidance needs to be given on the starting point, because many problems could be avoided.

I am grateful to the right hon. Member for citing the statistics on legal aid, because our nationals feel that it is a great injustice that foreign nationals are able to get legal aid immediately over here. Foreign nationals do not have to prove whether they are rich or poor, but automatically receive legal aid in Hague convention cases. That is not so for our nationals when they are abroad. Such differences should be looked at strictly, because legal aid provisions should be mirrored in other Hague convention countries.

While we are considering the review, we must look at the quality of the interpretation of the signatories to the Hague convention. Countries sign it, but very little seems to be in place to ensure that it is possible to put right all the things that need to be put right.

I want to leave the Parliamentary Secretary a fair amount of time to answer the important questions, so I shall leave him with a point that ought to be considered. All child abduction cases are heart-rending, and many people—standard families as well as others—are badly hurt. Even with the best legal process, there can be some injustice. Will the Parliamentary Secretary give serious thought to establishing an international panel of arbiters, so that, when two national law-making bodies clash and cannot agree, the case can be sent somewhere else, where it can be properly, fairly and independently judged?

I accept that, whatever decision is reached, one of the parties will be disappointed; but at least that decision would be taken out of everyone's hands and made by an independent arbitration panel.

12.49 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Gary Streeter): First, I thank my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley) and the hon. Member for Nuneaton (Mr. Olner) for their kind remarks. The hon. Gentleman referred to an episode that we shared in the photographic booth in another place, which I remember with great affection and fondness.

I thank my right hon. Friend for initiating this important debate. I pay tribute to him, the hon. Member for Nuneaton and all members of the all-party group on child abduction for their efforts on behalf of children and parents who are involved in such unhappy situations. I also readily acknowledge the excellent work of Reunite National Council for Abducted Children. In common with my right hon. Friend and the hon. Member for Nuneaton, I recognise that the distress caused in such dreadful cases is real.

I believe that my right hon. Friend, and indeed all hon. Members present for this debate, support the important purposes of the 1980 Hague convention on the civil aspects of international child abduction. Those are primarily to prevent international child abduction and to promote the lawful exercise of rights of contact with children. The convention aims to achieve them by requiring a contracting state to return promptly children who have been wrongfully removed from another contracting state in breach of existing custody rights. The prompt return of children in that situation is intended to restore as nearly as possible the status quo before the wrongful removal, and to require both parents to pursue their custody and access claims in the courts of the country where the child is habitually resident.

As international contacts grow, the need for and use of conventions of that kind will increase. To illustrate the point, the total number of convention cases has doubled in the past five years, and further growth is likely, as my right hon. Friend said.

I shall attempt to persuade my right hon. Friend that the convention is generally, although not in every case, operating in a satisfactory manner. If that is right, we may reasonably assume that it also performs the valuable function of deterring would-be abductors and encouraging them to resolve their difficulties through judicial processes or mediation. Deterrence of this kind would not, of course, show up in the statistics collected by our child abduction unit.

I had intended to give the House some background information, but, in view of the time constraint, I shall refer immediately to the specific matters that my right hon. Friend and the hon. Gentleman have raised. My right hon. Friend has argued that the convention is in need of a general overhaul in order to increase its efficiency. He also made a number of specific criticisms of it. As he said, a general review of the convention's operation is planned for early next year.

The Hague conference on private international law regularly reviews the workings of existing Hague conventions; the one on child abduction was reviewed in October 1989, and again in January 1993. A special commission of the conference, which is a working group of experts from the contracting states, will meet next March to consider an agenda prepared by the permanent bureau. The review will cover any problems with the convention's operation that member states wish to raise.

The Government take that opportunity for review seriously. In the coming months, we shall do what is necessary to ensure that all relevant problems are identified and included on the agenda, and that they are then discussed by the special commission in as constructive a way as possible.

As a result of my right hon. Friend's representations today and previously, for which I am most grateful to him, I am glad to say that we have decided to carry out consultations in advance of the special conference meeting to help us to decide what matters to put forward for discussion. We have had some interesting suggestions today.

One of the problems raised by my right hon. Friend concerns the evidence of expert psychologists in applications for the return of the children under the convention. It is said, quite rightly in my view, that in

that situation psychologists must be independent experts, offering objective and professional opinions on all aspects of the cases on which their advice is sought.

It is also said that that has not happened in the case of Catherine Laylle, to which my right hon. Friend drew our attention, in her attempts before the German courts to secure proper custody and access arrangements in relation to her children. I have the greatest sympathy for Mrs. Laylle, as I have for all parents who are separated from their children in unhappy circumstances such as those that we are discussing today.

It seems that Mrs. Laylle has failed to secure the appointment of a psychologist who is able to speak both German and French, the languages spoken by her children, and who is clearly independent. The one who has in fact been appointed by the court speaks only German—not Mrs. Laylle's language—and is a local practitioner, from Bremen. Mrs. Laylle does not have confidence that his advice has been, or will be, unbiased.

I should point out that the proceedings in relation to which the psychologist's advice has been sought are not proceedings under the Hague convention. Those proceedings were concluded in October 1994 by the decision of the Celle higher regional court, which decided that Mrs. Laylle's children should not be returned to England. That decision was based on interviews with the children, not on the evidence of psychologists.

My view at present—I should emphasise that I do not have a closed mind on the issue—is that there is not a general problem with the evidence of psychologists who are not properly independent being given in proceedings under the convention for the return of children. Such proceedings are concerned only with which court should have jurisdiction to make orders in relation to the children, and are therefore necessarily summary in nature. In those circumstances, psychological evidence will not generally be of particular relevance, but if my right hon. Friend has any further material on the matter, I should like to hear from him as soon as possible.

The second specific matter raised by my right hon. Friend concerns the weight that should be given under the convention to the wishes of the children—an important matter. Under article 13, the courts of a country to which a child has been wrongfully removed may refuse to order his or her return if they find that the child objects to being returned and has attained an age and degree of maturity at which it is appropriate to take account of his or her views.

The suggestion here is that in some cases excessive weight has been placed on those wishes, thereby frustrating the return of children in circumstances where the general principle of the convention should operate—that wrongfully abducted children should be returned to the country of their habitual residence for the courts of that country to make orders relating to their long-term future.

That is a difficult area, where each case turns very much on its own facts. However, some general propositions can be stated with confidence. There is always a difficulty about the weight to be placed on the child's wishes where the dispute is, in effect, only on the limited jurisdictional question as to which court should determine that matter. The general principle of the convention is that abducted children should be returned to the country of their habitual residence. A number of exceptions to that principle are laid down, but it is plainly desirable that they should not be interpreted in an overly broad way; otherwise, the general principle will be undermined.

In that context, it is important that undue weight should not be attached to the wishes of the children, and that only in clear cases should those wishes be sufficient to undermine the general rule of return to the country from which the children have been abducted. It may be that, in certain cases, that exception may have been interpreted too widely and that, as a result, children have not been returned when perhaps they should have been. We are looking into this further, but my right hon. Friend will be glad to learn that it is one of the issues on which we will be consulting to determine whether we should place it on the agenda for the meeting of the special commission.

My right hon. Friend rightly complained that, although legal aid is available in this country in the usual way for applications under the convention, it is not always available in the contracting states. That remains the case in a number of countries, which I will discuss with my right hon. Friend at some stage in more detail.

I agree with my right hon. Friend that the provision of proper legal aid in such circumstances is of the upmost importance. There appears to be a problem in the United States, but it is not apparent in other countries. I will reflect further on whether any useful purpose would be likely to be served by putting that matter on the agenda for the special commission, or by taking the matter up bilaterally. If I consider that there would be, I can assure my right hon. Friend that that will be done.

My right hon. Friend referred to rights of access and the operation of article 21. I should be grateful if he would let me have details of any particular cases that I should take into account before the meeting of the special commission.

A number of interesting suggestions have been made today about what should be considered by the special commission—for example, a code of practice and an international panel of arbiters. I will reflect further on them.

My right hon. Friend is also rightly concerned about the enforcement of return orders made under the convention. That is of crucial importance, because, if a court order cannot be enforced, it is effectively worthless. There are a few cases in which the enforcement of orders by foreign authorities is at best dilatory and inefficient. In particular, there is one case in Germany about which we are concerned and which we are pursuing with as much force as we can.

I am grateful to my right hon. Friend for drawing attention to the various problems that have been shown to exist. He has put up a robust case, and I can assure him that we shall pursue those points with vigour.

Tourism (Scotland)

1 pm

Mrs. Margaret Ewing (Moray): I welcome the opportunity to discuss Scottish tourism and its implications for our economy. Tourism is a vast and complex industry, and it merits great attention. It is my sincere hope that we shall debate the tourist industry again, but that we shall have more time to discuss the issues that are important, to analyse and to make recommendations.

Tourism is a key industry in Scotland. The latest figures available to me show that some 170,000 to 180,000 people are employed in the tourist industry, which is 8 per cent. of the Scottish work force. Therefore, the impact of the tourist industry on economic activity cannot be underestimated. It is projected that tourism will be the largest single industry in the world by the millennium. It is growing at a rate of 4 per cent. per annum and it accounts for 100 million jobs. In the north-east of Scotland, tourism is the fourth largest employer in the former Grampian region: it supports between 17,000 and 18,000 jobs, it generates some £240 million in income and it involves some 4,000 businesses.

It is my contention that that key industry deserves a strategic overview, to ensure that appropriate, democratic measures are taken to support, market and develop it. Scotland's tourist industry cannot depend on fortuitous events such as the success of the films "Braveheart", "Rob Roy" and others—even though we may have enjoyed them. Nor can Scotland rely on the nostalgia of the films "Granny's Heilan' Hame" and "Brigadoon". We should put forward the argument that tourism is a vibrant industry—that must be Scotland's approach to the late 20th century and to the beginning of the 21st century.

Hon. Members know of the delights that Scotland has to offer. My secretary, who works for me in London, had not visited Scotland until she came to work for me. I remember driving her to Dunoon and Inverness one day. Every time I turned a corner, she wanted me to stop so that she could take a photograph—I was almost a road hazard that day. We have great delights to offer people from all over the world. Therefore, we should have a strategy to ensure that we maximise on our economy, hospitality and friendliness.

In that context, I wish to make some key points to the Under-Secretary of State for Scotland. My points are tendered in a constructive manner and I hope that I receive constructive answers. I refer to funding. All Grampian Members of Parliament—including the Minister—received a substantial amount of faxed material from the Aberdeen and Grampian tourist board in preparation for the debate. Therefore, I shall not refer to all the details and arguments that are included in that material because of the time limits that are placed on us in these short debates. I draw the Minister's attention to what has been happening in the Irish Republic and the success that it has achieved.

Mr. Robert Hughes (Aberdeen, North): As the hon. Lady is aware, last Friday the Aberdeen and Grampian tourist board finally managed to set its budget for the coming year. It is £900,000 down on a £2.8 million budget, which is severe. The trade members of the board, in particular, say that because it is a statutory body, there should be some way in which the core funding can be guaranteed. Ring-fencing probably is not feasible, but what does the hon. Lady think about the possibility of a three-year budget for the board, perhaps on a rolling programme, so that it can market tourism on a regular basis without having to worry about where the money is coming from?

Mrs. Ewing: I shall return to that issue later. The hon. Gentleman makes a valid point. The north-east of Scotland seems to have been particularly affected by the current round. Given that it did so much positive work in earlier days, we can draw from that example.

Mr. Alex Salmond (Banff and Buchan): Is my hon. Friend aware of the splendid new tourist facilities at Duff house in the north of my constituency, the lighthouse museum in Fraserburgh and the Maritime Heritage Centre in Peterhead? The facilities have been opened recently, largely due to the work of the previous council. However, three out of five information centres in my constituency are closing. Is that not incredibly short-sighted? We have splendid new facilities, but we do not have the finance to guarantee that visitors will be given the information so that they visit them.

Mrs. Ewing: My hon. Friend makes a valid point, and there are similar problems in my constituency. Tourist information centres are often not open in Moray. The tourist information centre at Peterhead is often not open because of funding limitations—the same applies to the tourist centre at Aberlour. It is ridiculous for us to promote tourist attractions if we do not have the centres to make information available to tourists who are in the area.

I was referring to the Irish example. There is clearly strong public sector leadership, and it includes the skilful use of European funding. In promotion, marketing and training, no less than 57 per cent. of the 1994 to 1999 programme for the Republic will be funded by Europe. In my area—and in the area represented by the Minister—traditional industries, such as farming and fishing, are being disastrously undermined for a variety of reasons.

Funding should be available to Scotland from Europe. That is particularly true when tourism is being considered in the context of the intergovernmental conference as a policy that could be included in the revised treaties. That emerged originally from Council decision 92/421/EEC OJL 231. It was agreed that there should be a Community-level policy to strengthen tourism. The first report relating to that was published in April 1994. The Economic and Social Committee has also argued for a legal basis in the treaties. Europe has much to offer in the context of tourism support, particularly as many tourists to Scotland come from Europe.

Is the Scottish Office seriously looking at the support that could be available? I suspect that the Minister will refer to the tourist projects that are being underpinned by objective 1 in the highlands and islands. However, in the context of the debate on tourism as a whole, we have to look beyond objective 1 status for one area and look at the funding that is available to Scotland as a whole.

Ms Roseanna Cunningham (Perth and Kinross): Is my hon. Friend aware that when the Secretary of State visited Crieff hydro earlier this year, he made a promise to

increase funding for tourism in Scotland? At about the same time, we were preparing for a decrease in local authority budgets across Scotland. Before my hon. Friend moves off the issue of funding, does she agree that the promises of the Secretary of State are yet to be fulfilled? It will be interesting to hear when we shall get that funding.

Mrs. Ewing: I shall refer to the Minister's speech later. Funding lies at the core of what is happening in the tourism industry, and I urge the Minister to examine what is being done at a national level. The problems can be compressed by referring to a quotation last year from *Scottish Business Insider*:

"Tourism in Scotland is large and fragmented. The country is now standing at a critical crossroads . . . Scotland will struggle to maintain what it has, let alone grow its fair share of the market, if we do not get things right now."

Therefore, I ask for a strategic overview. That could be best undertaken by the Scottish Office in conjunction with the Scottish tourist board, the unitary authorities—to which my hon. Friends have referred by way of intervention—and our local enterprise companies.

That review is particularly relevant to the north-east of Scotland. In the months since the reorganisation of local government, discussions have been held in the Aberdeen and Grampian tourist board area. Details of the negotiations and the meetings that have taken place in the past few days are provided in a long fax that Moray council prepared for me. Some progress has been made, but there are deep concerns that the business plan prepared by the board cannot be funded from existing council, Scottish tourist board or local enterprise company budgets. That has implications for the level of service that can be provided. I refer also to the previous comments about tourist information centres.

I therefore ask the Minister to consider granting some discretion to local enterprise companies in terms of funding for the Aberdeen and Grampian tourist board. At present, the LECs direct attention at specific projects rather than at core funding. If we look to the core funding aspect and to a long-term plan, the people of Scotland—particularly those in the north-east—will derive great benefit. I also ask the Scottish Office to review its decisions on local government funding in that area.

I refer now to the point raised by my hon. Friend the Member for Perth and Kinross (Ms Cunningham). When the Minister last spoke at the Scottish hospitality industry congress, he emphasised the importance that is attached to tourism training in Scotland in order to improve standards of training and staff development in that sector. He recognised that that is a daunting prospect, but he did not refer to pay and conditions.

For many involved in the tourism industry—the vast majority of whom are women—work is seasonal, part time and low paid. If we are to enhance our tourism industry, we must remove the element of drudgery and make individuals proud to be part of it. The Confederation of British Industry and the Federation of Small Businesses have argued for enhanced training and improved pay. Will the Scottish Office examine those key factors as part of any tourism initiative? Those who work in the tourism industry should take pride in and receive recompense for their efforts.

Will the Minister talk to the Treasury about variable valued added tax rates for bed-and-breakfast and hotel accommodation? I refer him to my parliamentary question of 28 June 1995 on that subject and to the May 1995 edition of the *Voice of the British Hospitality Association* magazine. It found that the United Kingdom levies the second highest rate of VAT on tourism goods and services in Europe. The findings conclude that an across-the-board cut in VAT to 8 per cent. would create some 87,000 new jobs in the United Kingdom, increase foreign currency earnings by £1.2 billion and generate an extra 10 million tourists for Britain. Of course, Scotland would receive a proportional increase.

This has necessarily been a short debate. I believe that tourism merits more than simply a lottery of applications for Adjournment debates. Therefore, I have a specific recommendation for the Minister. Earlier today, I checked with the Clerk of the Scottish Affairs Committee as to whether that Committee had undertaken any projects on tourism. Apparently, it has not investigated that subject since its inception—despite the fact that 8 per cent. of Scotland's work force is employed in the industry.

Mr. Andrew Welsh (Angus, East): My hon. Friend may have noticed that the Chairman of the Scottish Affairs Committee, the hon. Member for Kilmarnock and Loudoun (Mr. McKelvey), is in the Chamber and has heard her comments. No doubt the Committee will take on board my hon. Friend's excellent suggestions.

Mrs. Ewing: I am grateful to my hon. Friend, who is a hard-working member of that Committee. I am sure that the hon. Member for Kilmarnock and Loudoun (Mr. McKelvey) will take my comments on board.

I understand that this Thursday, the National Heritage Committee is commencing an inquiry into tourism. It will hear evidence from the Scottish tourist board on 20 June, and the Convention of Scottish Local Authorities has made an approach to submit written evidence to the Committee. However, the inquiry places no emphasis on Scotland's tourist industry and only one of the Committee's 11 members is from Scotland.

I have been advised that the Committee will find it difficult to deal with issues pertaining to Scottish and Welsh tourism because of the complexities in the system. Therefore, I urge the Scottish Affairs Committee to take the issue on board. It should assess the international, national and local impact of tourism, take evidence from all who are involved in the industry and then make positive recommendations. Scotland has a dream to sell, but that dream also provides employment and hope for our constituents and hope for our national economy.

1.16 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. George Kynoch): I congratulate the hon. Member for Moray (Mrs. Ewing) on being selected to introduce the debate today. I agree with her comments about the way in which tourism contributes to Scotland's economy. During my short reply, I hope to demonstrate the high priority that the Government attach to supporting the industry and to assisting it to develop and meet the challenges that it faces.

The industry enjoyed a very good year in 1995: expenditure by tourists in Scotland increased by about 7 per cent. to £2.165 million, and the upward trend in the number of overseas visitors continues. Most encouragingly, the recent decline in the number of trips

[Mr. George Kynoch]

from England was halted. English tourism turnover increased by 11 per cent. in real terms in 1995. While talking to my hon. Friend the Member for Chelmsford (Mr. Burns) before the debate commenced, I was horrified to learn that he has never visited Scotland. I am sure that the hon. Lady will join me in recommending that he visit Scotland very soon. Many in the tourist industry are reporting increased business this year and I believe that the industry can look to the future with confidence.

The hon. Lady called for a review of the tourism industry. In 1992-93, we conducted a review of the way in which support is provided to the industry. One of the most important outcomes of that review was the preparation of a national tourism strategy. The strategy analysed the performance of Scotland's tourism industry and identified the action that must be taken by those who support the industry and by the industry itself if it is to meet its long-term potential as a major generator of income and employment in Scotland. The hon. Lady is absolutely correct: the tourism industry employs 8 per cent. of the Scottish work force. The figure is even higher in the highlands and islands, at about 20 per cent.

Local tourism strategies are also being prepared in respect of each tourist board area. Together with the national strategy, they will address many of the difficulties caused by fragmentation, about which the hon. Lady is concerned. The Scottish Tourism Co-ordinating Group, which I chair, comprises the chairmen and chief executives of all the public sector agencies involved in supporting the industry, plus the chairman of the Scottish Tourism Forum, which brings together the private sector. It is charged with overseeing the implementation of the national strategy, and I am pleased to tell the House that it is making good progress. Earlier this year, I published a report reviewing that progress, so I shall draw attention to only a few key points today.

One priority was to tackle the problem of seasonality and to extend the season. That is very important, as much of Scotland's tourism is concentrated into the tight period from June to August. We clearly need to do more to encourage visitors to come in the spring and the autumn—which I assure the House, particularly my hon. Friend the Member for Chelmsford, are excellent months to holiday in Scotland. The first initiative was the "Autumn Gold" campaign in the United Kingdom, which was designed to increase the number of visitors to Scotland during October and November last year. I have reported to the Scottish Grand Committee that the campaign proved a great success and generated an estimated additional spend of £9.7 million. Not unsurprisingly, we shall repeat it this year, when I hope that many more visitors will be encouraged to sample the benefits and delights that Scotland has to offer at that time of year.

The hon. Lady mentioned skills and training. Enhancing the skills of all those who work in the industry is essential if we are to tackle some of the problems that she mentioned. We are giving a high priority to management development, to encouraging the industry and employees to become involved in the Investors in People initiative, to developing improved links with the education sector in order to advise prospective employees and to developing initiatives on customer care, to increase standards of quality and professionalism in the industry.

The hon. Lady referred to funding. Last year, we provided to the industry direct support of about £70 million through agencies and local authorities. That is not an exact figure, as there are many areas in which support is being given and it is not easy to identify the specific amount that goes to tourism.

The hon. Member for Perth and Kinross (Ms Cunningham) will be interested to know—and this is where the Secretary of State's commitment comes in—that this year we have increased the resources made available to the Scottish tourist board by 20 per cent., to about £18 million—a record level. The additional funding will enable the board to strengthen its marketing campaigns, both in the United Kingdom and overseas, and to provide substantial additional assistance to Scotland's area tourist boards. We have also provided additional funding to take advantage of specific opportunities that will benefit the industry.

The hon. Member for Moray mentioned promoting Scotland on the back of films. We contributed about £280,000 to the STB in the last financial year, to mount a promotional campaign in Europe to maximise the tourism spin-off from "Braveheart". Not all that long ago, I launched a campaign in the south-east of England on the back of the introduction of low-cost fares to Scotland, to encourage those in the south-east of England to visit Scotland and see its benefits.

Mrs. Ewing: I welcome low-cost fares, but will not the absence of the Motorail service to Fort William undermine many opportunities to visit tourist attractions in the north of Scotland? We experienced the chaos over the Fort William sleeper; there are still no Motorail facilities. Could consideration be given to trying to restore some of those facilities?

Mr. Kynoch: I am sure that the hon. Lady will not be surprised to know that, wearing my constituency hat, I recognise the benefits that Motorail brought, particularly to our part of Scotland. Clearly, Motorail has to be a commercial success for it to be maintained. I was pleased to see the other day in a newspaper that the new franchisee for, I think, the east coast line is considering introducing a form of Motorail service to Scotland, possibly to Edinburgh—clearly, I would encourage that. Private sector involvement provides all sorts of opportunities to identify services that can contribute towards tourism in Scotland.

The hon. Lady referred to value added tax. While the United Kingdom's tourist operators may face higher VAT rates than some of their competitors in other EU countries, they do not face many other costs. The hon. Lady will not be surprised to hear me mention the social chapter, minimum wage legislation or local tourism taxes that are applicable elsewhere. In Scotland, we have a significant premium product that attracts tourists. I do not believe that VAT is the key element to success in Scotland.

The review of support arrangements for the tourism industry found that there was widespread support for a smaller number of larger area tourist boards. We acted on that information and on 1 April this year, a new network of 14 boards was created, replacing the former 31. The new structure is already beginning to bring benefits and will be a great success. The area boards, together with the Scottish tourist board, can provide the lead for the tourism industry, both locally and nationally.

The hon. Lady referred to our joint local tourist board—Aberdeen and Grampian—which she rightly said corresponded to the area of the former NESCOT tourism marketing group. The new area tourist board arrangements mirror almost exactly the arrangements that applied prior to the reorganisation on 1 April. The tourism review concluded that the concept of a locally determined and funded industry and local authority partnership, supported by the STB, generally worked well and should be continued. About 80 per cent. of those commenting on the arrangements at local level commended the system, and I believe that they were correct to do so.

Although the boards have been established by statute, we have provided, as we were asked, that decisions about funding support should remain, as they have always been, at the complete discretion of local authorities. Similarly, the boards should have discretion to determine their priorities and operational arrangements, including the operation of tourist information centres, which the hon. Lady and the hon. Member for Banff and Buchan (Mr. Salmond) mentioned. I have no powers to intervene in those matters and I currently have no plans to alter the arrangements.

Earlier, I drew attention to the additional funding that we are providing this year to the Scottish tourist board. From that funding, £700,000 of extra funding will go directly to the area tourist boards, and all 14 boards will benefit as a result. The grant to the Aberdeen and Grampian tourist board from the Scottish tourist board has risen from £257,000 last year to £285,000 this year—an increase of 10.9 per cent. That demonstrates the importance that the Government attach to the work of the area tourist boards and our commitment to their success.

I clearly look to the local authorities to show a similar level of commitment, and I understand that most have done so by maintaining or increasing their level of spend. I deeply regret that in my area, the north-east, the local authorities have reduced their expenditure. It is for the authorities to decide the priority that is to be attached to tourism in their area and to reflect that priority in the level of funding that they provide to their local tourist board. I have no powers to intervene.

The hon. Member for Aberdeen, North (Mr. Hughes) referred to the possibility of a three-year rolling programme. It is important that the board and its funding partners adopt a local strategy that will apply for a number of years. The Scottish tourist board would be willing to assist in preparing such a strategy if that would help our local tourist board, and I hope that that offer will be taken up.

The hon. Member for Moray mentioned local enterprise companies and the fact that they had previously contributed. The hon. Lady's LEC was almost unique among LECs in contributing to the core funding of local tourist boards. Following the tourism review and the clarification of responsibilities, it is no longer expected that LECs should provide core funding. Because of tourism's economic significance or potential in many parts of Scotland, LECs will—as the hon. Lady said—be prepared to fund, jointly with tourist boards, individual projects. I understand that Grampian Enterprise is willing to forge such partnerships and to consider supporting appropriate projects.

While the support arrangements that we have introduced are much clearer, if the hon. Lady would like to provide me with specific examples of areas where she believes local enterprise companies could further assist the area tourist board, I should be more than happy to consider them and take them to the Scottish Tourism Co-ordinating Group for discussion.

The hon. Lady referred to Ireland and the use of European funding. We must consider the overall funding that goes into tourism. I think that the hon. Lady will find that the overall level is not that different. As she rightly said, objective 1 funding in the highlands and islands area provides for specific projects relating to tourism. The fact that the whole of Ireland has objective 1 status makes it different.

In conclusion, I believe that the Scottish tourism industry has a positive future. I join the hon. Lady in recognising its importance to the economy of Scotland, not just for employment, but for the success of many small businesses, not just in her area, but in mine and elsewhere in Scotland. I shall seek to encourage tourists to come to as many parts of Scotland as possible—many simply come to our capital, Edinburgh, and do not find time to go beyond it, although there are many attractions further north.

I know that the Scottish tourist board, under its chief executive, Derek Reid, has made significant strides in the expansion of the promotion of tourism in Scotland. Some of the recent statistics have proved that we are achieving success, although that is not to say that more cannot be done. The co-ordinating group serves a useful purpose in bringing together all the interested parties to co-ordinate all activities to one common aim.

Our investment is substantial and the tourism industry itself is demonstrating the will to succeed. I believe that it will succeed.

Driver Theory Testing Station (Southport)

1.29 pm

Mr. Matthew Banks (Southport): It is a great pleasure to have the opportunity during this short lunch-time Adjournment debate to raise the important question of the provision of a driver theory testing station in my constituency. I am pleased to see my hon. Friend the Minister for Transport in London in his place. I look forward to a positive reply at the end of the debate and I have discussed this matter with him in private meetings and, latterly, in correspondence.

The House will know that I have long had an interest in transport, since before I came into the House. When I was first elected to the House in 1992, I was appointed to the Select Committee on Transport. Before I rose to the dizzy heights of being parliamentary private secretary at the Department of Transport, I was first the secretary and latterly the vice-chairman of the Conservative Back-Bench transport committee. Although I am a firm supporter of Government policy on transport, I have occasionally taken the opportunities afforded to me as a Member of the House, and as a member of those Committees, to affect and to effect Government policy on transport.

There have been a number of notable successes, including rail privatisation, environmental matters relating to transport and aviation policy. During that period, my hon. Friend has been a Transport Minister and I know that he has been well disposed to listen to, and act on, the lucid, well-argued and detailed proposals that I have put before him. I hope that he will do so at the end of the debate today.

My hon. Friend the Minister knows the geography of my constituency well, and he also comes from the north-west. He has listened, as I have mentioned, to my lobbying behind the scenes on behalf of my constituents, on this and other issues, and has also received correspondence from me. I hope that, by raising this matter on the Floor of the House, I may be able to elicit a more positive response than I have hitherto received.

There has been the odd rumour that my hon. Friend the Minister might seek to leave the Government before leaving the House at the end of the Parliament. I know nothing of my hon. Friend's plans, but if the rumour is true, that will be a terrible loss for the Government. If I may say so, those of us who know my hon. Friend well wish him well for the future. There could be no more fitting tribute for somebody from the north-west, who has been such a successful Transport Minister as my hon. Friend has, than the provision, for future generations, of a driver theory testing station in Southport. If my hon. Friend has, could be a little more positive on the issue—I know that resources are tight—I would be the first to think of the station as the Steve Norris theory testing school.

The driving test was first introduced in 1935 when the first candidate was Mr. Bean. Apart from the scrapping of hand signals—for which another Mr. Bean is famous—in 1975, the test remained largely unchanged, until the European Commission insisted that new drivers face a theory test. Britain's multiple-choice papers, with questions designed to weed out over-aggressive candidates, will be introduced in due course. The theory test is an important part of Government policy and I have no doubt that it will improve road safety. Accident statistics and research have shown that young and inexperienced drivers are several times more likely to be involved in accidents and fatalities than more mature drivers.

The test complies with the second European Community directive on driver licensing and I have had the pleasure of spending much time in European Standing Committee A, also with my hon. Friend the Minister, dealing with the issue of driving licences. My hon. Friend knows my concern about the competence of the European Commission to take decisions that should be taken by member states of the European Union. He also knows that I am concerned about the competence of the Transport Commissioner, Mr. Kinnock, but I shall leave that subject for another Adjournment debate on another day.

Although Britain is the only country without a theory test, we have the safest roads measured by casualties. However, I am not complacent. I believe, and I expect, that people will become safer drivers by preparing for the theory test. I hope that my hon. Friend will adopt one small suggestion and ensure that one or two questions in the test cover drivers' awareness of cyclists and motorcyclists. It is important to crack down on the number of casualties among those road users, as well as among car drivers, and to increase the driver's awareness of the motorcyclist.

That said, we cannot achieve those aims satisfactorily without the provision of a theory testing station in Southport. I want my constituents to be able to take their practical test and their theory test in Southport. It is not good enough that my constituents should be expected to travel to Liverpool or to Preston. My hon. Friend the Minister knows that my constituency was proudly independent before 1974. He also knows that, against all the odds, we shall be unique as the only metropolitan area considered by the Local Government Commission for independent status. We shall break away and make our own decisions locally as we once did.

We do not want to have to go to Liverpool or Preston for a theory test. Before 1974, we never had to go to Preston to deal with Lancashire county council because it never held sway over our affairs. We did not have to go to Liverpool to deal with Merseyside county council. We were independent. My hon. Friend could give my constituents and myself an enormous fillip in that campaign, too, by ensuring that we are independent in driver theory testing. I am fed up with people in Liverpool telling us what we can do. We should make decisions locally.

On 29 May, my hon. Friend the Minister wrote his last letter to me on this subject and he drew attention to the railway line between Southport and Liverpool. Due to the policies of the Labour-controlled Merseyside passenger transport authority, that line is the least subsidised line of the Mersey rail network, with some of the most expensive fares in Britain, apart from certain services out of Fenchurch Street in London. The Merseyside passenger transport authority does not allow us to travel by train between Southport and Preston, because my predecessor in the House was so wholly unsuccessful in restoring a piece of track taken away by Beeching.

The only other railway we have that links my constituency with the west coast main line is the Southport to Wigan line and not a single penny has been spent to promote, protect or maintain that line, not even the part in Merseyside which is in my constituency. That is totally unacceptable. No wonder my right hon. Friend the Secretary of State for the Environment described me as the only real bulwark that my constituents have against a Greater Bootle.

I do not know whether the rumours are true that not only does my hon. Friend the Minister know my constituency well but, years ago, he sold some second-hand motor vehicles—fine ones, I am sure—at the northern and southern ends of Lord street in the centre of town. He might also have enjoyed the odd boozy business lunch at the best hotel in town. I know that he knows Southport well and that he will have listened over the weeks to the representations that I have made privately, in writing and now on the Floor of the House. He has listened to detailed arguments, which I hope have been well argued, and I hope that he will be able to act positively on them. I hope that he will look back with fond memories of his time in Southport and I urge him to consider the fact that there could be no finer tribute to his successful tenure as a Transport Minister than providing a theory testing station in Southport.

If my right hon. Friend can give me a positive response, I look forward at some stage to being able to invite him back to Southport to visit the theory testing station and, perhaps when he has finished driving for the day, I might be able to enjoy a celebratory glass of champagne with him and my constituents.

1.39 pm

The Minister for Transport in London (Mr. Steve Norris): In all the years that I have had the honour to be a Minister, I have seldom heard a more oleaginous and sycophantic appeal to my better nature than that expertly articulated by my hon. Friend the Member for Southport (Mr. Banks). As I do indeed consider pastures elsewhere and contemplate the words of Sir Christopher Wren—"Si monumentum requiris, circumspice"—I can think of no greater monument than a theory testing centre in Southport where, as my hon. Friend rightly said, I passed a considerable part of my misspent youth. I enjoyed a great deal of that time in the Prince of Wales, which was a fine establishment in those days, although I have no idea what it is like now. I was indeed proprietor of several distinguished premises in the town, at both ends of Lord street. A man has to earn a living—I make no other comment.

As to the crowning achievement of my entire stint at the Department of Transport, rivalling that of Hore-Belisha and my noble Friend Lady Chalker, let me turn to the matter in hand. The specification for the establishment of theory testing centres was based on responses to the Driving Standards Agency's customer surveys. Driving test candidates and their instructors said that they thought that it was reasonable to travel up to 20 miles for a driving test. A national network of theory testing centres has been developed broadly on that basis and they will run frequent test sessions to meet candidates' needs.

As my hon. Friend said, we have come late to the business of theory testing and I make no apology for the fact that, in due course, we shall perhaps move further than the present theory test, which is a written test, to the use of interactive technology that will enable us to test hazard perception in a more realistic environment than we are able to do with the written test alone.

My hon. Friend was, however, entirely right to concentrate on the fact that the theory test exists principally because the greatest cause of death among young people is the road accident. Seventeen to 25-year-old drivers have a particular propensity to accidents and injury. They comprise 10 per cent. of licence holders but, sadly, 20 per cent. of casualties and 25 per cent. of fatalities. It is in that context that we have introduced the theory test and done so to approbation on both sides of the House. There was no disagreement about the desirability of that happening.

The specification for test centre location requires that a test centre should be available within 20 miles but in districts—usually towns or cities where the population density is greater than 1,250 people per sq km—a test centre should be available within about five miles, as that is clearly a more appropriate measure in a dense conurbation. For the record, in more sparsely populated areas with low populations, test centres should be available within 40 miles because the nexus of time and distance can be regarded in a slightly different light when there is much less impediment from traffic or population.

It is on that basis that my hon. Friend made representations to me about his constituency, as did my hon. Friend the Member for Chelmsford (Mr. Burns) whom I am delighted to see in his place. Convention demands that my hon. Friend the Member for Chelmsford cannot speak in these debates, but I can take it as read that, were he able to do so, the paean that would fall from his lips would equal that of my hon. Friend. I was delighted to be able to accommodate the forceful and articulate representations that my hon. Friend the Member for Chelmsford made to me on precisely this subject in relation to his own constituency and that his constituents will now enjoy that facility.

The original plan for the theory testing centre serving the Southport area was to put test centres at Liverpool and Preston. However, those plans did not necessarily properly address the fact that Southport lies in the administrative district of Sefton, which forms a strip stretching along the Mersey coastline, and Sefton has more than 1,250 people per sq km. The southern part of the district is within five miles of the theory testing centre at Liverpool but Southport, at the northern end of the strip, is 20 miles by road from the Liverpool centre. The theory testing centre proposals covering Southport did not therefore meet the precise specified requirement because residents would not have a theory test centre within five miles.

I am grateful to my hon. Friend the Member for Southport for drawing this error in the application of the service specification to my attention and, even at this stage, giving me the opportunity to set matters right.

While my hon. Friend knows that I would not dream of touching his champagne for all sorts of reasons, not least my fear and terror of the good Lord Nolan—not to mention my aversion to drinking and driving—I am happy to tell him that I have given directions for an additional theory testing centre to be sited in Southport. He has, in the vernacular much practised in my constituency, got a result. I congratulate him on it.

It being fourteen minutes to Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

PRIVATE BUSINESS

Australia and New Zealand Banking Group Bill *[Lords]*

Read the Third time, and passed, without amendment.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

1. **Lady Olga Maitland:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding United Nations sanctions on Iraq. [30842]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Malcolm Rifkind): Sanctions will stay in place until Iraq fulfils its obligations under the relevant UN Security Council resolutions. Implementation of resolution 986 will give welcome relief to the Iraqi people, whose suffering Saddam has caused.

Lady Olga Maitland: Is my right hon. and learned Friend aware that implementation of United Nations resolution 986 could be misinterpreted by the Iraqis as weakness? I mention that particularly in the light of the fact that, yesterday, United Nations inspectors were deliberately obstructed by the Iraqis when they went to visit a site in west Baghdad, where they believed that there were weapons of mass destruction, and the Iraqis are still holding more than 600 missing Kuwaitis and prisoners of war. One woman was released just a month ago, having been taken when she was only 14 years old. She is now a wreck. She had been raped and tortured. Does my right hon. and learned Friend agree that we must, with all diligence, press the Iraqis to comply with all United Nations resolutions before we give them any more assistance?

Mr. Rifkind: Yesterday's incident confirms, as my hon. Friend has shown, why it is necessary for general sanctions to remain against Iraq until it fully complies with United Nations resolutions, including resolutions with regard to those who have been unlawfully detained in Iraq since the end of the Gulf war. Resolution 986 was concerned purely with humanitarian matters, and it is because the United Kingdom and the United States were determined to ensure that no loopholes could be exploited by Saddam Hussein that the negotiations took a long time. I am pleased to say that there was a satisfactory result.

Mr. Dalyell: What about the 500,000 or more Iraqi children who have died in the past few years as a result of disease and malnutrition? What does the Foreign Office have to say about the reports of the most recent travellers to Iraq which confirm the appalling stagnation of water and waterborne diseases that occur there?

Mr. Rifkind: As the hon. Gentleman well knows, sanctions have never applied to food or medicines. Therefore, if aid has not reached people in Iraq, that must be entirely the responsibility of the Iraqi Government.

Mr. John Marshall: Does my right hon. and learned Friend agree that the Iraqi regime is one of the most evil—if not the most evil—regimes in the world? It ill behoves any hon. Member to give it any comfort when it has ignored the plight of its own people, the plight of the Kurds and the plight of the Kuwaitis, and when it rained down Scud missiles on innocent Israelis in 1991. It is an evil regime and it should get no help from anyone in the House.

Mr. Rifkind: I strongly agree with my hon. Friend, whose views will be commended to the House as a whole.

EU Presidency

2. **Mr. Jon Owen Jones:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to meet the Irish Foreign Minister to discuss the priorities of the forthcoming Irish presidency of the European Union. [30843]

Mr. Rifkind: I expect to meet the Irish Foreign Minister on 17 June.

Mr. Jones: Does the Secretary of State agree that one of the priorities of the next six months for the European Union will be to ensure the success of elections in Bosnia? How, then, would it help Britain's campaign to lift the beef ban for us to block financial assistance for those elections? Is that not another reason why the former Prime Minister, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), last night described the Government's policies on the beef ban as lamentable and why he called on the Government to rescind them?

Mr. Rifkind: The hon. Gentleman is just a little out of date. He is obviously unaware that we did not block the proposal for assistance for the Bosnian elections when it came up on Monday. The hon. Gentleman should do his homework before he asks questions.

Mr. Mark Robinson: Does my right hon. and learned Friend agree that it is important to gear up for the forthcoming intergovernmental conference because the policy of non-co-operation will, we hope, not last for ever and because we shall at some stage resume normal business?

Mr. Rifkind: Yes, and even at this moment we are participating fully in the discussions within the intergovernmental conference. The concept of an empty chair was a French initiative, not a British one, and is not one that we have chosen to follow.

Mr. Menzies Campbell: Will the Secretary of State be surprised, when he meets his Irish counterpart, to find that his priority is to persuade the United Kingdom to abandon its policy of non-co-operation? What possible justification is there for this policy which aggravates our European partners and, so far, has produced nothing? The United Kingdom would not negotiate under duress. Why do we expect our European partners to do so?

Mr. Rifkind: The hon. and learned Gentleman may have heard the President of the European Commission say yesterday that he was now optimistic that there could be an agreement next week on a framework for the lifting, phase by phase, of the ban on British beef. No one was making that prediction a week or 10 days ago.

China

3. **Mr. Pawsey:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to strengthen the relationship between China and the United Kingdom. [30844]

The Minister of State, Foreign and Commonwealth Office (Mr. Jeremy Hanley): We maintain an active programme of contacts with the Chinese at ministerial and official level. Most recently, my right hon. Friend the Deputy Prime Minister made a highly successful visit to China and Hong Kong last month.

Mr. Pawsey: I am grateful to my right hon. Friend for that reply. Is there any action that he could take to increase the resources and support available to Chinese students who come to the United Kingdom to study English at British universities? Does he accept that, if he were able to increase the resources, much would be done further to improve the relationship between China and the United Kingdom? I have little doubt that, if that were done, a substantial dividend would come back to the UK.

Mr. Hanley: My hon. Friend is absolutely right, in terms not only of Chinese students but of students the world over. An increasing number of students come to the United Kingdom both to learn English and to learn a broader curriculum. The money that the Foreign and Commonwealth Office spends on granting scholarships and encouraging exchanges is money well spent.

Mr. Llew Smith: What representations has the Minister made to the Chinese Government on the recent nuclear test and the adverse effect that that could have on the negotiations for a comprehensive nuclear test ban treaty? What information has he received on the hijack of the Greenpeace ship which was on its way to protest about the tests?

Mr. Hanley: We have long said that we want an indefinite end to all testing. That is why we have been negotiating hard for the early conclusion of a comprehensive test ban treaty; that is our priority. China has said that it, too, is committed to these negotiations. We note that China has announced a moratorium to take effect after a final test in September and I hope that that means that the Chinese are keeping to their commitment. It is now for them to demonstrate their commitment by being prepared to conclude negotiations by the end of June and to sign the treaty, along with all other countries, in the autumn. We have absolutely no plans to resume testing. All other nuclear weapons states have now ceased testing and I hope that China will follow that example.

Mr. Waterson: Does my right hon. Friend agree that the biggest single contribution that the Chinese Government can make to Sino-British relations will be to ensure that the principle of two systems in one country is given effect when Hong Kong is handed back to China and to take steps to recognise the rule of law, free speech and free enterprise in that colony?

Mr. Hanley: My hon. Friend is absolutely right. I cannot add to what he has said.

Hong Kong

4. **Mrs. Bridget Prentice:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals the Government have for ensuring that elected members of Hong Kong's Legislative Council are able to continue as members of the proposed provisional legislature. [30845]

Mr. Rifkind: The members of Hong Kong's Legislative Council were properly elected in free and open elections in September 1995 which were fully consistent with the joint declaration and the Basic Law. It is for China to justify any decision to dissolve the present Legislative Council and to establish a provisional legislature, on which I have made the Government's position clear.

Mrs. Prentice: Can the Secretary of State give the House an assurance that the administrative arrangements that the Government have put in place will remain intact after July 1997?

Mr. Rifkind: We believe that is what ought to happen. After July 1997 we are no longer the sovereign power, but it would be against the interests of the people of Hong Kong—as they have clearly demonstrated—to interfere with the legislature that has been established.

Mr. Robin Cook: The Foreign Secretary will be aware that I recently visited Hong Kong. May I advise him that there is no issue that more affects confidence in the future of Hong Kong than the stated intention of China to replace the elected LegCo with an appointed LegCo? When the Prime Minister asked about that, he said that no options were ruled out for pressure on China. Can the Foreign Secretary tell us what those options might be and exactly how the Government plan to restore a through train for democracy in Hong Kong?

Mr. Rifkind: It is important for China to appreciate that interest in the welfare of Hong Kong is not just to be found within the territory or within the United Kingdom. There is great international interest. I have discussed these matters with President Clinton and his colleagues in the United States. President Chirac of France and others have raised the question of Hong Kong with the Chinese authorities. Therefore, there will be great global interest in what happens and the Chinese Government will need to reassure the entire international community that the welfare of Hong Kong will be properly safeguarded. The best way to do that is, as the hon. Gentleman said, by confirming that the Legislative Council will be allowed to continue in its normal way.

Mr. Anthony Coombs: I welcome what my right hon. and learned Friend has just said. Does he agree that any attempt by China to make the Legislative Council appointed rather than democratically elected, as it is now, would make a mockery of any agreement that China would reach with the United Kingdom on two systems, one country after 1997? Is he aware of the strong feeling in the House as to how appalling that would be for the people of Hong Kong and will he ensure that the international pressure that he has just mentioned will be applied to China if that ever happens?

Mr. Rifkind: Yes. I agree with my hon. Friend. The Chinese have said that the appointed provisional

legislature would be replaced by an elected Legislative Council. Hong Kong already has an elected Legislative Council. Such a reform is neither necessary nor desired by the people of Hong Kong. Therefore, it would be far more sensible for the Chinese authorities to accept that it will be consistent with the stability and welfare of the territory.

Kashmir

5. **Mr. Simpson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the British hostages in Kashmir. [30846]

The Minister of State, Foreign and Commonwealth Office (Sir Nicholas Bonsor): We continue to work closely with the Indian and other Governments involved in our efforts to secure the release of the hostages. We very much hope that recent reports that they are no longer alive are untrue.

Mr. Simpson: Does the Minister agree it was quite irresponsible of the press to have run stories recently announcing the death of the hostages when there have been a series of unconfirmed sightings since their death was supposed to have taken place? Will he give an assurance to the friends, colleagues and fellow students of Paul Wells in my constituency that there have a number of confirmed sightings of the hostages still alive? Will he give the House an assurance that the British Government are actively pursuing the safe negotiated release of the British hostages?

Sir Nicholas Bonsor: I am grateful to the hon. Gentleman for that. I entirely agree with him that the reports of the possible death of the hostages are profoundly unhelpful. I can give the hon. Gentleman the assurance that he requires: the British Government are making every effort to find the hostages in the hope that they are still alive. We shall continue to work on that basis until we have a more concrete reason to believe that that is not true. I sincerely hope that we never reach that stage and that we can find the hostages and secure their release.

Hong Kong

6. **Mr. McAvoy:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government are taking to ensure that Hong Kong has a smooth transition to Chinese sovereignty in 1997. [30847]

Mr. Hanley: We are committed to doing everything in our power to secure a successful transition for Hong Kong based on the provisions of the joint declaration. We continue to discuss detailed arrangements for the transfer of sovereignty with the Chinese Government at all levels.

Mr. McAvoy: Does the Minister agree that the interests of the people of Hong Kong are paramount, and that the transfer of sovereignty demands a spirit of co-operation and friendliness between the Chinese and British Governments? If he does agree, can he tell us how the gratuitously offensive comments made by him and by the Foreign Secretary about the Chinese Government will help to ensure that the transition takes place in a co-operative and friendly manner?

Mr. Hanley: I just turned to my right hon. and learned Friend the Foreign Secretary and found that, like me, he is mystified by the hon. Gentleman's reference to gratuitously insulting comments. We have the friendliest relations with China; our relations have improved dramatically over the past 12 months alone. The meetings that we have had at all levels have been constructive and friendly. I believe that those relations have helped to settle a number of issues that were outstanding in regard to Hong Kong and the transfer of sovereignty, and to improve the position.

My right hon. and learned Friend and I have met Qian Qichen, and my right hon. and learned Friend has met a wide range of leaders in Peking. My right hon. Friend the Prime Minister met Premier Li Peng in Bangkok only last March, and in April my right hon. and learned Friend and I met Qian Qichen in The Hague. My right hon. Friend the Deputy Prime Minister has conducted a very successful trade mission, accompanied by nearly 280 business people. That was a tremendous occasion, which greatly enhanced our relationship with China. All those meetings were in the interests of Hong Kong and her people.

Malawi

7. **Mr. Butler:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has held, and with whom, in respect of the present political situation in Malawi. [30849]

Mr. Hanley: My right hon. and noble Friend the Minister for Overseas Development keeps in close touch with developments in Malawi, and had discussions with President Muluzi at the Commonwealth Heads of Government meeting in November 1995.

Mr. Butler: Does my right hon. Friend accept that the economic, social and, most of all, political stability of Malawi is essential to the wider stability of the southern region of Africa? What are Her Majesty's Government doing to promote that, and what aid is being given in all respects to ensure that it remains?

Mr. Hanley: I am grateful to my hon. Friend for concentrating on a country that receives little notice in the House—which is a shame, because we consider that the principles of good government have improved there. There is press freedom and freedom of speech, there is a genuine debate in Parliament, and the International Committee of the Red Cross now has unrestricted access. Moreover, an anti-corruption bureau has recently been established. That is why we continue to be the largest bilateral donor to Malawi. In 1995, we spent about £40 million, of which £12 million was balance of payments support; to that we can add our share of multilateral aid, which is approximately £3 million.

Mrs. Dunwoody: Will the Minister guarantee not only that the United Kingdom will continue to provide such support but that we will understand that the enormous economic problems that Malawi faces will put great stresses and strains on the democratic procedure? I hope that the Foreign Office has no intention of either lowering the current representation in Malawi or undermining our important relationship in any way.

Mr. Hanley: I thank the hon. Lady for pointing out that our presence may be giving some help to the reform

process in Malawi, and for confirming that the economy there is shaky. We must do what we can to help, and we shall certainly try to ensure that our representation and our aid are maintained. These matters are all part of wider economic issues, but the hon. Lady's comments will be taken into account.

European Union

8. **Mr. Macdonald:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will conduct a study into the consequences of a British withdrawal from the European Union. [30850]

Mr. Rifkind: We have no such intention. We need to promote and protect our interests from within the EU, not from outside.

Mr. Macdonald: Does the Foreign Secretary agree that withdrawal from the European Union would be a disaster for Britain? Does he further agree with the chairman of the European committee of the Confederation of British Industry that the growing support for such a policy among Tory Back Benchers is causing serious damage to British business interests in Europe?

Mr. Rifkind: It would be profoundly against the interests of the United Kingdom ever to contemplate withdrawal from the EU. There are members of all parties who have long held the view that withdrawal is an option that they would favour, but that is for them to explain to their respective parties.

Sir Richard Body: Is my right hon. and learned Friend aware that an educational charity has been searching for a long time for an economist of some standing—from either the business or the academic world—to produce a cost-benefit analysis of our membership of the European Community leading to a favourable conclusion? So far, the charity has failed to find such an expert. Can my right hon. and learned Friend help that charity, or the rest of us, by naming someone willing to carry out that task?

Mr. Rifkind: In his characteristically objective pursuit of the truth, my hon. Friend will wish to be fully informed about the benefits and any possible disadvantages of the European Union. I am sure that the European Commission would be happy to help him, but many others are able to provide a positive endorsement.

Mr. Charles Kennedy: What are the consequences of the right hon. Member for Kingston upon Thames (Mr. Lamont), the former Chancellor of the Exchequer—one of the prime movers in the Maastricht agreement—producing a paper in which he examines the mechanics and practicalities of withdrawal? Is that not extremely damaging?

Mr. Bernard Jenkin: The hon. Gentleman has not seen it or read it.

Mr. Kennedy: The right hon. Member for Kingston upon Thames may not have read the treaty, but neither did the then Home Secretary, the present Chancellor of the Exchequer. The hon. Member for Colchester, North (Mr. Jenkin) is not on strong ground there. Is it not extremely damaging to the international reputation of this country that the former Chancellor is now taking that view? Is it not time that the Government showed some leadership against the malcontents on their Back Benches, who are damaging not only the Government—that is their problem—but the rest of us in the process?

Mr. Rifkind: I see that matter as no more significant than the fact that the Leader of the Opposition campaigned for Britain to withdraw from the EU and now wishes to support our membership. These are characteristics that occasionally appear in the House.

Mr. Dykes: Will my right hon. and learned Friend give a date when British Ministers will start saying that our membership of the EU is a good thing, as the only one who does so at present is the Chancellor of the Exchequer?

Mr. Rifkind: As I said that some 30 seconds ago, my hon. Friend has been overtaken by events.

Mr. Salmond: When the Foreign Secretary was Secretary of State for Scotland, would he have encouraged his parliamentary private secretary to attend meetings to discuss the mechanics of withdrawal from the EU, as the current Secretary of State has done?

Mr. Rifkind: I see no objection to private discussions taking place. The idea that the Government—or, indeed, the hon. Gentleman—should dictate to colleagues which meetings they attend for the purposes of intellectual discussions seems to be an extraordinary display of totalitarian tendencies which I am surprised to see from the hon. Gentleman.

Mr. Bernard Jenkin: Does my right hon. and learned Friend agree that it serves no purpose that, every time someone criticises the way in which European institutions work or suggests an alternative way in which they might be reformed, a group of Europhiles immediately accuse him of wanting to leave the EU? Would not the CBI do a greater service to British business if it explained the issues and invited contributions from all shades of opinion on Europe, instead of campaigning manically for one particular view?

Mr. Rifkind: I certainly believe—as, I am sure, does my hon. Friend—that the real issue is not whether the United Kingdom should or should not be in the European Union, but what kind of European Union we wish to see develop. That is a legitimate debate not only within the United Kingdom but throughout all the member states.

Mr. Robin Cook: If the Foreign Secretary's robust statement of commitment to the European Union represents Government policy, can he explain why half the Conservative Members not on the payroll vote voted with the Euro-sceptics yesterday? Will he take this opportunity to tell them that they should listen to the chorus of dismay from business leaders? Will he tell the most vocal of them to give back the funds that he has taken from Sir James Goldsmith, who made his financial mark by buying up companies and is making his political mark by buying up the Conservative party? If he will not do those things, or cannot convince his Back Benchers,

will it not be all too plain that the only referendum that will give Britain a fresh start in Europe is a general election that will enable the people to get rid of this divided and incompetent Government?

Mr. Rifkind: I notice that the hon. Gentleman wished to draw attention to the fact that Sir James Goldsmith and the Referendum party appear to have certain links with certain of my hon. Friends. Curious links between different political parties do not affect only my party. I noticed recently that Mr. Zyuganov, the Russian communist candidate, said that he was looking forward to meeting the Leader of the Opposition because he believed that the Russian Communist party and new Labour had so much in common. Perhaps the hon. Gentleman would like to encourage an investigation to expose those extraordinary and sinister links.

Mr. Garnier: Does my right hon. and learned Friend agree that one of the consequences of leaving the European Union would be that it would be much more difficult to improve relations between Spain and Gibraltar? Will he ensure that efforts are made to relieve the present border hold-ups there? It is good for Gibraltar and for Spain that they should get on well, but it is also good for the European Union.

Mr. Rifkind: My hon. and learned Friend is indeed correct. Our common membership of the European Union makes entirely indefensible what would, in any event, be very unattractive: restrictions on movement between Gibraltar and Spain. I saw the Spanish Foreign Minister in Madrid last week and I am pleased to say that, over the past few days, the restrictions seem to have diminished considerably. I hope that that represents a new and permanent arrangement.

Bangladesh

9. **Mr. Bennett:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about relations with Bangladesh. [30851]

Mr. Hanley: Our relations with Bangladesh are good. We look forward to maintaining and expanding our political, commercial and cultural links. Our strong hope is that today's elections will help rapidly to restore stability and economic progress.

Mr. Bennett: Will the Minister send his and the House's best wishes to the people of Bangladesh that today's elections are free, fair and successful? Will he also stress that it is important that whoever is elected makes the democratic process work, that the army is not tempted to interfere with the result and that countries such as the United Kingdom give the new Government every assistance to ensure that democracy can work in one of the poorest countries in the world?

Mr. Hanley: I agree with every word. The hon. Gentleman is right. I pay tribute to the right hon. Member for Bethnal Green and Stepney (Mr. Shore) and my hon. Friend the Member for Keighley (Mr. Waller) who are in Bangladesh as election observers, together with four members of the Electoral Reform Society. Let us hope that the elections lead to proper and sustainable democracy.

European Union

10. **Ms Eagle:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the benefits to Britain of United Kingdom membership of the EU. [30852]

Mr. Rifkind: The United Kingdom benefits from the contribution that the European Union has made to peace and reconciliation in the states of western Europe, from our full participation in the world's largest single market and from our ability to make a full contribution to the reaching of decisions on a wide range of issues directly relevant to British interests.

Ms Eagle: Given the Foreign Secretary's sterling support for Britain's membership of the European Union, which he also expressed in answer to an earlier question and which I assume reflects the views of the whole Cabinet, can he explain why 78 of his Back Benchers, bankrolled and led by a member of a different political party, were allowed to make such a show of Euro-sceptic obsession in the House yesterday? What is he going to do about it?

Mr. Rifkind: I seem to recollect that quite a number of Labour Members also voted for that 10-minute Bill, so it is curious that the hon. Lady is so preoccupied with my hon. Friends rather than her own.

Sir Michael Marshall: Does my right hon. and learned Friend agree that one of the benefits of the United Kingdom's membership of the European Union is the opportunity that it provides for us to bring into a wider European Union some of the countries for whom we have long held a moral responsibility, such as Poland, the Czech Republic and Hungary?

Mr. Rifkind: Yes, I strongly endorse what my hon. Friend has said. We often use the term "Europe" as if it means the same as the European Union. The reality is that it never has done, but it may progressively be able to. Twelve countries have applied to join the European Union. They are almost all new democracies of central and eastern Europe. We have a great historical obligation to facilitate their entry into the European Union, and that is the policy of Her Majesty's Government.

Ms Quin: Given that the hon. Member for Harrow, East (Mr. Dykes) claimed a few minutes ago that the Chancellor of the Exchequer was the only Cabinet member standing up for the European Union and Britain's membership, will the Foreign Secretary take this opportunity to endorse the Chancellor's comments that were reported in today's Newcastle *Journal*? The Chancellor said:

"Continual criticism of Brussels by Tory Euro-sceptics could stem the flow of inward investors to the North-East"

and into Britain.

Mr. Rifkind: I am always happy to endorse the remarks of my right hon. and learned Friend the Chancellor of the Exchequer and all my ministerial colleagues.

Mr. Stephen: Will my right hon. and learned Friend tell his European colleagues that withdrawal from the

European Union is not the British people's preferred option? Will he further tell them that our vision of Europe is a union of sovereign states working closely together for mutual benefit, but that our people are gravely concerned at the federalist agenda that seems to be being pursued by some of the political leaders of Europe?

Mr. Rifkind: My hon. Friend is right. As I tried to indicate a few moments ago, the debate is about what kind of European Union we should be working towards. Many of the concerns that we have expressed are to be found in France, Germany and elsewhere. History has so determined matters that the United Kingdom has tended to take the lead in presenting the alternative kind of European Union that we believe is in the best interests of Europe as a whole.

Tibet

12. **Mr. Mullin:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of China regarding the situation in Tibet; and if he will make a statement. [30854]

Mr. Hanley: My right hon. and learned Friend the Foreign Secretary discussed Tibet during his talks with the Chinese Premier and Foreign Minister in Peking in January.

Mr. Mullin: As the Minister will be aware, in the past month or so there has been a quite serious crackdown in Tibet and some people have been injured and killed. What precisely did the Foreign Secretary say to the Chinese authorities? Although I appreciate that our influence is limited, there are things that we, with our EU colleagues, could do to impress on the Chinese authorities the seriousness with which we treat the way in which they behave in Tibet.

Mr. Hanley: My right hon. and learned Friend raised the general subject of human rights in China, including the situation in Tibet, which is a matter of deep concern for us all. He also raised the issue during his meetings with Chinese leaders, not only in Peking on 9 and 10 January, but with Foreign Minister Qian Qichen in The Hague on 20 April. He raised specifically the ill treatment of children in orphanages in China, the dissident Wei Jingsheng and, as I have said, the situation in Tibet. It is also important that we work with our European partners to form a dialogue on the issue because we believe that Tibetans should have a greater say in running their own affairs. The best way in which to achieve that is through dialogue between the Chinese Government and the Tibetans, including the Dalai Lama, without preconditions. We hope that both parties can start such a dialogue without delay.

Mr. Harry Greenway: Does my right hon. Friend accept that the Tibetan people will always look to the Dalai Lama as their spiritual leader—and their political leader to boot? Will the Government accord the Dalai Lama greater recognition in that respect, especially during his forthcoming visit to this country?

Mr. Hanley: The Dalai Lama will visit the United Kingdom next month as a guest of the British Buddhist organisations. He is a distinguished religious leader and, in accordance with previous practice, my right hon. and learned Friend the Foreign Secretary has agreed to meet him in that capacity.

Bhutan

13. **Mr. Nicholas Winterton:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on human rights in Bhutan. [30855]

Mr. Hanley: We understand that the human rights situation in southern Bhutan has improved significantly in the past three years and that the flow of refugees has almost ceased.

Mr. Winterton: As the position of the Bhutanese and Nepalese Governments is irreconcilable, with the Government of Bhutan insisting that 99 per cent. of the refugees in the camps are not Bhutanese and the Nepalese Government insisting that they are not Nepalese and that they came from Bhutan and must go back there, how can the British Government continue to argue that the best approach to solving the problem lies in bilateral talks between the Governments of Nepal and Bhutan? What assurances can my right hon. Friend give to those refugees that they will not become stateless, which many of them fear?

Mr. Hanley: My hon. Friend has rightly drawn attention to a serious dilemma. We believe that bilateral negotiations offer the best solution to the problem and we will continue to encourage the Governments of Bhutan and Nepal to conduct them. We take suitable opportunities to express firmly our concern to the Bhutanese about human rights. We provide humanitarian aid to support the refugees in Nepal because they are human beings, and irrespective of the status that people might give them. We have raised the issue with the Indian Government, too, on the basis of our humanitarian concern. We will continue to encourage Bhutan and Nepal in their dialogue.

Mr. Ronnie Campbell: Does the right hon. Gentleman agree that human rights in Bhutan and throughout the Indian sub-continent are of great concern to neighbouring countries, including those that share borders with Bhutan? One of my constituents who went to visit his family not long ago was murdered at the airport and did not even get into the country. I have already written to the Minister about that case and I hope that he will take up that abuse of the human rights of one of our passport holders.

Mr. Hanley: I would be grateful if the hon. Gentleman would send me the details of that case, which I do not have with me. I shall certainly look into the matter.

As for talks between Bhutan and Nepal, matters are not quite as bad as some might think. The seventh round of inter-ministerial talks took place in Kathmandu in April, and ended with an agreement to continue those talks at Thimphu, although no date was set. I hope that those next talks will help to make progress towards a lasting solution to the problem.

As to the incident to which the hon. Gentleman referred, any such case must be properly investigated independently and the guilty must be brought to justice.

East Timor

14. **Mr. Gerrard:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held recently with the Government of Indonesia on the future of East Timor; and if he will make a statement. [30857]

Mr. Hanley: Ministers most recently discussed the future of East Timor with the Indonesian Foreign Minister, Mr. Alatas, during his visit to the United Kingdom in January.

Mr. Gerrard: I am sure that the Minister is well aware of the views of many hon. Members that, instead of selling arms to Indonesia, the Government should tell the Indonesians to end their illegal occupation of East Timor, and condemn the genocide that has been committed there. Will he specifically press the Government of Indonesia to implement fully the recommendations of the United Nations High Commissioner for Human Rights following his visit to East Timor? Will he also press the Indonesian Government to allow a UN presence in East Timor—not just in Jakarta—and access to East Timor by human rights organisations?

Mr. Hanley: The hon. Gentleman will be aware that the United Kingdom does not recognise Indonesian sovereignty over East Timor. We continue to believe that the dialogue between Portugal and Indonesia, under the auspices of the UN Secretary-General, offers the best chance of finding a just, comprehensive and internationally acceptable settlement to the question of East Timor. The next round of talks will be held this month.

I was extremely pleased to learn of the meeting between President Suharto of Indonesia and President Guterres of Portugal at the recent ASEAN—Association of South-East Asian Nations—summit in Bangkok. I hope that the Foreign Ministers of Portugal and Indonesia can take forward the issues discussed then, because that is the only way in which we can improve the situation.

We are concerned about the reports of continuing human rights abuses in Indonesia and East Timor, and we let the Indonesian Government know of our concerns. I have mentioned the meeting that I had with Foreign Minister Alatas during his visit to the United Kingdom in January. We are aware of continued violence in East Timor, and we are monitoring the situation very closely.

British Council

15. **Mr. Bill Michie:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to enhance the work of the British Council. [30858]

Mr. Rifkind: The British Council's activities are at record levels. The council now has 228 offices in 109 countries, compared with 108 offices in 79 countries in 1980. The revision to the grant in aid that I announced on 21 May will enable the British Council to avoid closures of its overseas offices and help to sustain its programmes overseas.

Mr. Michie: The Secretary of State has been forced to back down from his barmy plans to cut the budget of the British Council. Will he admit that he was wrong in the first place? Will he accept that such a cut would have damaged an organisation that is vital if we are to promote British business and culture abroad? Will he behave himself in future?

Mr. Rifkind: I thank the hon. Member for his friendly advice. The Foreign and Commonwealth Office and the British Council did not, at first, appreciate the implications of the precise figures that were given to them. Further work was done by the British Council, and it alerted us to the implications for its overseas activities. I made it clear from the beginning that I was not prepared to see the closure of overseas offices of the British Council because we greatly value its work. It has greatly expanded under the Government and we have no desire for there to be a contraction in its overseas activities. On that basis, we reviewed its funding.

Mr. Forman: I warmly welcome the positive approach that my right hon. and learned Friend has taken towards the British Council and the way in which it has expanded overseas, but does he recognise that, from time to time, we should examine the internal workings of the British Council, particularly the structure of its regional offices? Will he assure hon. Members that that matter is being approached in as cost-effective a way as possible? There was a time when the British Council was over-manned and over-present in the United Kingdom.

Mr. Rifkind: As part of the British Council's examination of its domestic operations, it has concluded that it can carry out its tasks with fewer staff than it has traditionally employed. We expect there to be a significant contraction in the number of its domestic staff and its expenditure.

Bahrain

16. **Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action has been taken by Her Majesty's ambassador to Bahrain concerning human rights. [30859]

Mr. Hanley: Our ambassador in Bahrain, Ian Lewty, and his staff have regular discussions with the Bahraini Government. I will be visiting Bahrain next week to discuss a wide range of issues, including human rights.

Mr. Corbyn: I am pleased to hear that the Minister will be visiting Bahrain next week. Will he carry with him a copy of an early-day motion, signed by a substantial number of hon. Members, that refers to human rights abuses in Bahrain, to the Bahraini Government's abuse of trade union positions and to the lack of respect for human rights by that country? We get the impression that if Britain sells arms to, and does a lot of trade with, a country, the Government are unconcerned about systematic abuses of human rights there.

Mr. Hanley: Her Majesty's Government deplore all abuses of human rights, wherever they take place. We treat all allegations of human rights abuses seriously. We frequently raise human rights issues with other Governments. Whether we should express concern and

how best to do so are questions that we address carefully in each case. Bahrain gave a full response to allegations of human rights abuses to the UNHCR in June 1995.

I hope to discuss topical issues with the Bahraini Government next week, including the accusations that are included in documents such as the early-day motion. I shall take it with me to Bahrain. As I said, our ambassador and I raise human rights issues with the Bahraini authorities because we have to respond to the many questions that come from Lord Avebury and hon. Members on specific issues. I have always found the Bahraini authorities most co-operative. I hope that that will be the case next week.

Burma

17. **Mr. Miller:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Burma regarding human rights in Burma. [30860]

Mr. Hanley: The United Kingdom has had no ministerial contact with the ruling military regime in Burma, the State Law and Order Restoration Council—SLORC—but we regularly raise our concerns about human rights in Burma at official level.

Mr. Miller: I am sure that the Minister will agree that it is inadequate simply to criticise SLORC from the sidelines. We all deplore that regime. When considering the plight of people in UNHCR camps, will he have regard to the examples set by Canada, the United States and Australia—which have established small resettlement programmes for people in those camps—particularly when those people have legitimate links with families in Britain who could meet their needs and support them?

Mr. Hanley: I agree with the spirit behind the hon. Gentleman's question, but I disagree with his suggestion that we are somehow sniping from the sidelines—we are not. On 7 June, our ambassador, Robert Gordon, was sent to the SLORC with a démarche urging it, first, to free those who were detained immediately; secondly, to permit Burma's pro-democracy groups and others freedom of speech, movement and association in fulfilment of Burma's obligations under the universal declaration of human rights; and, thirdly, to enter into meaningful dialogue with Burma's democratic opposition without delay. That is hardly speaking from the sidelines. We are carrying out our policy in support of democratic reform and human rights in Burma, and we have made it clear to SLORC that the resumption of normal relations is conditional on progress in those key areas. That is the purpose of our critical dialogue.

As to the way in which we can help those who have been harmed by the regime in Burma, we will continue to work and to co-operate at every level in order to find the best and most effective way of helping them.

Mr. Fatchett: If the Minister is so concerned about human rights in Burma, and if the Government's actions are consistent with his words, will he give a commitment to the House that the trade delegation to Burma sponsored by the Government and scheduled for 24 June will be cancelled and that the Government will give no further legitimacy to that foul regime in Burma through their actions or finances? Will he also give a commitment that the British Government will make it clear to the regime in Burma that, if there is any further repression of democratic forces, or if Aung San Suu Kyi is arrested, the British Government will take tough retaliatory action against Burma and join the United States and others in the world community in making it clear that democratic rights in Burma are important to us and to the people of that country?

Mr. Hanley: I point out to the hon. Gentleman that, on 19 July last year, there was an Adjournment debate on the subject, when I set out the Government's policy. I did so again on 7 February and I also referred to our policy in Parliament on 6 March. It is true that we sponsored a mission to Burma in January and February this year, but it is surprising that Mr. Pilger's recent television programme omitted to mention the fact that we have pulled the plug on our support for the trade mission to which the hon. Gentleman referred—for the reasons that he has given. It is strange that programmes criticising the Government fail to mention the facts that they find inconvenient—one must never let the truth interfere with a good story.

Former Yugoslavia

18. **Mr. Winnick:** To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations are taking place with other Foreign Ministers over the future position of the implementation force in the former Yugoslavia. [30861]

Sir Nicholas Bonsor: We remain in constant contact with other Governments on this and other Bosnia-related subjects.

Mr. Winnick: The implementation force is clearly performing a very important task in the former Yugoslavia. As it is now quite clear that virtually every male who was captured after the fall of Srebrenica was put to death, the need to ensure that the most notorious war criminals are apprehended and brought to justice before the war crimes tribunal is all the greater. Should not the President of Serbia be told in clear terms that he has a duty to the international community to hand over to IFOR the two leading criminals among the Bosnian Serbs?

Sir Nicholas Bonsor: I share the hon. Gentleman's distaste for Messrs. Karadzic and Mladic, and I agree that it is important that they be brought to justice before the international war crimes tribunal, but it is not in IFOR's mandate to make such arrests or to seek Messrs. Karadzic and Mladic. Its job is to ensure that the Dayton peace agreement is taken forward. The hon. Gentleman must not underestimate the difficulty of apprehending Messrs. Karadzic and Mladic, and any military operation that was mounted to do so would undoubtedly involve substantial loss of international life.

The hon. Gentleman is right to say that we should put all possible pressure on the President of Serbia, Mr. Milosevic, to intervene to try to get to Messrs. Karadzic and Mladic. I am afraid that the President of Serbia does not have total control over the Bosnian Serbs—*[Laughter.]* It is all very well to laugh, but that is

a fact of life. It is regrettable, but true. We shall continue to put pressure on Mr. Milosevic until we attain the outcome that we desire.

Mr. Colvin: Will my hon. Friend confirm that, if the 20 December deadline for withdrawal of the implementation force is to be met, the elections that are currently scheduled for 14 September must be free and fair? Does he think that they will be, when 80 per cent. of the population of Bosnia are living elsewhere thanks to ethnic cleansing or the implementation of the Dayton agreement? Does he think that they will be, when 1 million Bosnians now live overseas and the register for the elections and the census on which it is based are dated 1991? Does my hon. Friend think that, in those circumstances, the elections will be free and fair? Will he, for an alternative, look at the experience of the Republic of South Africa? Many of its citizens were living where they should not have been at the time of the elections, and use of a sophisticated administrative device ensured that a large percentage of the population voted. Those elections were seen by the free world as fair and free.

Sir Nicholas Bonsor: I agree that the elections must be free and fair, but it would be unrealistic for any of us to expect them to be perfect. It is the task of the Organisation for Security and Co-operation in Europe and others involved in trying to organise the elections to ensure that they reach a satisfactory electoral conclusion.

IFOR will be kept at full strength until after the elections and will be fully operational until 20 December. It is premature for us to plan further at present, but emphasis is placed on the fact that free and fair elections should be held, and all the international community's efforts are currently directed to that end.

Florence Summit

19. **Mr. Alan W. Williams:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the agenda of the summit to be held in Florence on 21 and 22 June. [30862]

Mr. Rifkind: The agenda for the Florence European Council is not yet decided, but as my right hon. Friend the Prime Minister made clear in his statement to the House on 21 May, if we have not reached agreement on a framework for lifting the ban on beef, that subject is bound to dominate the agenda.

Mr. Williams: I am sure that the Foreign Secretary will accept that many hon. Members, including many Conservative Members, are concerned about the deep damage that is being caused to our relations with our European partners by the policy of non-co-operation. Will he make every effort to ensure that a compromise is reached before the Florence summit so that the agenda can be followed and we abandon this unwise policy?

Mr. Rifkind: We are all anxious to find an acceptable solution, but it must be on the basis outlined by the Prime Minister: agreement on a framework strategy for the phased lifting of the ban.

EU Intergovernmental Conference

20. **Mr. Hall:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will outline the Government's objectives for the European Union intergovernmental conference. [30863]

Mr. Rifkind: Our objectives were set out in the recent White Paper "A Partnership of Nations".

Mr. Hall: Has the Foreign Secretary taken time to read the pamphlet produced by the Confederation of British Industry entitled "Building a Better Europe" which was published last week? It called for a pragmatic and case-by-case assessment of the case for extending qualified majority voting at the intergovernmental conference. Does not the sensible approach taken by the business community expose the Government's short-sighted and dogmatic approach in refusing to consider a further extension of qualified majority voting?

Mr. Rifkind: Our view of qualified majority voting is influenced by the fact that it already exists in relation to a large area of policy, including the single market and the common agricultural policy. We have yet to hear a convincing case—I do not believe that there is one—for further extension of QMV.

Mr. Field: I understand from my Member of the European Parliament that the maritime regions are to be considered by the intergovernmental conference, which will be of considerable interest to areas such as the Scottish islands, the Isle of Wight and the Azores. When will my right hon. and learned Friend be able to make an announcement about the peripheral regions' place in the timetable for the intergovernmental conference?

Mr. Rifkind: I am not clear about the background to my hon. Friend's question. The purpose of the intergovernmental conference is to consider the possibility of treaty amendments. I have not yet heard of any proposals that would be specifically relevant to maritime areas. Of course, if others make such proposals, we shall consider them on their merits.

UNESCO

21. **Mr. MacShane:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the Government have to rejoin UNESCO. [30864]

Sir Nicholas Bonsor: We have no immediate plans to rejoin UNESCO. This issue is being kept under review in the light of progress with reform in the organisation and other financial priorities.

Mr. MacShane: Everybody will agree that, in the 1980s, UNESCO was a ratbag, financially corrupt organisation run by an authoritarian megalomaniac—a bit like the Conservative party. Now it is run by a lean, mean executive called Major—Señor Major—

Madam Speaker: Order. The hon. Gentleman knows that he has to put a question and I have not yet heard a question from him.

Mr. MacShane: May I ask the Minister, given that UNESCO today is run by a lean, mean executive called

Major, who works with the private sector and does excellent work, whether Britain will abandon its petty, petulant refusal to play a part and rejoin UNESCO now?

Sir Nicholas Bonsor: I shall resist being tempted down that unfortunate path. We keep our rejoining UNESCO under constant review, but at the moment we are not satisfied that the management and administration of that organisation is good value for money for those who fund it. Nor are we satisfied that our membership would be good value for money, given that it would cost £11 million out of a limited budget, which is already fully pressed.

Mr. Cyril D. Townsend: Is my hon. Friend aware that, when we were a member of UNESCO, we gained more money each year than we paid in? The sum that he mentioned should be seen in that context. Is he also aware that it is hard to find an educational or cultural institution in this country that does not think it is a gross mistake not to be a member of UNESCO? Will my hon. Friend please ensure that he does nothing to erect further fences that would prevent our speedy return?

Sir Nicholas Bonsor: If my hon. Friend can give me figures that will assure me that we would get more than £11 million back if we put it in, I shall review the position. I think that it is unlikely.

Mr. Tony Lloyd: If there was a logic to the original decision to withdraw from UNESCO, surely the decision not to rejoin smacks of pettiness. Does the Minister understand that there is wide respect now for UNESCO's work and the way in which it conducts its affairs? Will he also recognise the increasing concern among other United Nations agencies that British withdrawal from UNESCO may parallel withdrawal from other organisations in the future? Will the Minister take the opportunity now to ensure that the world understands that there will be no withdrawals from other agencies?

Sir Nicholas Bonsor: The world is probably more concerned about the fact that the United States does not back UNESCO than the fact that the United Kingdom does not. I can give the hon. Gentleman an assurance that we have no plans to withdraw from other organisations. However, we are keeping a close eye on, and conducting a review of, the efficiency and value of some operations of the United Nations. I cannot, as yet, give the hon. Gentleman any details of the results that might arise from that examination.

Mr. Jessel: Is my hon. Friend aware that, at UNESCO's palatial headquarters in Paris, where 2,000 people work, most of the experienced middle management were sacked and replaced by a lot of left-wing trendies, and long-haired men and short-haired women who wore sandals in the office? *[Interruption.]* There were too many of them in the office and not enough out in the field. Is my hon. Friend also aware that in matters of cultural relations overseas, many of us would much rather support the Government's policy of continuing to fund the excellent work of the British Council and the BBC's overseas service?

Sir Nicholas Bonsor: I am grateful to my hon. Friend. His description of those who work at UNESCO matches our view of the Opposition.

Lebanon

22. **Mr. Jim Cunningham:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Israel regarding the ceasefire in the Lebanon. [30865]

Mr. Hanley: During the conflict in Lebanon, we repeatedly urged all sides to reach a ceasefire agreement. Since the 26 April agreement was reached, my right hon. and learned Friend the Foreign Secretary and I have been in touch, by letter and telephone, with the Israeli Government about Lebanon, and kept in regular touch, in person, with the Israeli ambassador to the Court of St. James.

Mr. Cunningham: Has the Minister had any clarification from the new Israeli Prime Minister who says that he wants peace and security? What is the Minister's interpretation of that statement?

Mr. Hanley: I cannot but believe that it is in the interests of the new Israeli Government and their Prime Minister to continue the peace process. Peace comes with prosperity and prosperity comes with peace. It must be in the interests of all people in the middle east to pursue the peace process. Last weekend, and during the week, I visited five countries—Lebanon, Syria, Jordan, Egypt and Morocco—and in each of them I found constructive views and people willing to give the new Prime Minister of Israel the chance to show that he is dedicated to peace. I believe that the Arab world will do so and that Mr. Netanyahu will rise to the occasion.

NHS Dentistry

3.30 pm

The Minister for Health (Mr. Gerald Malone): With permission, I would like to make a statement on the future of dentistry in the national health service.

Last April, I announced on behalf of all United Kingdom Health Ministers a package of reforms to the general dental services remuneration system. I can now tell the House that a year of constructive and detailed discussion with the General Dental Services Committee has resulted in agreement on that package. Implementation will start in September. This will do much to end uncertainty and to provide an atmosphere of stability and security for the dental profession. It creates a firm foundation for future work.

I wish to set out both an immediate and a long-term agenda. I will deal with the immediate agenda first.

The package has a number of elements, one of which is children's dentistry. At present, the treatment of children is funded through a monthly capitation payment to dentists, supplemented by weighted entry payments where significant additional treatment is needed. The new system retains capitation payments, and replaces weighted entry with a new set of fees for individual items of treatment. This will help ensure that children receive appropriate preventive advice and dental treatment.

For both adult and child dentistry, we will harmonise the registration period at 15 months. This will provide a period of continuing dental care following each course of treatment, while streamlining administrative procedures and reducing bureaucracy for dentists.

To help ensure that the public secure the best value for money from resources, we will introduce more rigorous prior approval for some courses of treatment from 1 December. This will ensure that all clinically essential services are available and are secured in the most cost-effective way. A joint working party between Health Departments and the General Dental Services Committee will develop our proposals further.

It is important to construct a remuneration system which encourages improvements in oral health. Our aim is to target substantial existing resources more effectively for the benefit of patients. We shall be working with the profession to monitor the outcome of the changes to the proposed fee scale to ensure that we achieve our objective.

I deal now with the longer-term agenda. I can now tell the House that we intend to pilot and evaluate a system of local contracting for primary care dentists in several areas around the UK. The chairman of the General Dental Services Committee has stated that it will work with us constructively. I welcome that approach. The pilots will require primary legislation, and it is the Government's intention to seek an opportunity to introduce a Bill. I hope that it will prove possible to publish a draft Bill for consultation this autumn. We want to make progress, with the agreement and commitment of the profession.

Such a Bill would provide an opportunity to tackle another agenda which has been set by the dental profession itself and which I have discussed recently with the General Dental Council. The council is charged under the Dentists Act 1984 with setting and maintaining professional standards for the benefit of dentists and patients alike. Last year, the council issued a consultation document setting out its proposals to amend the Act to do away with a number of constraints to the development of the profession. I am now happy to announce that the Government are prepared to take forward their proposals.

First, the Government propose to set up new classes of dental auxiliaries and expand the range of work that they can do. That would allow the GDC to approve pilot studies of mixed-skill working. The aim is to allow dentists to manage their practices more effectively, provide more professional opportunities for hygienists and other dental auxiliaries and increase the amount of care available for patients. It will be necessary to ensure that those changes produce enhanced NHS services, targeted to need. The proposals will enable clinical dental technicians to practise legally in future.

Secondly, in cases of disciplinary proceedings, the Government propose to introduce conditional registration in addition to the sanctions currently in place. Another important component of that proposal would be the creation of a statutory career redevelopment scheme for dentists who do not demonstrate a sufficient level of competence. We also intend significantly to increase the lay representation on their council.

Thirdly, the Government propose to establish a complaints system for private patients, something that was urged upon me recently in a debate by my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton–Brown). That would enhance the GDC's powers to deal with complaints against dentists providing treatment outside the NHS.

Those proposals broadly mirror developments for the medical profession which were put to the House earlier this year and approved.

I recognise that, within a growing general dental service, there are some localised problems of accessibility. Health authorities are already able to apply to the Secretary of State to seek to appoint a salaried dentist and use the community dental services in areas where availability problems arise. In addition, we have been consulting within the NHS and the profession on an access fund for this year.

I am pleased to announce to the House that we shall shortly be seeking bids from health authorities in England for individual grants, in the region of £40,000, to enable them to fund local solutions to local problems of availability. An access scheme has already been successfully launched in Wales. We shall monitor the outcome carefully.

Another issue which has greatly concerned the profession is that dentists have been remunerated through a system with a balancing mechanism, whereby overpayments in one year were recovered in subsequent years. However, over a number of years, up to 1993-94, an overpayment amounting to some £16,500 per dentist arose. I have had many representations on the issue. I have listened to the views of my right hon. and hon. Friends, and also to Opposition Members, who have urged me to mitigate the burden of those overpayments.

In view of the agreement reached with the profession, I have decided not to pursue that course of action. Instead, I have decided to announce today a total waiver of the overpayments. As a consequence, I understand that the chairman and executive of the General Dental Services Committee will recommend that the dispute started in 1992 be called off.

[Mr. Gerald Malone]

NHS dentistry is a success story. Since 1992, the number of dentists on English health authorities' lists has increased by around 500, to nearly 16,000. The number of adult treatments has gone up by 50 per cent. since 1979. Expenditure on the general dental services is up by 57 per cent. over the same period. We now have an agreed way forward. In my statement, I have set out an exciting and challenging new agenda for the profession and for the NHS. I intend to pursue it with vigour, and I commend it to the House.

Mr. Henry McLeish (Fife, Central): Does the Minister not accept that, against the background of the crisis now gripping NHS dentistry, his statement will be seen as muddled and misguided, and will be a bitter disappointment to the public, professionals and Parliament? Will he acknowledge that this package is further evidence, if any were needed, that the Government are determined to drive dentistry out of the NHS by promoting further privatisation of adult treatment and retaining a residual welfare service for children and people on benefit?

Is the Minister oblivious to the main problem: to ensure that adults get routine NHS general dental services throughout the country? On that issue, does he accept that, in London and the south-west, one in six of the population has difficulty finding an NHS dentist? Does he further accept that there has been a significant fall in the registration of young adults over the age of 18? Why does nothing in his statement address those issues?

No one will disagree with more assistance being given to children, nor with the proposals to maintain professional standards. The belated attempt to solve the payments problem is welcomed by most people, and the Government have belatedly accepted that there are localised difficulties in terms of access, but will the Minister explain the knee-jerk reaction to the crisis facing children in NHS dentistry?

Will the Minister confirm that the proposed amount to be spent is £10 million, and that it will in effect be transferred from adult dentistry? Will he also explain why the item-of-service payments, which have been reintroduced, provide dentists with more money for taking teeth out than for filling them, which will undermine preventive health care?

Does the Minister accept that the reduction in the registration period from 24 to 15 months—or, to use his words, to "harmonise" the phase of registration—could mean that millions of adults will be removed from NHS dentists' registers? I urge the Minister to tell the House whether 2 million, 3 million or 4 million will be removed at a stroke. Can he explain whether the new rigorous prior approval for expensive treatments—crowns and bridges—is designed to improve dental care or merely to provide the cash for transferring to children's treatment?

The Minister's statement does not in any way address the key issue of health inequalities in dental services throughout the country. We need a package to ensure the right of all sections of the community in all parts of the country to comprehensive NHS dental care. The Government have squandered yet another opportunity. We need to keep dentistry within the NHS. The Government have shown by their actions today that they do not share that aspiration.

Mr. Malone: We have just heard the usual drivel from the hon. Member for Fife, Central (Mr. McLeish), whose view of NHS dentistry is totally unsupported by the evidence. The truth is that NHS dentistry is succeeding. It is receiving record funding from the Government. The number of people who are maintained on registers is broadly the same as it was in the past, in spite of the perverted statistics put out by the hon. Member for Southwark and Bermondsey (Mr. Hughes)—who, rather interestingly, counts those who come off the register automatically and then refuses to look at the figures for those who go on the register, which gives an entirely different picture.

The hon. Member for Fife, Central raised yet again the bogus issue of privatisation. Health service dentistry is receiving additional investment.

Mr. McLeish: What about costs? What about registrations?

Mr. Malone: I shall come to each of those points. The hon. Gentleman need not butt in from a sedentary position.

The hon. Gentleman spoke about the undermining of preventive care. Nothing will do that. He made some spurious suggestion that funding for children's treatment will come from adult care. I explained to the House in my statement that the weighted payments that are presently given will fund the fees for patient care for children, and that there will be a ceiling within which the treatment will take place. That has always been the case.

I now come to the hon. Gentleman's point about the 15-month period. The reason why there is a continuous care period of 15 months is that some 4.5 million people were rolling off the register each year, which suggests that they were not receiving treatment. The 15-month period will encourage dentists to provide a course of treatment for patients who need it, and they will then remain on the register. It is in the interest of dentists that they do so.

The hon. Gentleman also raised the issue of prior approval. It will improve dental care, because it will ensure that what is clinically necessary and appropriate for patients will be delivered. What is important is that the protocols will be decided with the dental profession and will be developed during the coming months. Dentists very much welcome that.

Yes, things are different under this Government compared with the previous Labour Government. The hon. Gentleman may be interested in the notice from the British Dental Association, which is headed "Notice to Patients". It says:

> "For the time being some patients may be unable to obtain dental treatment under the National Health Service . . . The British Dental Association regrets that this situation has arisen and hopes that a viable and progressive NHS Dental Service can be restored in the very near future."

It was, in 1979. It has been developed since, and that is an achievement of this Government.

Sir Peter Emery (Honiton): Although I thank my hon. Friend for that statement, which certainly goes a long way

to meeting many of the difficulties in the profession, I believe that it has not immediately met one great worry. Being parochial, I think of Sidmouth, Budleigh Salterton and Exmouth, where people are having to travel perhaps 20 miles to register with a dentist.

Will my hon. Friend consider providing capital to attract dentists into setting up a house and clinic, so that they can take on the great registration that exists not just in my area, but in many areas of the south-west? That would much more quickly get over the immediate problem, which I am sure my hon. Friend wishes to do.

Mr. Malone: Yes, indeed. The fund I have announced to the House this afternoon is designed precisely to meet such a need, where it is clearly demonstrated that there is a requirement for NHS dentistry that cannot be met. Many of my right hon. and hon. Friends have written to me about access, and I have listened to them most carefully.

My right hon. Friend will be well aware of the legislative framework within which we normally provide NHS dentistry if no dentist wishes to provide NHS care. There are two means of doing so: either through the community dental service or through the appointment of a salaried dentist. That system has proved to be too inflexible, and that is why I have announced in principle to the House today a scheme that will meet local flexibilities and needs—which is why it is not prescriptive. It will be up to local health authorities to devise schemes that match the local situation.

The representations have been listened to and responded to. I very much hope that my right hon. Friend will now take up the matter directly with his local health authority, so that it may bid for the fund that has been put in place.

Mr. Simon Hughes (Southwark and Bermondsey): I and my colleagues give a cautious welcome to the Minister's statement, as far as it goes. Does he agree that, unless there is both the commitment and the finance in the next few months, we shall not be able to rescue NHS dentistry from the jaws of disappearance?

Specifically, is it Government policy to reinstate to the NHS all the work that has been lost over the past four years? Is it Government policy that the 1.8 million net patients who have been lost to the NHS will go back to being inscribed on NHS rolls? Is it Government policy that, not just in the south-west but all over the country, there will be access for every citizen, adult and child, to a local NHS dentist?

If so, will the Minister answer the last crucial question? Does the new settlement mean that there is more money for dental remuneration, and does it mean that, once again, there will be free dental checks on the NHS for all adults and all children all over the country, as needed?

Mr. Malone: I will answer the point about additional resources first, because that is at the core of the matter. Since 1979, this Government have provided, on an on-going basis, dramatic additional resources for NHS care. Total real expenditure is £1.4 billion up—60 per cent.—on the 1978-79 figures. It is all very well for the Labour party to talk about fiddling figures; it is nothing of the sort. These are the facts, and to try to suggest by simple assertion that they are not is an absurdity into which Opposition Front-Bench Members fall far too often. Net spending is up by 37 per cent. on 1978-79 figures.

The hon. Gentleman lives in a fantasy land. He totally fails to understand the system if he thinks that people who may have required NHS dentistry in the past and now need it will receive it in terms. I do not know what system of compulsory treatment the Liberal party proposes to employ to seek them out. Time and again, the hon. Gentleman has fiddled the figures relating to NHS dentistry. What is more, when he is discovered fiddling the figures, he changes the ground rules.

I shall tell the House exactly what the hon. Gentleman has done. He has claimed that one patient is deregistered every two minutes, but depending on the basis of calculating the two minutes—I took it to be the normal division of time by two minute segments—some 45 are registered at the same time.

Having been found out on that, and the facts not suiting him, the hon. Gentleman then moved on to something that proved more esoteric. More recently, he claimed that one patient has disappeared every eight working day seconds. So we got out the calculator. We assumed working days to be Monday to Friday, and, giving the hon. Gentleman the benefit of the doubt, we worked out relatively shortly that more than four are registered at the same time. So once again the hon. Gentleman has got it wrong.

Mrs. Marion Roe (Broxbourne): I congratulate my hon. Friend and the representatives of the dental profession on finally settling their long-standing pay dispute and on the major strides forward that have obviously been made during the negotiations. As Chairman of the Health Select Committee, I welcome the introduction of a new system of rewarding activity, with particular reference to children's oral health. However, as the Minister will know, the continuing trend of improvement in children's oral health has not been maintained in recent years. Will he confirm that children's oral health will now receive the focus it deserves, and will be put at the top of the priority list?

Mr. Malone: I agree entirely with my hon. Friend. I thank her for drawing attention to the co-operation of the profession in setting the agenda in lengthy discussions that she acknowledges are now productive.

My hon. Friend referred to children's oral health. It was precisely because it had become evident that the rate of improvement in children's oral health was not being maintained that we decided to look into the issue. My hon. Friend is quite right. We are seeking to ensure that activity relates to oral health and not just to the weighted payments that were previously in place, which meant that a dentist got more cash for putting on to his or her list a child with a bad oral health problem.

However, that did not generate activity. The purpose of the new scheme is to generate such activity, which should improve oral health dramatically. I can confirm that we shall continue to monitor the scheme as it unfolds, and ensure that it promotes the increased activity and improvement in oral health that we believe it promises. If, however, it does not fulfil that promise, I have no hesitation in saying that I shall be prepared to approach the issue again.

Mr. Dennis Skinner (Bolsover): Does the Minister accept that, for the greater part of the past 17 years, the

[Mr. Dennis Skinner]

dentistry element of the national health service has fallen apart? He comes here today attempting to introduce pilot schemes in local areas prior to a general election to give the impression that they will get rid of all the problems that have arisen in those 17 years, together with some auxiliaries. Are we going back to the 1930s, when my father was down the pit, and, if somebody wanted a tooth out and they had no money, there was no national health service and people would say, "Go to Tony Skinner, he has a good pair of pliers"? What a fine state of affairs we have reached.

Mr. Malone: I always knew that the hon. Gentleman's family was multi-skilled, but I did not know that it went that far. He harked back to the 1930s. I hope that he will not hark back to the 1950s when, under a Labour Government, a compulsory decrease in dental fees of 20 per cent. was imposed in one year, followed by another of 10 per cent., and there was talk of using military dentists to break a strike. That was acceded to by the saint of the health service, Nye Bevan, so we do not want to get back to the agenda set by the Labour party.

Our agenda is one of continued investment in the health service. The facts absolutely belie the hon. Gentleman's accusation that the service is falling apart. It is receiving increasing investment, and more dentists than ever before are providing NHS treatment. The hon. Gentleman is entirely wrong.

Several hon. Members *rose—*

Madam Speaker: Order. If I am to attempt to call all the hon. Members who are rising, I must now have short, brisk questions, and short, brisk answers from the Minister.

Sir Alan Haselhurst (Saffron Walden): Is it not well nigh impossible to interpret any part of my hon. Friend's statement as making access to NHS dentistry more difficult? On the contrary, does it not give a clear signal to health authorities, such as North Essex health authority, that there is now an additional means of trying to supply areas such as Saffron Walden, where there are currently no NHS dentists?

Mr. Malone: My hon. Friend is quite right. I shall expect him to speak to his local health authority to see whether a scheme can be devised.

Mr. D. N. Campbell-Savours (Workington): The Minister will know that I have been corresponding regularly with his Department about what has been described to me as a crisis in dentistry in west Cumbria. We have been viewing the scheme in Wales quite enviously. May I ask the Minister in advance to look favourably on any bid that Cumbria might wish to make?

Mr. Malone: I will certainly take the hon. Gentleman's representations into account if such a bid is made.

Mr. James Couchman (Gillingham): My hon. Friend's statement is very welcome, as is the fact that a long-running dispute now appears to be over.

During my hon. Friend's discussions with them, have dentists said whether more of their number will be prepared to take on new NHS patients? May I also ask him whether he believes that this will solve the problem of the scarcity of orthodontic treatment?

Mr. Malone: Given the hypothesis that dentists were saying that they would not take on extra NHS work—or would withdraw from such work—because a dispute was in progress, I hope that a corollary of the end of that dispute will be many more dentists deciding to resume NHS care. I hope that the end of the dispute and, in particular, getting rid of the vexed issue of overpayments—which I know encouraged a number of dentists to give up NHS work—will enable us to put the matter behind us. The legislation to which I have referred is designed precisely to improve the teams, including orthodontists, who will provide care in the dentist's surgery.

Mr. Sam Galbraith (Strathkelvin and Bearsden): Does the Minister agree that the best way in which to improve children's dental health is to put fluoride in the water? That being the case, what will he do about it?

Mr. Malone: As the hon. Gentleman knows, that is exactly the Government's policy. Our policy is that, where it is agreed locally that fluoride should be introduced into the water supply, it should be introduced. The hon. Gentleman comes from an area where that is a contentious issue. I will certainly back schemes that are initiated locally, with local support, and the Government stand ready to back them all with capital investment.

Mr. Barry Field (Isle of Wight): As my hon. Friend will know, the writing off of overpayments will bring a big cheesy grin to the faces of members of the dental profession. Given the conversations that I have had with him, does he realise just how keen I am on pilot studies involving the Isle of Wight? Will he confirm that he will consider my bid for the island to have just one of the schemes that he has announced?

Mr. Malone: I have been delighted to note the bids from hon. Members on both sides of the House to participate in the next generation of NHS dentistry. My hon. Friend's bid has certainly been noted.

Mr. Dafydd Wigley (Caernarfon): Why, oh why, has it taken four years for the Government to get themselves out of the hole they dug for themselves back in 1992? Why has NHS dentistry disappeared from my constituency for the past three years, despite the Welsh Office initiative? In the past two years, only one dentist in the constituency has been taking on new NHS patients, and we still do not have one additional dentist, in spite of the initiative taken two years ago, and the additional money that was supposed to come.

On Monday morning, I saw a constituent who had a serious toothache last Wednesday, but could get no treatment either in hospital or from a dentist. He was offered antibiotics, or the alternative of having a tooth removed. The position is a shambles. It is high time we saw real action, rather than the window dressing that has gone on in Wales for the past two years.

Mr. Malone: The hon. Gentleman entirely ignores the fact that we have made solid progress with the profession

in that time in resolving a huge range of outstanding issues that will direct dental health care far more appropriately to patients. I should have thought that he would welcome that. He cannot say that he has experienced problems in his constituency in the past, and then belittle a statement today that addresses those problems and takes forward the agenda of NHS dentistry as a whole.

Mr. Patrick Nicholls (Teignbridge): My hon. Friend will recall that I am the adviser to the Clinical Dental Technicians Association. How will he take forward his remarks about legalising the practice of denturism? Will the access funds that he referred to a few moments ago be directed towards the problems at Newton Abbot about which I have spoken to him recently?

Mr. Malone: I forgot that my hon. Friend gave advice—probably to the relatives of the hon. Member for Bolsover (Mr. Skinner) who get their pliers out occasionally.

Mr. Skinner: My father would have done it for nothing.

Mr. Malone: Well, dentists dictate their own terms of service when providing private care.

My hon. Friend has made representations to me on behalf of his constituents. I note his suggestion today, and assume that he will take it up with his local health authority.

Ms Jean Corston (Bristol, East): Does the Minister accept that his statement that NHS dentistry is a success story is simply not true in my constituency, where there are only two dentists providing NHS dentistry? That is two dentists for nearly 80,000 people. Dentists cannot survive professionally unless they encourage their patients to apply for services such as Denplan, for which some people, particularly pensioners, cannot afford the premiums. Is not a consequence of that a decline in the nation's health, and the privatisation of dentistry?

Mr. Malone: I do not accept that the nation's oral health is declining. If one were to believe Opposition Members, one would wonder what those dentists who provide NHS dentistry were up to, and where they were located. According to Opposition Members, there are no NHS dentists in their constituencies. There are, however, 15,500 dentists providing NHS care, and only 500 providing a totally private practice. The hon. Lady is entirely wrong to characterise a successful national service in the way she does.

Mr. Ian Bruce (South Dorset): My hon. Friend is, I suspect, as fed up of reading my letters on Weymouth and Portland as I am of writing them. May I congratulate him on producing the flexibility that Dorset health commission has asked for in terms of solving the problems in those areas? Will he ensure that we are one of the areas chosen for the pilot scheme? Will he give a commitment to ensure that, by the time of the general election, everyone who wants an NHS dentist will have one?

Mr. Malone: My hon. Friend is entirely wrong—I enjoy reading his correspondence, and I hope that he thinks that I reply to it with some care. I have said to colleagues who want their constituencies to participate in the scheme that, if they fall within the rules, I expect the local health authority to put forward a proposal for consideration.

Mr. Gordon Prentice (Pendle): How many areas in this country have localised problems of access? Barnoldswick, in my constituency, is a town of 10,000 people with only one NHS dentist. There is a waiting list as long as your arm, and it is impossible to get treatment in the area. Was not the Minister's statement totally fraudulent?

Mr. Malone: No.

Mr. Mark Robinson (Somerton and Frome): Following his welcome statement, will my hon. Friend consider launching a campaign to persuade those dentists who have shut their doors to new registrations—temporarily, I hope—to reopen them?

Mr. Malone: I very much hope that the statement will encourage those dentists who, in the light of the dispute, decided not to provide NHS dentistry to take a fresh look at the situation and review their decision. Having put the dispute behind us, I hope that we will enter a more positive phase and increase the expanding number of dentists providing NHS care.

Mr. Hugh Bayley (York): Does the Minister recall the report of the Health Select Committee on NHS dentistry that concluded that improvements in oral health achieved by a positive health promotion strategy would enable the Government to reintroduce at no additional cost free dental checks and a free core service of routine treatment? Why was that idea not pursued with the BDA?

As someone who has been told by his NHS dentist to go private or to go away—*[Interruption.]* I can tell Conservative Members that I left that practice—may I ask the Government to give a guarantee to all taxpayers, who have paid for an NHS dental service, that they will get such a service?

Mr. Malone: I would not fancy looking into the hon. Gentleman's mouth on a regular basis, so perhaps that is understandable. His point is exactly the same as that made by his hon. Friends. It is entirely wrong. He is yet another who claims that the NHS dental service has disappeared. It palpably has not.

Mr. David Congdon (Croydon, North–East): Does my hon. Friend agree that the facts that over the past four years, the number of patients registered—both adults and children—has increased, that the number of treatments has increased and that the state of the nation's teeth has improved show that the NHS dental service is neither in crisis nor a shambles? What steps in his proposals will give an incentive to dentists to carry out preventive treatment? On children's health, will he ensure that proper quality controls are in place for the reintroduction of an item-for-fee service?

Mr. Malone: Yes, I can give the latter undertaking. Dentists are professionals, who have to obey the clinical guidelines set by the profession. I expect them to

[Mr. Malone]

undertake preventive care. The corollary suggested by some Labour Members is that they behave badly and give unnecessary clinical treatment. I do not think that that is right. The system of improved payments for children's oral health care will strongly contribute to a general improvement in oral health care for children across the nation.

Mr. Nick Ainger (Pembroke): The Minister and several hon. Members have referred to the Welsh scheme. I endorse the comments of those who have said that it has not been a success. As an example, a dentist was relocated to my constituency in December, but has now sent a letter to all her adult patients deregistering them. After sixth months, she faces bankruptcy because of her serious problems.

I urge the Minister to recognise that there is a real problem, especially in rural areas, both in Wales and England. What he has told us today does not go far enough. Can he give any idea how many dentists who have in the past four years deregistered adult and children patients will now come back into the NHS?

Mr. Malone: I cannot predict the precise number. We will exhort those who feel that the environment is better after the statement to resume NHS care. We will see what the numbers will be. It is important that the access schemes are successful in the long term. That will be one of the criteria that we will consider carefully when schemes are put forward by local health authorities.

Some of the relocation schemes we have tried in England did not work in the long term. We are well informed by the fact that they did not work. We will be careful, in spending the taxpayers' money on improving access to dental health care, that we get schemes that will endure and provide lasting benefits for NHS patients.

Points of Order

4.8 pm

Mr. David Winnick (Walsall, North): On a point of order, Madam Speaker. May I draw your attention to page 129 of "Erskine May", which states:

"Conduct not amounting to a direct attempt improperly to influence Members in the discharge of their duties but having a tendency to impair their independence in the future performance of their duty may be treated as a contempt."

I raise that because a leading newspaper, *The Times*, today says that Tory Members who voted for the ten-minute Bill yesterday—

Madam Speaker: Order. I am sorry to interrupt the hon. Gentleman. He has used the word "contempt". If it is contempt, it may well be a breach of privilege, and I cannot allow him to proceed in that manner. I ask him to write fully to me, so that I can consider the matter carefully.

Mr. Winnick: I take that point, Madam Speaker, but it was not contempt. I quoted from "Erskine May", but I am seeking your guidance.

Madam Speaker: I understood that the hon. Gentleman said that it was a "contempt", and did not just quote the word. I must be clear about it: the hon. Gentleman is not alleging contempt?

Mr. Winnick: No, Madam Speaker, I am seeking your guidance on a matter arising from what I quoted.

Was it right and proper for hon. Members to vote yesterday for the ten-minute Bill on the basis that it would reduce or eliminate the chances of a candidate being put up against them by the Referendum party? Bearing in mind the fact that one Conservative Member has already described the threat as "blatant blackmail", it seems to me, in seeking your guidance, that we should know precisely where we stand. Are not threats from outside sources that say, in effect, "Vote one way and we won't put up a candidate against you," influencing Members of Parliament unduly? Is not such conduct quite inappropriate?

Madam Speaker: Had the hon. Gentleman given me notice of his point of order, I might have been able to give him an immediate response. If he will let me consider the matter carefully, along with the quotation from "Erskine May" that he cited, I shall attempt to make some response.

Mr. Chris Mullin (Sunderland, South): Further to that point of order, Madam Speaker. I seek your guidance on a matter of which I have given you notice. It concerns a letter that I received from Sir James Goldsmith dated 15 February. I imagine that it was sent to quite a number of hon. Members—I see no reason why I should have been singled out. The letter says:

"At the next general election, the Referendum Party plans to field a candidate in each Westminster parliamentary constituency in which the leading candidates are not committed to a fair referendum. As you will understand, it would be extremely helpful if you were to let us have a copy of any speeches or press releases that you have made or plan to make concerning a referendum on Europe."

That, in the light of yesterday's events, is a thinly veiled threat.

I seek your guidance, Madam Speaker, on the propriety of that letter in the light of yesterday's events. As I said, the letter was dated 15 February. I did not raise it with you at the time because its significance began to fall into place only after the events of the past few days.

Madam Speaker: The hon. Gentleman has been kind enough this afternoon to let me have a copy of that letter. It does not seem to raise any questions of privilege, largely because, of course, it contains no threat to sitting Members carrying out their parliamentary duties. The matter seems to be about politics and the next election, not subjects on which legitimate points of order may arise. I do not know whether I received the letter, but, had I done so, it would have gone straight into the wastepaper basket.

Mr. Barry Field (Isle of Wight): On a point of order, Madam Speaker. I do not know whether you were able to observe during Question Time that, exclusively in the Chamber, I was showered by national lottery tickets from the Public Gallery. From where I was sitting, I was unable to ascertain where they came from. From your vantage point, could you tell whether they came from that long lottery finger in the advertisement that points down to people and says, "It could be you"?

I have been assiduous in collecting the tickets. After a very slow start, the Isle of Wight has done rather well out of the national lottery. Should I win this weekend as a result of collecting those tickets, would I have to declare it in the Register of Members' Interests?

Madam Speaker: If the hon. Gentleman is successful this weekend, I will go 50:50 with him. If they were lottery tickets—I do not know what they were—I did not see any of them. It seemed to be a very mild demonstration, which, frankly, went off like a damp squib.

BILLS PRESENTED

Pensioner Trustees

Mr. Jim Cunningham, supported by Mr. Jon Trickett, Mr. Brian Jenkins, Mr. Bill Olner, Mr. Ian Pearson, Mr. John Hutton, Ms Janet Anderson, Mr. Michael Connarty and Ms Liz Lynne, presented a Bill to give pensioner members of occupational pension schemes the statutory right to be member-nominated trustees of such schemes: And the same was read the First time; and ordered to be read a Second time upon 12 July and to be printed. [Bill 149.]

Paedophiles (Registration and Miscellaneous Provisions)

4.13 pm

Mr. Anthony Coombs (Wyre Forest): I beg to move,

That leave be given to bring in a Bill to control and monitor convicted paedophiles in order to provide greater protection for children.

I do not think that anything in the whole pantheon of crime causes more abhorrence than crimes against children, especially when they are of a sexual nature. Such crimes are probably the basest known to man. Recently, Daniel Handley was killed by two paedophiles who had a long string of previous convictions. Such appalling cases go all the way back to Myra Hindley and Ian Brady.

People are generally appalled not only at the nature of the crime but at the chilling organisation of many paedophile rings—there are estimated to be 20 in the country—and the way in which they operate their terrible activities.

It is difficult to ascertain exactly the extent of the problem. It is estimated that about 5,000 serious sexual offences come before the courts every year. As I found when I sought information from the West Mercia force in my constituency, however, it is difficult to find out how many of those offences relate to children. Equally, it is difficult to obtain evidence of child abuse or sexual abuse of children. It is estimated, however, that 95 per cent. of child abuse cases never come to court. It is interesting to note that amendments to the Criminal Procedure and Investigations Bill might make the presentation of evidence in child abuse cases much easier.

We know from Scotland Yard's national criminal intelligence service that it has 4,500 paedophiles on its books. We also know that there is a significant element of repeat offending by paedophiles. A recent survey of 232 abusers found that they had been responsible for no fewer than 55,000 offences, against about 16,400 children. What we can appreciate is that, despite the difficulty in obtaining evidence of those appalling crimes, the problem is sadly widespread, and is not diminishing. Above all, we know that it wrecks—and I mean wrecks—young lives.

My Bill comes at an opportune time, because, on 27 March, the hon. Member for Rossendale and Darwen (Ms Anderson) introduced a Bill to register paedophile offenders. The hon. Member for Barrow and Furness (Mr. Hutton) has also introduced a measure to cover supervision orders for such offenders. In addition, the Home Secretary is due to publish a consultation paper next week that will deal with many of the relevant issues. I also understand that an announcement is imminent about the problem of child abuse in certain parts of the country.

My Bill has three specific measures, which I hope will inform and influence that debate, and ensure that the community receives adequate notification of the activities of child abusers and child sex offenders. Most important, it seeks to provide proper compulsory treatment for them.

My Bill would establish a register of listed sexual offenders in line with the offences listed in the Sexual Offences Against Children (Register of Offenders) Bill to which I have already referred. Access to that register would be confined either to those groups that look after children and are registered to do so, or to people whom the chief police officer of an area believes have a legitimate interest.

[Mr. Anthony Coombs]

My Bill goes even wider than that, because I agree with the Police Superintendents Association, which believes that it should be mandatory for all offenders and ex-offenders to inform the local police of any change of address. After all, there is no point in having a list of offenders if one does not know where they are. I believe that that register should carry information apart from pure convictions, including cautions and recent information about potential or actual paedophiles.

I understand that such a register may raise certain problems in terms of civil liberties. We must weigh the importance of protecting the interests of the innocent against the importance of protecting innocent children and the public. I also emphasise that 95 per cent. of child abuse cases never come before a court. I should have thought that, as long as non-conviction information was removed from the register within five years, and that information was given out only at the discretion of the registrar or a senior police officer, those civil liberties objections would be overcome.

The second measure—I believe that it is even more important—deals with the subsequent treatment of sex offenders, particularly child sex offenders, during their sentences and after they have been released. I recognise that many sex offender treatment programmes have, through Home Office evaluation, proved effective. The programme at Peterhead in Scotland was found to have a discernible impact on violent and passive offenders. The programme at Whatton, although more controversial, found that half the abusers benefited from the regime, and that long-term paedophiles may require long-term treatment. I recognise that the number of treatment programmes has increased significantly—up to 109—throughout the country over the past five years.

I am concerned that the programmes are imposed by the court only to the end of an offender's sentence. In addition, the programmes are not offered to offenders who are serving sentences of less than two years, because, with 50 per cent. remission, it is believed that 12 months is not long enough for the programme to be effective. Given that many of the activities of paedophiles are degenerative, it is important that people who serve shorter sentences are properly treated, or at least given the opportunity to be treated.

I am concerned that only 10 per cent. of offenders get a court order for treatment within their sentence. There is apparently only one national health service out-patient clinic in the United Kingdom that treats these people outside penal establishments. It should be mandatory for anyone convicted of a sexual offence against children to have a course of treatment after they have finished their sentence. Obviously, that course of treatment would be laid down by the court, depending on the post-sentence reports and on the reports from the penal establishment concerned.

I appreciate that, as a result of the European convention on human rights, such treatment has to be voluntary—I support that. However, at the same time, there is a strong case for the courts to have the discretion to reimpose a sentence on people if they will not voluntarily agree to a course of treatment—many of them will agree; half the paedophiles say that they need treatment. These people may be a danger to children and to the public.

Finally, I am concerned that treatment programmes throughout the country are now the responsibility of individual probation services. In other words, there is no point putting in place a mandatory requirement that everyone shall have treatment if there are different kinds of treatment throughout the country. It is vital that there is a standard, a code, throughout the country as to the sort of treatment that ought to be given, albeit on a voluntary basis.

As these matters are of sufficient importance, the Home Secretary should be required to report on them to Parliament every two years. He should report on the effectiveness of legislation against child abuse. In this way, the kind of injustice, inhumanity—

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. The hon. Gentleman's time has expired.

Question put and agreed to.

Bill ordered to be brought in by Mr. A. Coombs, Mr. Peter Hardy, Dr. Robert Spink, Mr. Nigel Spearing, Mr. Rupert Allason, Mr. Graham Riddick, Mr. David Jamieson, Mr. Jacques Arnold, Mr. David Evans and Mrs. Teresa Gorman.

PAEDOPHILES (REGISTRATION AND MISCELLANEOUS PROVISIONS)

Mr. Anthony Coombs accordingly presented a Bill to control and monitor convicted paedophiles in order to provide greater protection for children: And the same was read the First time; and ordered to be read a Second time upon Friday 12 July and to be printed. [Bill 150.]

Orders of the Day

Criminal Procedure and Investigations Bill *[Lords]*

As amended (in the Standing Committee), considered.

New clause 1

WITNESS SUMMONS: SECURING ATTENDANCE OF WITNESS

'.—(1) In section 4(1) of the Criminal Procedure (Attendance of Witnesses) Act 1965 (judge of High Court may issue warrant to arrest witness in respect of whom witness summons is in force) for the words "High Court" there shall be substituted "Crown Court".

(2) This section shall have effect in accordance with provision made by the Secretary of State by order.'—*[Mr. Kirkhope.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 2

WAR CRIMES: ABOLITION OF TRANSFER PROCEDURE

'.—(1) In the War Crimes Act 1991—

(a) in section 1(4) (which introduces the Schedule providing a procedure for use instead of committal proceedings for certain war crimes) the words "England, Wales or" shall be omitted, and

(b) Part I of the Schedule (procedure for use in England and Wales instead of committal proceedings) shall be omitted.

(2) In section 20(4) of the Legal Aid Act 1988 (power of magistrates' court to grant legal aid for Crown Court proceedings)—

(a) the word "or" shall be inserted at the end of paragraph (b), and

(b) paragraph (bb) (which relates to a notice of transfer under Part I of the Schedule to the War Crimes Act 1991) shall be omitted.'—*[Mr. Kirkhope.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 3

ABOLITION OF WITNESS ORDERS

'.—(1) Section 1 of the Criminal Procedure (Attendance of Witnesses) Act 1965 (examining justices to order witness to attend and give evidence before Crown Court) shall be omitted.

(2) In that Act the following words shall be omitted—

(a) in section 3(1) the words "witness order or";

(b) in section 4(1) the words "witness order or" and (where they next occur) "order or";

(c) in the proviso to section 4(1) the words from "in the case" (where they first occur) to "witness summons";

(d) in section 4(2) the words "a witness order or" and (where they next occur) "order or".

(3) In section 145 of the Magistrates' Courts Act 1980 (rules) subsection (1)(e) (which relates to witness orders) shall be omitted.

(4) This section shall have effect in accordance with provision made by the Secretary of State by order.'—*[Mr. Kirkhope.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 4

USE OF WRITTEN STATEMENTS AND DEPOSITIONS AT TRIAL

'Schedule (*Statements and depositions*) to this Act (which relates to the use at the trial of written statements and depositions admitted in evidence in committal proceedings) shall have effect.'.—*[Mr. Kirkhope.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 10

TIME LIMITS: TRANSITIONAL

'.—(1) As regards a case in relation to which no regulations under section 12 have come into force for the purposes of section 3, section 3(8) shall have effect as if it read—

"(8) The prosecutor must act under this section as soon as is reasonably practicable after—

(a) the accused pleads not guilty (where this Part applies by virtue of section 1(1)),

(b) the accused is committed for trial (where this Part applies by virtue of section 1(2)(a)),

(c) the proceedings are transferred (where this Part applies by virtue of section 1(2)(b) or (c)),

(d) the count is included in the indictment (where this Part applies by virtue of section 1(2)(d)), or

(e) the bill of indictment is preferred (where this Part applies by virtue of section 1(2)(e))."

(2) As regards a case in relation to which no regulations under section 12 have come into force for the purposes of section 7, section 7(7) shall have effect as if it read—

"(7) The prosecutor must act under this section as soon as is reasonably practicable after the accused gives a defence statement under section 5 or 6." '—*[The Solicitor-General.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 5

RESTRICTIONS ON USE BY ACCUSED OF SEXUAL OR VIOLENT PROSECUTION MATERIAL

'.—(1) The Secretary of State shall by order make provision for the modification of any duty placed by this Act upon the prosecutor to disclose prosecution material to the accused when the conditions mentioned in subsection (2) below are fulfilled.

(2) The conditions are—

(a) the material is of a sexual or violent nature, or

(b) there are reasonable grounds for supposing that the accused or others will use the material for purposes other than for the preparation of the accused's defence.

(3) No modification made under subsection (1) above shall have the effect of preventing the accused from inspecting any material which he would but for the provisions of this section be able to inspect.

(4) A modification made under subsection (1) shall include requirements as to the retention and custody of material.

(5) "Prosecution material" in this section has the same meaning as in section 3.

(6) An order mentioned in subsection (1) shall be laid before Parliament not later than six months after this Act is passed.'.—*[Mr. Michael.]*

Brought up, and read the First time.

4.26 pm

Mr. Alun Michael (Cardiff, South and Penarth): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss amendment No. 69, in clause 72, page 47, line 16 after 'section', insert

'(restrictions on use by accused of sexual or violent prosecution material) or'.

Mr. Michael: The purpose of the new clause is to stop the scandal and the disgrace of prosecution material—including photographs and interview material—being used as pornography both inside and outside prison. It is right that any material that is used by the prosecution should be viewed by the defendant in order for the defendant to prepare his or her case. However, it is not right that such material—which often includes photographs of innocent victims or transcripts of interviews with women or vulnerable children—should be in circulation inside prison or elsewhere in order to provide a most disgusting form of pornography. That is what is occurring at present. It is not new, and the Government have been aware of it for some time. It is a disgrace that must be ended.

Mr. Alex Carlile (Montgomery): I wish to pose some serious practical problems to the hon. Gentleman. In his new clause, he uses the phrase "sexual or violent nature" rather than "sexual and violent nature". Many of those on remand face charges regarding the commission of violent acts, such as murder or grievous bodily harm. Will the hon. Gentleman confirm that he does not intend to prevent prisoners on remand from working on the papers associated with their cases while in their cells, so that they may instruct their lawyers properly for the purposes of the trial? Alternatively, is the hon. Gentleman prepared to countenance the provision of special rooms within prisons where prisoners can do that work and thereby instruct their advisers properly?

Mr. Michael: I welcome the Liberal Democrats to the consideration of the Bill. We have heard little from them until now—Liberal Democrat Members were absent during the Committee's considerations. That is a matter of choice, but it is nice to know that they have decided to take a belated interest in the legislation. If the hon. and learned Gentleman had attended the Committee, he would have heard our illuminating debate and he would know the answer to his question. If he had read the new clause, he would know the answer to his question. It states:

"No modification made under subsection (1) above shall have the effect of preventing the accused from inspecting any material which he would but for the provisions of this section be able to inspect."

It protects the rights of the accused and ensures that, in introducing an order, the Home Secretary protects the rights of the accused to inspect material in order to prepare the case.

Mr. Carlile: Will the hon. Gentleman give way?

Mr. Michael: I shall not give way for a moment or two. With respect to the hon. and learned Gentleman, it would be useful if he allowed us to start the debate on an issue covered by the Bill in which he and his party have taken no interest. The hon. and learned Gentleman is trying to sideline an important discussion, and I do not understand why. If the hon. and learned Gentleman will allow me to advance my argument for the new clause, I shall be happy to give way to him and respond to any queries that he may make. Because of his interruptions, I have not even been given the opportunity to explain why the new clause is so important.

I shall return to the basics of the argument. It is a disgrace and a scandal that evidential material, including photographs and interviews with vulnerable people who have been the subject of attacks, should be made available and circulated within prison. That happens on many occasions and we must take a grip on that problem.

This is not the first time that the issue has been raised; we raised it during our debates on the Criminal Justice and Public Order Act 1994, but the matter has not been dealt with. We have just witnessed the introduction of a ten-minute Bill calling for a paedophile register—another aspect of child abuse that needs to be tackled. We hear much on that subject from Conservative Members, but there seems to be little action from the Home Secretary, who blocked the Bill introduced by my hon. Friend the Member for Rossendale and Darwen (Ms Anderson). My hon. Friend the Member for Barrow and Furness (Mr. Hutton) also introduced a Bill to try to deal with such serious issues, but we seem to have heard nothing from the Home Secretary. Under pressure, the Home Secretary has started consultation on both those issues. He is not renowned for consulting people when he wants to do anything. The protection of children is a matter for action. Cross-party consensus should be sought to find a means of tackling the problem.

Material such as the photographs that need to be shown in evidence to reveal the nature of attacks and the interviews in which the attacks are described in detail should be protected from abuse. It should not be allowed to be circulated and used as pornographic material. I stress the need to prevent that from happening both inside and outside prison, but it is a particular scandal that it should happen in prison.

Our new clause deals with all the objections made to our first attempt in Committee to table a new clause to deal with such abuse. First, it gives a power to the Secretary of State to introduce a statutory instrument to protect material of the sort described. Secondly, it makes it a condition that the order must be placed before Parliament no later than six months after the Act is passed. That provision deals with the point made in Committee about the Home Secretary's consultation—it allows the consultation to continue and the findings to be incorporated in the statutory instrument, thus avoiding the delay caused by waiting for primary legislation. The new clause also refers to material of a sexual or violent nature and to circumstances where there are reasonable grounds for supposing that the accused or others will use the material for purposes other than the preparation of the accused's defence.

To deal with the point of detail raised by the hon. and learned Member for Montgomery (Mr. Carlile), I am advised that the words "and or" should not be used in legislation. In most circumstances, we would be dealing with material of a sexual or violent nature used in circumstances where there are reasonable grounds for supposing that the accused either would abuse that material or would come under pressure to make the material available to others.

The way in which we have phrased the new clause allows either for a knowledge of circumstances in which material might be abused or for a knowledge of circumstances in which the nature of the material would lead to temptation that it be used as pornographic material. The reason for having "or" rather than "and" is that it would be a disgrace, in my view, if, through a

technicality, some material could not be protected despite knowledge of its nature or knowledge of the circumstances. In most circumstances, both those conditions would be fulfilled.

As I have said, the interest of the accused in preparing his case would be protected by subsection (3). Subsection (4) sets out the need for the Home Secretary to make requirements in the order for the retention and custody of material. The purpose of that is to deal with three circumstances, which also cover the point made by the hon. and learned Member for Montgomery. The first is the situation in prison where arrangements would have to be made for the accused to be able to inspect material, but would not allow him to take it into his possession in a way that would allow him to abuse it or come under pressure to allow others to use it as pornographic material. The second situation is when access is controlled by a legal representative in the community, and the third is that of the unrepresented defendant, who also might need to have access to such material. In that case, it would still be right that misuse of the material should be prevented.

I hope that what we are trying to do is clear. The new clause is an enabling clause and it would enable the Home Secretary to do what he has promised to do, which is to introduce legislation to deal with the problem. The new clause would avoid an extended wait for further primary legislation, because the scandal exists now and should be tackled now.

At this point, I am happy to give way to the hon. and learned Member for Montgomery.

Mr. Alex Carlile *indicated dissent.*

Mr. Michael: If the hon. and learned Gentleman does not wish me to give way, let us make progress.

We were surprised that the Government rejected our amendments in Committee, although the Minister raised some issues, which we have overcome in the new clause. I am even more surprised that the Government have not come forward with a similar enabling clause by this stage, and the Minister should explain why not. This is an important issue and we have tabled an enabling clause that would allow rapid progress, if the Government really want to make progress. If there were to be any technical difficulties with the new clause, the Bill still has to go to the House of Lords, and that will give the Government an opportunity to undertake any fine tuning. If the new clause were to be accepted, it would deal with a serious and scandalous issue.

I am sure that hon. Members will have received correspondence from the National Society for the Prevention of Cruelty to Children, which invites us to consider the experience of an individual who has to stand up and tell a room full of strangers about a traumatic experience. We have been invited to imagine the experience of being repeatedly questioned and even called a liar to the point of tears. We have been asked to imagine the effect of those circumstances on a child who is only six years old. The NSPCC has underlined the terrifying ordeal that may be faced by children who have been physically or sexually abused when they act as witnesses in court cases in Britain, and it has rightly drawn our attention to a scandal which we, as a society and a Parliament, need to do far more about.

The NSPCC also makes the point that the children face yet another abuse from the very legal system that is meant to protect them. We shall shortly hear views about the way in which cases involving children's evidence are dealt with.

Mr. Deputy Speaker: Order. The hon. Gentleman seems to be talking about evidence by children, which is covered in new clause 6.

Mr. Michael: As I was saying, those children are going on to face yet another abuse from the very legal system that is meant to protect them. Under that legal system, we currently allow evidence in the form of photographs of and interviews with children to be circulated in prisons and, in some circumstances, in public, to be used as pornography. It is that scandal which the new clause seeks to end. I was merely trying to place the new clause in the context of the wider range of problems facing victims of child sexual abuse and other victims of sexual offences, something that we need to take much more seriously.

As further proof of the seriousness of the issue, I point to evidence made available by "The Cook Report", which showed that the tendency to abuse children is stimulated by the use of certain material. The programme showed interviews with paedophiles, one of whom referred to himself and those with whom he associated as

"master of manipulators, extremely adept in lying, and telling our victims, our friends, people that saw us, that they had no idea that we were of this character".

A survey undertaken as part of the programme "Children in Danger: Special" shows that 90 per cent. of paedophiles say that they will reoffend, many of them encouraged by the kind of filth peddled by some of the individuals shown in the programme.

The tragedy is that many of the 90 per cent. who say in prison that they will be inclined to reoffend as soon as they are released also have their inclinations stimulated by the circulation of evidence which at the moment legitimately comes into the hands of prisoners but which is then passed on, for the use not only of the individual defendant but of others. We owe it to the children who may be the victims of the fresh offences that 90 per cent. of offenders think they are likely to commit after leaving prison to ensure that every step that can be taken is taken to prevent the continuation of such activity.

It is difficult for reasonable people to understand the mindset of those who get involved in child sex offences and, indeed, adult sex offences. However, after speaking about child prostitution when we debated a private Member's Bill only a few weeks ago, I was shocked to receive one particular letter. It was a reasonable letter, which included a name and address and had been thoughtfully typed. It asked why we were concerned about child prostitutes and said:

"They are in employment in a pleasant and not too demanding job. They are earning money and they do eat. A good situation to them?"

When there are people with such a mindset, when the material that is required to pursue prosecution can be circulated in prison in such a way as to make a bad situation even worse, and when the evidence shows that 90 per cent. of child sex offenders think that they are likely to reoffend as soon as they get out, surely there is good reason to take a grip on the situation now.

[Mr. Michael]

I conclude by making two final points. First, we are not arguing a new case. It has been made for several years, and although the response of a consultation period may be sensible, it is too little, too late. The new clause would allow the completion of the consultation that the Home Secretary has undertaken, but would also allow him to act now and, at the end of the consultation, to introduce a statutory instrument and proceed to legislation without further delay.

Secondly, the new clause is carefully phrased to protect the interests of the defendant, so that he will have the opportunity to inspect the material to whatever extent is necessary to prepare his case. Clearly, his representative will also have that freedom. Therefore, the new clause does not undermine the rights of the defendant, but it protects the rights of victims.

4.45 pm

Mr. Alex Carlile: I start by reminding the hon. Member for Cardiff, South and Penarth (Mr. Michael), who I think got out of bed on the wrong side this morning, that Committees are selected by the Committee of Selection.

New clause 5 is an awful muddle and it would be a nightmare to interpret. But, having said that, I support its thrust and, if necessary, will vote for it because it tackles an important issue. However, facets of the issue would have to be met if such a provision were to become part of our law.

In particular—I see in the Chamber a few other people who have had the experience of attempting to take instructions from defendants charged with violent or sexual offences in some of Britain's less savoury prisons—it is extremely difficult to obtain instructions over a proper length of time and in reasonable circumstances.

If prisoners are not to be able to have all the papers that are relevant to their cases in their cells—there may be good reasons for that, as the hon. Gentleman suggested—two steps must be taken. Indeed, they are needed whether or not the new clause is passed.

The first is that proper facilities should be provided in prisons so that prisoners can consider all the material in their cases, including material that may properly be put to them dealing with violent or sexual aspects of their cases. The second is that it is high time that prisons provided proper facilities so that counsel can have conferences with their clients in reasonable circumstances, at reasonable times of day and of a reasonable length.

Having said that, I am content to support the new clause for what it means, although, I emphasise, not for what it says, because it says it very badly.

Mr. Donald Anderson (Swansea, East): The hon. and learned Member for Montgomery (Mr. Carlile) has an active legal practice and can point out some of the practical difficulties involved in taking instructions, often in rather cramped, unsavoury and unsatisfactory conditions.

I congratulate my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) on his initiative. I am confident that it is part of a series of suggestions for reform that he has made which the Government will ultimately, but belatedly, accept, but that they should have met rather more positively at an early stage.

The matter that my hon. Friend raises is one of real concern. It is surprising that it has not been dealt with before. My hon. Friend has given the genesis and development of his proposal. Surely the Government have had ample time since 1994 to accept that there is a real matter of concern here, to consult and to come forward with their own proposal. It is sad that the Government are stronger on rhetoric than on taking practical measures to deal with the real problems. This is a matter which, had the Home Secretary wanted, he could have included in that rather notorious list of reforms at the Conservative party conference, or about which he could have done something by now.

I follow the hon. and learned Member for Montgomery by saying that, although various practical problems arise, I think that we all agree with the principle of the new clause. However, the fact that it is an enabling clause allows those practical difficulties to be addressed by the process of consultation. I note, for example, the duty of the prosecutor to disclose.

The real mischief is leaving material of a violent or sexual nature in the hands of those who might misuse it, either defendants who are not in custody or, more relevantly, those who are in custody. Everyone who has been in practice or is now in practice knows well the sort of material concerned. It may include photographs. Having dealt with nasty multiple rape cases and murder cases involving photographs of parts of bodies or bodies which have been disfigured, one can well imagine the currency of such photographs in prison. However, it is unnecessary for prisoners to take away photographs and so be able to show them around in the prison. They can look at them without having to take them away.

The problem arises more, perhaps, with depositions where there is a series of interviews, perhaps with a child, or where there is a description of a multiple rape or a murder, which might excite the passions of those in prison. The defendant might need adequate time to digest the material. It may be sufficient for accommodation to be made for counsel to take adequate instructions, but we must guard against the prisoner being able to trade in such material in prison, feeding his own and others' addiction. If the Government recognise that there is a problem, they should find practical ways to address justice for the defendant while ensuring that material such as interviews, descriptions and photographs does not become a currency in prison. It is not beyond the wit of the Government to come forward with practical proposals.

I am a little concerned about who decides what material will or will not be made available. At the moment, it looks as though the discretion is with the prosecution, and there will have to be not only joint consultation between prosecution and defence but some form of appeal, if necessary, to ensure that the interests of justice are considered. These are practical problems, but with good will they can be solved.

The other practical question about which I need to be satisfied is the phrase "reasonable grounds for supposing". How can one guess in advance who will use or misuse such material? If the material were put into the hands of a defendant, that defendant would be tempted to misuse it. All defendants would. That will have to be dealt with.

I am also concerned that an individual may, for various reasons, choose not to be represented. Depositions will have to be made fully available to such an individual, and there could be few curbs on the misuse of material by a defendant in person who is not represented, whether or not he or she is in custody. If the defendant is in custody, it is difficult to see how any deposition can be withheld from that individual if the interests of justice are to be served.

I am confident that, with good will, those problems can be ironed out, but from my own experience of some pretty lurid cases—both sexual and in terms of violence—and my knowledge of the way in which explicit material can be misused, particularly in prisons, I commend my hon. Friend for having raised the issue, but condemn the Government for not having responded as they should. I believe that they should, as a matter of urgency, be prepared, if not now, certainly in the other place, to come forward with practical means to meet this very real problem.

The Minister of State, Home Office (Mr. David Maclean): I take some comfort from the fact that the new clause suggests that the Labour party has finally accepted our view that preventing the misuse of sensitive victim statements and photographs is a particularly difficult and complex task. It is likely that rushing into inadequate legislation without the opportunity to consult practitioners on the detail would achieve little.

If the hon. and learned Member for Montgomery (Mr. Carlile) thinks that the new clause is a muddle, he should have seen the amendment tabled by the Opposition in Committee.

I am disappointed that the hon. Member for Cardiff, South and Penarth (Mr. Michael) has still not fully appreciated the intricacies of devising a workable and effective scheme.

The hon. Member for Swansea, East (Mr. Anderson) deplored the rhetoric and then condemned the Government. He fully supported the new clause but then went on to shoot it down by pointing out all the holes in it. He said that he was worried about the reasonable grounds and that there would have to be safeguards for this and that. He pointed out all the faults in the new clause, and he was right to do so because it is fatally flawed.

There is no disagreement in the House on the need for a scheme to prevent the misuse of some of the material that can circulate in prisons, but we should not underestimate the difficulties of legislation. When we last invited the views of interested parties on measures to tackle the problem, there was no consensus on how best to proceed. That is hardly surprising because there is a difficult balance to strike between the rights of defendants to know all the evidence against them and the need to protect victims from improper use of their statements or of photographs of them.

As my right hon. and learned Friend the Home Secretary announced last month, we have decided that a statutory scheme is needed. We have devised proposals that are workable and effective. We shall embark on a consultation process in the very near future, in the light of which we shall legislate as soon as possible. It serves no interest, least of all that of the credibility of the Labour party, to try to anticipate that consultation by legislating on the basis proposed in the new clause.

Mr. Donald Anderson: The Minister has used the phrase, "as soon as possible". My hon. Friend the Member for Cardiff, South and Penarth mentioned that the problem was first raised in 1994. Does that suggest that there is any real urgency on the part of the Government?

Mr. Maclean: There is real urgency on the part of the Government. I remind the hon. Gentleman that, when my right hon. and learned Friend produced his famous 27 proposals, there was ridicule from the Labour party. Half the Labour party, including its leader, said that they were just an ineffective publicity stunt. We published those proposals and we have legislated on the vast majority of them. There is only one outstanding proposal, which the Bill includes. We now find the Labour party saying, "You should have done more." Labour Members ridiculed the proposals at the time, but they now say that they do not go far enough and that we should have included a host of other things in legislation. New issues which deserve to be tackled will always come along, but not a single Labour Member demanded that we included this measure with the 27 proposals and added it to a Criminal Justice Bill.

The hon. Member for Cardiff, South and Penarth should not provoke me in this short debate. If he looks at the voting record of Labour Members on this issue, or on other child protection issues that were debated in the 1980s, he will see that some of his hon. Friends have a sorry record.

I shall give the House two examples to show how the new clause is fundamentally flawed. First, any scheme must include provisions for its requirements to be enforced. We have made it clear that we believe that it should be an offence for defendants to have protected material in their possession other than in accordance with the requirements of a supervised access regime. Those responsible for protecting the material must also be liable if they commit any breaches of the regime.

The new clause would modify the duty on the prosecution. In those circumstances, it would not be right for an order made under it to provide for new offences and penalties to be applied to defendants. In addition, those new offences would require substantial penalties of up to two years' imprisonment to deal with the worst offences. When we introduce our statutory scheme, if we find that there are criminals in prison who have access to such material and who are breaking rules by circulating pornographic material, we want to have substantial penalties against them.

The House would never agree to a penalty of up to two years' imprisonment being created by order of the Secretary of State, even if the new clause contained an express power for the order to include criminal offences. The new clause is, of course, silent on this matter. If the Government said that the Home Secretary could, by order, introduce a power to send people to prison for two years, the Labour party would be the first to condemn us and, in that case, rightly so.

The second fundamental flaw in the Opposition's argument is this. We believe that all material that might be misused, whether or not it forms part of the prosecution case, should be protected. Any unused material—not just

[Mr. Maclean]

the pornographic material—that might be part of the prosecution's case should be protected. There could be a whole raft of unused prosecution material that might be disallowed or not given in evidence. We cannot allow sexual material that could involve children to circulate around prisons because it has not been protected. There must be immediate and certain protection for victims.

As the new clause is confined to the prosecutor's duty under the Bill to disclose prosecution material as defined in clause 3, it would apply only to that unused prosecution material and not to the central evidence on which the prosecution intends to rely, and which is bound to include sensitive victims' statements and photographs. That would be plainly ridiculous.

5 pm

The hon. and learned Member for Montgomery identified another problem. The new clause ignored the advice of the royal commission on criminal justice, which did not identify the information on common assaults or violent crime as a concern. That problem relates to sexual material. That is the only stuff that has currency in prison and is circulating. The new clause is far too wide in catching violent material. Sexually violent material would be caught under the sexual definition, but there is no point in including material on other assaults and violence. The core of the problem is not that, but sexual material. We want to home in on that and to provide automatic protection for all victims and all sexual material in statements, and we shall be consulting on that shortly.

It is not a matter of saying that we accept the spirit of the new clause and we shall tickle it or amend it in another place. The new clause is fatally flawed. If our experience on the Bill is anything to go by, it is worth consulting the legal practitioners before rushing into legislation.

Mr. Alex Carlile *indicated assent.*

Mr. Maclean: The hon. and learned Member for Montgomery is nodding in agreement. In that case, I agree with him on the matter.

There was no consensus when the Government last considered the matter. I hope that when we publish our consultation paper shortly, we shall have the views of the Law Society and others so that, if there are changes to be made, we can make them and introduce sensible and workable legislation that will protect victims as the new clause manifestly fails to do.

Mr. Michael: The Labour party's voting record on crime and children's issues stands the test of time and it is mere bluster for the Minister to suggest otherwise. One has only to look at the series of issues on which the Opposition have been constructive long before they were identified by the Government to recognise that the Labour party is serious about tackling crime, just as it is serious about tackling the misuse of evidential material of a sexual and violent nature.

The Minister says that it is wrong to rush in. Let me make two points on that. First, that has not stopped the Home Secretary tackling any issue that he perceives to be popular with the Conservative party conference. He is renowned as the Home Secretary who rushes in without advice on issue after issue. Secondly, the Government have had long enough to consult and to construct serious amendments. They do not need more time. It is an excuse, and not a very convincing one, to suggest that further delay should be allowed. If the Government were determined to end that disgraceful abuse, they would have started consultation two years ago.

The Minister suggests that merely sexual material and not violent material should be caught by any legislation. That is not enough. Photographs and material involving mutilation and violence on people have been at the core of many serious cases. The advice of those concerned with such issues is that there is often a mixture of sexual and violent motivation and that the domination of children and women is at the heart of many of the offences that we seek to cover in the new clause.

The Minister would be wise to recognise the need to extend the Bill beyond merely sexual evidence to sexual and/or violent evidence, as we have proposed in the new clause. If there is cross-party agreement, as the Minister suggested, that we should end this abuse, the Government should be finding ways to tackle the abuse, but yet again the Labour party shows the sense of responsibility appropriate to Government by trying to tackle the problem.

The hon. and learned Member for Montgomery should understand my slight frustration when he intervened during my first sentence on the new clause. Labour Members have spent time in Committee trying to make constructive suggestions and trying to tease out information when the Liberal Democrats chose not to be involved in the Bill. We have attempted to do that difficult job without the benefit of parliamentary counsel.

When the Minister makes minor criticisms of what we have done, he should bear in mind the fact that the Opposition are trying to fill the gap that has been left by the Government's unwillingness to tackle serious problems. Having said that, I thank the hon. and learned Member for Montgomery for his support for the new clause and for his constructive criticisms. I acknowledge that he has raised important issues. That is why we phrased the new clause so that the regulations would be required to take into consideration the practical details and would specifically require the disclosure to be no less as a result of the new clause in order to protect the interests of the defendant while also protecting the interests of those portrayed in photographs or interview evidence.

My hon. Friend the Member for Swansea, East (Mr. Anderson) asked who would decide how the measures would operate. That should be covered in the regulations. I have taken advice on the capacity to deal with that and appeal rights by statutory instrument. I would be happier for detailed legislation to be part of the primary legislation, but as the Government have not included it in the primary legislation, have not taken the hint in Committee and have not undertaken the consultation that should have started a couple of years ago, it is surely better to pass this enabling legislation and, in the fullness of time, to let the scheme be amended to make it perfect in the light of experience.

I am absolutely clear that the difficulties of producing appropriate legislation are no excuse for doing nothing. Immediate action is needed on this scandal. The new clause should be passed into law in order to make sure that we act on it now.

Question put, That the clause be read a Second time:—

The House divided: Ayes 186, Noes 235.

Division No. 142] **[5.07 pm**

AYES

Adams, Mrs Irene
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Carlile, Alexander *(Montgomery)*
Chisholm, Malcolm
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Foster, Rt Hon Derek
Fraser, John
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
George, Bruce
Gerrard, Neil
Golding, Mrs Llin
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hall, Mike
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Howells, Dr Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Helen *(Sheffld, H)*
Jenkins, Brian *(SE Staff)*
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Liddell, Mrs Helen
Livingstone, Ken
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McKelvey, William
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martlew, Eric
Maxton, John
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oaker, Bill
Orme, Rt Hon Stanley
Pearson, Ian
Pendry, Tom
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Quin, Ms Joyce
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony

Tellers for the Ayes:
Mr. David Clelland and
Mr. Joe Benton.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Allason, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Clappison, James
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Mrs. Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hamilton, Rt Hon Sir Archibald
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver

Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hill, James *(Southampton Test)*
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxbowe)*
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Roger Knapman and Mr. Bowen Wells.

Question accordingly negatived.

New clause 6

VIDEO RECORDINGS OF CROSS–EXAMINATION OF CHILD WITNESSES

'—(1) Section 32A of the Criminal Justice Act 1988 shall be amended as follows.

(2) In subsection (3), paragraph (a) shall be omitted.

(3) After subsection (3) there shall be inserted—

"(3A) Where a video recording is to be tendered in evidence under this section the court may grant leave for a child witness to be cross–examined at a pre–trial hearing in informal surroundings at which only—

(a) the judge;

(b) counsel for the parties;

(c) an appropriate adult to accompany the child as set out in the rules of court

shall be present in the same room as the child.

(3B) At any pre–trial hearing the defendant shall be permitted to see and hear the proceedings and to communicate with his legal advisor by such means as shall be laid down by the rules of court.

(3C) The pre–trial hearing of the cross–examination of the child witness shall be video recorded and the video recording shall, with leave of the court, be tendered in evidence before the jury.".'.—*[Mrs. Golding.]*

Brought up, and read the First time.

Mrs. Llin Golding (Newcastle–under–Lyme): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss also the following: New clause 7—*Time limits for pre–trial hearings*—

'.—(1) Where permission is given under section 32A of the Criminal Justice Act 1988 subsection (3A), the pre–trial hearing shall be fixed within six weeks of the transfer or committal proceedings unless the court considers that it would be contrary to the interests of justice to do so.

(2) Where the court does not consider that the usual time limit of six weeks would be in the interest of justice, an alternative time limit shall be fixed by the court.'.

New clause 8—*Recall of child witnesses*—

'.—There shall be inserted after subsection (5) of section 32A of the Criminal Justice Act 1988—

"(5A) The court may grant leave for the recall of a child witness who was cross examined at a preliminary hearing if it appears to the court to be in the interests of justice to give such permission.

(5B) Where the court allows a child witness to be recalled, a further out–of–court hearing should be held under the same conditions as the preliminary hearing".'.

New clause 9—*Evidence of absent children*—

'.—(1) The Children and Young Persons Act 1933 shall be amended as follows.

(2) In section 42, in subsection (1) the words "or by video recording" shall be inserted after the words "may take in writing".

(3) In section 43, the words "he or" shall be omitted.'.

Mrs. Golding: I wish to declare an interest, in that I am a trustee of the National Society for the Prevention of Cruelty to Children and the joint chairman of the all-party parliamentary group for children.

I pay tribute to the work that the NSPCC has done to achieve justice for children, and which has led to the production of these new clauses. The Minister has said that the Labour party has not been heavily involved in this issue, but I can refer him to three Acts that contain measures that were proposed by Labour Members and others in an effort to get the Government to do something to provide more justice for children. I also wish to pay tribute to Baroness Faithfull, who died recently. She was irrepressible, and will be irreplaceable as far as children are concerned.

Much has been done to improve our criminal justice system through a series of Criminal Justice Acts. Unrepresented defendants can no longer cross-examine a child witness. Child witnesses are allowed to give evidence through a live television link or from behind screens with the leave of the court. Video recording can be given in evidence in place of the examination-in-chief, as long as the child is available for cross-examination at the trial. The competency requirement for child witnesses has been abolished.

It is clear from research that, even when a child has given the evidence-in-chief on video and has then been cross-examined by live television link, he or she finds the experience of live cross-examination at trial extremely intimidating. Children suffer from high stress while waiting for our court system to move, and there can be long delays before they give evidence. These new clauses would go a long way towards remedying that problem.

Imagine, Mr. Deputy Speaker, having to speak in a court to a room full of strangers while being repeatedly told that you may be lying. Very often, that can be done until the witness breaks down in tears and does not know what to say. Imagine being six, seven, eight or nine years old and having to face our court system. It is bad enough for an adult—it must be much worse for a young child. Too many children face such abuse from a legal system that is supposed to protect them.

The NSPCC, which does much good work to help children who have to go to court to give evidence, told me that a 13-year-old child called Philip had to wait seven months to go to court. He attended the trial, but was unable to testify at the last moment. He said:

"I could have done it six months ago when I was so angry about what he did to me. I can't face it now. I've had too long to think about it".

A problem for many children is that the stress and strain of waiting to go to court is too much for them. How can we protect other children if a child cannot give evidence? How can the accused defend himself if the case does not come to trial? How can we protect other children and break the cycle of abuse? We must obtain the best possible evidence from child witnesses without inflicting more emotional damage upon them. A court is no place for children, and we must do more to tackle that fact.

We must implement the recommendations of the 1989 Judge Pigot report of the Home Office advisory group into the giving of video evidence, and allow children to give evidence at an early stage outside court. That key proposal is receiving strong backing from people and organisations directly involved with children. The Royal College of Psychiatrists has said:

"Overall, we consider that the Pigot Committee recommendations should be implemented fully."

The report of the Commission on Children and Violence said:

"The proposals concerning child witnesses in the Pigot Report should be implemented in full."

The British Association of Social Workers said:

"The recommendations of the Pigot Report should be implemented in full, which call for pre-trial hearings."

The Law Society said:

"The Pigot Report recommended that a judge should be able to order that the cross-examination of a child witness takes place at a pre-trial hearing in informal surroundings"

and backed that recommendation.

The Criminal Bar Association and the Law Society back the proposal. the Government should certainly back it. It would go a long way to remove the unnecessary stress on child witnesses, and it would be better for the child's welfare if such cases came to court as quickly as possible. That would ensure that fuller and more accurate evidence was given, and it would be in the interests of the accused. In addition, the Director of Public Prosecutions said recently:

"A justice system where decisions of guilt or innocence are based on the fortitude of witnesses rather than the truth of allegations should not be permitted."

New clause 6 is backed by a wide variety of people and groups. The Minister said that we should consult legal practitioners. We have, and we have received much backing. I hope that the Minister will support it. We have asked for this measure for a long time, and it is time that the Government supported it.

New clause 8 provides for the judge to recall a child witness if he deems it necessary. The Minister may say that that negates the benefits of new clause 6, but I do not see it that way. It is in the interests of the accused and of the accuser that there should be a mechanism for the recall of a witness who has testified if something unforeseen has occurred. Many sex abuse cases, I am told, are perfectly straightforward. The evidence is known to both sides, and it would be exceptional for a recall to be applied for. It is another recommendation of the Pigot committee.

Despite its contradictory appearance, the advantage of the pre-trial hearing is that the main evidence will have been dealt with and the child will be expected to deal only with the new points on application to the judge. That is fair to both sides, and that is what our justice system should be about.

New clause 9 deals with evidence from absent children. It is another proposal that has been made before, but it is no less relevant today. The Children and Young Persons Act 1933 very sensibly allowed for written evidence to be given by children who were not well enough to be brought to court. The new clause would extend that provision to the use of video recorded evidence. As technology moves on, so should we.

If a child is ill in hospital or immobile because of a fractured femur or because they are in traction, it is not possible to move them, or the bed, into the court. It makes sense to take a video recording of the evidence. There is no need to suppose that because a child is immobilised by broken bones, he or she will not be lucid or able to give evidence. That might occur rarely—I have not been able to find any cases of written evidence being taken from a hospital bed—but it is no reason why we should not have such a provision for the occasions when it is.

5.30 pm

New clause 7 deals with the time limit for pre-trial hearings and states:

"Where permission is given under section 32A of the Criminal Justice Act 1988 subsection (3A), the pre-trial hearing shall be fixed within six weeks of the transfer or committal proceedings unless the court considers that it would be contrary to the interests of justice to do so."

All the Home Office Ministers to whom I have listened—and I have listened to many—have emphasised their commitment to children and the need to hold hearings as quickly as possible and to bring such cases to court quickly. New clause 7 seeks to ensure that the pre-trial hearing is fixed at an early date to reduce the stress suffered by children. Under the present system, there is an average of 10 months before cases come to court. All too often, they are thrown out. One case has been waiting 13 months to go to trial. What sort of court system is that? What does that say about a Government who allow it?

I had a letter from a lady from Carlisle about a man who had been brought to court charged with indecently assaulting her 14-year-old daughter. He was also charged with assaulting his daughter. The charge was brought in May 1995. The case went to Carlisle Crown court on 6 September 1995. On 16 October, the court arranged a trial date of 15 January, but the judge directed that there should be a hearing on 17 November, when he would consider whether to allow the two victims to give their evidence by video link.

I got this information from the chief executive of the Court Service's reply to my complaint. He said:

"On 17 November, the judge did not decide on this point but told the prosecution how he was likely to view such an application. The provision of the Criminal Justice Act 1988 about evidence by video link relates to child witnesses under the age of fourteen . . . The judge therefore told the prosecution that on the basis of the age of the witnesses alone it would be difficult to persuade him to agree to the application."

I do not understand that, because the Criminal Justice Act was amended in 1991 to permit children up to the age of 17 to give their evidence in that way. It is obvious that the judge did not know about that. The judge also asked the prosecution to consider the likely effects on the other victim of giving evidence against her father. I do not know who the judge was or why he should think that fathers do not abuse their children. Often, someone in the family—and very often the father—is involved in abuse cases. If that judge is saying that children cannot give evidence against their father, hardly any cases would come to court. That would be nonsense.

In this instance, the Crown Prosecution Service—that well-known defender of children—told the court that it no longer wished to continue the prosecution and offered no evidence. The man got off scot free and still lives with his daughter. Nothing has been done about him.

The Government are always promising action to reduce delay. New clause 7 should at least concentrate their mind. Both the Bar Association and the Law Society think that something can be done. It is time that the courts and the Government did more than they have up to now and concentrated more on giving justice to our young children.

Ms Ann Coffey (Stockport): I support my hon. Friend's new clause. She has campaigned hard and long for changes in the way in which children are allowed to present evidence in court. The crucial part of the proposals would allow pre-trial cross-examination of children and speed up the court process.

Appearing as a witness in court can be an intimidating experience for anyone, and it can be particularly traumatic for children, especially when they are being asked to give evidence involving descriptions of incidents in which they have been sexually or physically abused. Such evidence may be against a parent or step-parent. The child is already traumatised by shame, guilt, anger and deep distress. The initial disclosure by the child can cause great difficulties for the family of which he or she was a member. The family's emotional disturbance will continue for months. The child and the family have to cope with that.

It is not only the immediate families that have to cope. If the family member accused of assault is still in the house, the child will probably be moved to foster parents or to a children's home. The foster parents, or staff of the home, have to cope with deeply disturbed children for a long time. The child may ask about what is happening or when he or she can go home. Children, especially young children, do not have the maturity to understand the complexities of the justice system.

Speeding the system up is important. The longer the delay in resolution by the court process, the longer it is before counselling and therapy can begin, not only for the child, but for other family members. The longer the delay in beginning counselling, the harder it is to repair the damage—if it can be repaired. No one should underestimate the effect of sexual abuse on children. I am not an expert, but I worked for 20 years in child care before I was elected to the House, and I know enough to understand how complicated, sensitive and difficult the subject is.

We must have a court system that delivers justice so that, as far as possible, the innocent go free and the guilty are convicted. Sexual abuse is a serious offence. In difficult cases, where forensic evidence may not exist or be inconclusive, the evidence of the child is crucial. The new clauses acknowledge that such evidence must be credible and open to proper examination. Pre-trial cross-examination takes nothing away from that process, but would ensure that it took account of the special vulnerability of child witnesses.

There is often a great gap between the Government's rhetoric on an issue and their actions. On this matter, the gap is very evident. The new clauses have cross-party support and give the Minister the opportunity to close the gap. Accepting their principle would give justice to children who are traumatised by the way in which the court process is set up, and further traumatised by the way that they have to give evidence, on top of the trauma that they have suffered as victims of assault.

Mr. Roger Sims (Chislehurst): The hon. Member for Newcastle-under-Lyme (Mrs. Golding) is a doughty champion of children's causes. She and the hon. Member for Stockport (Ms Coffey) have effectively deployed the case for the new clauses, to which I was glad to add my name to ensure that these issues were discussed today.

I shall not detain the House by repeating the arguments, but I was much involved in the early stages of legislation to make the video recording of children's evidence

admissible in the courts. I drew on my experience as a magistrate, as chairman of my local juvenile court before I entered Parliament, and on my close knowledge of the work of the National Society for the Prevention of Cruelty to Children. I was a predecessor of the hon. Member for Newcastle-under-Lyme as a trustee of that society. I saw something of the pioneering work that was done in Bexley to work out ways in which evidence could be taken on video.

When the idea was first proposed, the hope was that, when an accused person was confronted with a video recording of evidence given by the child as soon as possible after the offence was revealed, and realised that the evidence would be produced in court, he—it is usually he, but could of course be she—would change his plea to avoid the child having to appear in court and realise that such evidence would be difficult for him to refute.

Unfortunately, although that hope has been realised in some cases, it has not happened to the extent to which many of us had hoped. As a result, a number of such charges still find their way to court. That being so, it is all the more important that the recommendations of the Pigot report are implemented. I remind my hon. Friend the Minister that the Government specifically requested the Pigot report. The committee was set up by the Government to advise them on how such matters should be handled. That the report's recommendations have been implemented only in part has shown the potential value of video evidence, and, now, there is surely a need to implement them in full.

It is important that our legal procedures provide justice for the accused—of course I understand that in this context—but it is also important that there should be justice for children. For all the reasons described by the hon. Members for Newcastle-under-Lyme and for Stockport, that is not always so at the moment.

I hope that my hon. Friend the Minister will feel able to accept some or all of the new clauses—at least in spirit, if not to the letter. Failing that, I hope that he will be able to give some convincing explanation why he cannot do so.

Mr. Alex Carlile: I shall start by paying tribute to the hon. Member for Newcastle-under-Lyme (Mrs. Golding). Since she came into the House, she has dedicated herself to this issue and has already achieved a great deal. I hope that she will achieve more tonight.

I want to try to offer some apolitical, practical observations on what is proposed in the light of what is already available. As it happens, and as the House knows, I am a practising barrister. I have practised in cases during which the existing video provisions have been used—as a prosecutor in some and as a defender in others. I have also been a recorder of the Crown court for a number of years and, as a judge, I have conducted cases in which video equipment has been used.

My observation is that, although there were many doubts among practitioners about the way in which the video system would work, it has worked very well. It has been possible to prosecute and defend effectively, and judges, after all, have had to learn only how to control a box with three buttons on it, which most of them have managed without too much difficulty. The system is simple and effective.

In accordance with the recommendations of the Pigot committee, it is proposed that, having tried and tested the system, we should extend it to cover cross-examination. It would not be a very dramatic extension, and I believe that all practitioners with experience regard it as feasible. It would not remove from the trial judge discretion—indeed, it specifically preserves it—where appropriate to have a live cross-examination in open court with the defendant and witness present, which would undoubtedly remain appropriate in some cases, although I suspect not very many.

In contrast to new clause 5, this group of new clauses seem peculiarly well drafted. I hope that the Government will see fit to take not a very bold step, but a sensible and logical step, to allow the next stage to proceed.

5.45 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): I do not think that there is any particular difference between hon. Members on the need to look after the interests of children in what might often be an extremely stressful situation. I add my tribute to my hon. Friend the Member for Chislehurst (Mr. Sims) and the hon. Member for Newcastle-under-Lyme (Mrs. Golding). I know of their enormous work, especially as trustees of the National Society for the Prevention of Cruelty to Children, and in other ways, looking after the interests of children. The Government also want to try to preserve those interests. Because of that, I am unable to recommend that the House should accept the new clauses, and I shall explain why.

The new clauses reflect the concern that we all share. We must be responsive to the needs of children in such a difficult situation. It was, of course, that concern that prompted the Government to include in the Bill provisions on binding rulings on applications to give evidence by means of a video recording or live television link. The new clauses go further in a way in which, as I shall explain, we do not believe is in the best interests of children.

New clause 6, which repeats some of the recommendations of the 1989 Pigot report, provides for a scheme of pre-trial cross-examination of children to be video recorded for use at trial. The hon. Member for Newcastle-under-Lyme suggests that, in that way, cross-examination could be conducted sooner, that the child would never have to appear in court, and that there would be no constraints on the provision of therapy. I am sure that those are all laudable objectives, but neither we nor the former Lord Chief Justice, whose views we sought, are satisfied that they can be achieved. Indeed, we are concerned that such an approach could result in more stress for the child rather than less.

Implementation of the Pigot report's recommendations has been mentioned. I should like to clarify that—I am sure hon. Members are aware of it—we have implemented the vast majority of the Pigot recommendations, mostly in the Criminal Justice Act 1991. Many helpful recommendations were implemented. If they were thought to be practical, they were introduced in that Act. I am sure that they have done much to help the way in which we deal with children in court or procedural settings.

The fundamental difficulty with the approach proposed by the hon. Member for Newcastle-under-Lyme is that a proper cross-examination cannot take place until the defence is fully prepared to proceed with the trial. At that stage, the aim should be to proceed with the trial as soon as possible. I acknowledge the hon. Lady's remarks about

[Mr. Timothy Kirkhope]

the need to proceed with the trial as soon as possible, but it is unlikely that pre-trial cross-examination could take place very much earlier than it does at present.

New clause 7 seeks to address that problem by imposing a time limit within which cross-examination must be completed following committal proceedings. In effect, as I have just explained, that time limit would be one within which both sides must be ready, not only for cross-examination, but for the trial to proceed. New clause 7 also provides for extensions of the time limit. It is likely that such a power would be used frequently, and that there would, therefore, be no practical improvement.

A further difficulty with pre-trial cross-examination is that it could lead to a child having to be recalled to answer further questions at the trial and so being caused further distress. New clause 8 recognises the potential for such recalls. That was also an aspect of the proposals on which we sought the views of the former Lord Chief Justice at an earlier stage in the passage of the Bill. He and his senior colleagues took the view that further questions might easily arise and that, bearing in mind the judge's responsibility to ensure a fair trial, the judge could not reasonably refuse the defence the chance to do so. Further cross-examination would also be video recorded, but could place further stress on the child who had to go through the process two or more times, perhaps at short notice.

New clause 9 appears to be designed to create a similar scheme by a different route. Sections 42 and 43 of the Children and Young Persons Act 1933 provide for a child's evidence to be given in the form of a written deposition taken down by a magistrate. The offence must be one involving sexual assault or violence and a qualified medical practitioner has to give evidence that attendance at court would involve serious danger to the child's life or health. The provisions were intended to provide a method of getting so-called "sick-bed" evidence by children tested at the bedside and admitted into court. The provisions are hardly ever used, as the hon. Lady suggested—no doubt because the test of serious danger to the child's life or health is very difficult to meet. In addition, evidence taken in that way is admissible only if the defence has had an opportunity to cross-examine the child.

The new clause would, therefore, allow the child's evidence and the cross-examination to be video recorded in advance of the trial. For that reason, it raises all the difficulties about pre-trial cross-examination to which I have just referred. A child in such a condition should be protected from stress as far as is humanly possible. In any event, if a child is seriously ill it must be doubtful whether he or she should be expected to have to video record evidence or undergo cross-examination.

The Government are unable to accept the new clauses, not because we doubt in any way the strong views that have been expressed, or the commitment of those who have expressed them to the interests of children, but because, for the reasons that I have explained, we do not believe that they are in the best interests of the child. Rather than embark on changes of the kind proposed in the new clauses, we are pursuing a range of practical improvements to the present arrangements for child witnesses to give evidence.

I was most interested to hear the hon. and learned Member for Montgomery (Mr. Carlile) endorse the current processes, although he support the new clauses. We shall be engaging the Criminal Justice Consultative Council in further consideration of ways to reduce delays and practical measures to ease stress on children by familiarising them with the court and preparing them for what to expect. We are conducting further research to promote best practice for video recorded interviews with children, and we have contributed £35,000 to help fund the preparation of a video to encourage best practice in dealing with children in court.

We are also considering what more can be done to encourage greater use of video recordings of evidence-in-chief and to make the use of the live television link less stressful for children. We believe that that is the best way to secure practical improvements for children—not, I regret, the approach reflected in the new clauses.

Mr. Michael: We are rather disappointed in the Minister's response. He does not appreciate what is happening in practice, the trauma involved for children and the scandalously low levels of prosecution and conviction. All that makes it necessary to change the procedures governing how children should be dealt with.

I should like to point out to the House that before the Bill went into Committee, I asked the Minister of State whether the Government would be sympathetic to using the Bill to change the current procedure for the prosecution of child sex abuse cases. Arrangements are still extremely unsatisfactory, despite the improvement that has been made largely through the efforts of Opposition and Conservative Back Benchers rather than through the initiatives of Ministers. That is extremely disappointing.

The Minister of State responded to my letter by saying that the Government would pursue practical improvements to the present arrangements and consult widely with all interested groups. That assurance has been repeated by the Minister in response to the debate. Unfortunately, his letter added:

> "But we do not envisage making further amendments to the Bill on this subject."

We pressed him further about that in Committee, and suggested further amendments. A useful debate took place, but the Government did not accept our argument. In Committee, we appealed to the Minister to reconsider whether improvements could be made on Report—today. We took on board the technical difficulties in our new clauses in order to allow a debate to take place in Committee. We tried to be as mild as possible in our support of such measures, because, rather than tabling official Opposition amendments, we stood back because we felt it was better for the cross-party concern in the House to be reflected in amendments tabled by Back Benchers.

It must therefore be particularly disappointing to the hon. Member for Chislehurst (Mr. Sims) and my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) that the Government have not accepted their proposals. I should like to pay tribute to the unflagging determination with which my hon. Friend has pursued this issue, year after year, despite discouragement, and despite the fact that a great deal of

effort seems to be needed for the odd small step forward to be taken. I am certain that her efforts on behalf of vulnerable and damaged children will be rewarded in the end. Frankly, the Government should be taking the lead.

It is a scandal that such a small proportion of offences end up with convictions. It is disappointing that Ministers have not accepted our suggestion that the vast resources of the Home Office should be used to introduce relevant measures on Report to alleviate the traumatic experiences currently suffered in the courts by youngsters who have already been traumatised by events that we all agree are horrendous to them and unacceptable to society.

I am disappointed that the Minister is unable to offer support for the new clause, but I am in a position to offer Labour party support for the cross-party measures that have been proposed.

Mrs. Golding: I am extremely disappointed that the Minister has refused to do anything further to help children. He need only speak to people who must deal with traumatised children to realise how much we need to implement all the Pigot recommendations. I am sorry that, in the dying months of the Government, they have not sought to accept it in full. I assure him that an incoming Labour Government will do so.

Question put, That the clause be read a Second time:—

The House divided: Ayes 186, Noes 238.

Division No. 143] **[5.57 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Carlile, Alexander *(Montgomery)*
Chisholm, Malcolm
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ms Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Corston, Jean
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Fraser, John
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
George, Bruce
Gerrard, Neil
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hall, Mike
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Howells, Dr Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Helen *(Sheff'd, H)*
Jenkins, Brian *(SE Staff)*
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jowell, Tessa
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kirkwood, Archy
Liddell, Mrs Helen
Livingstone, Ken
Llwyd, Elfyn
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McKelvey, William
McLeish, Henry
McNamara, Kevin
McWilliam, John
Madden, Max
Maginnis, Ken
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martlew, Eric
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oiner, Bill
Orme, Rt Hon Stanley
Pearson, Ian
Pendry, Tom
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, William *(E Londonderry)*
Rowlands, Ted
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D *(Strgfd)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony

Tellers for the Ayes:
Mr. David Clelland and
Mr. Joe Benton.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael

Cash, William
Channon, Rt Hon Paul
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fox, Rt Hon Sir Marcus *(Shipley)*
French, Douglas
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hill, James *(Southampton Test)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Patrick McLoughlin
and
Dr. Liam Fox.

Question accordingly negatived.

New clause 11

EVIDENCE OF MULTIPLE SEXUAL OFFENCES

'.—(1) Where an indictment alleges more than one sexual offence against the same defendant the offences shall be tried together unless the defendant satisfies the judge that it would be unfairly prejudicial to do so.

(2) Section 5 of the Indictments Act 1915 shall have no application to a sexual offence committed after this section comes into effect.'.—*[Ms Jowell.]*

Brought up, and read the First time.

6.9 pm

Ms Tessa Jowell (Dulwich): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss also the following: New clause 12—*Irrelevant questioning about the victim's past sexual history*—

'.—In section 2 of the Sexual Offences (Amendment) Act 1976 the following subsections shall be substituted for subsections (1) and (2)—

"(1) If at a trial any person is for the time being charged with a sexual offence to which he pleads not guilty, then except with the leave of the judge, no evidence and no question in cross-examination shall be adduced or asked at the trial, by or on behalf of any defendant at the trial, about any sexual experience of a complainant with a person other than that defendant.

(2) The judge shall not give leave in pursuance of the preceding subsection for any evidence or question except on an application to him made in the absence of the jury by or on behalf of a defendant; and on such an application the judge shall give leave if and only if he is satisfied that—

(a) it is evidence—

(i) of sexual experience or sexual activity taken part in by the complainant at or about the time of the time of the commission of the alleged sexual offence; and

(ii) of events which are alleged to form part of a connected series of circumstances in which the alleged sexual offence was committed; or

(b)(i) the accused person is alleged to have had sexual intercourse with the complainant and the accused person does not concede the sexual intercourse alleged; and

(ii) it is evidence relevant to whether the presence of semen, pregnancy, disease or injury is attributable to the sexual intercourse alleged; or

(c) it is evidence relevant to whether at the time of the alleged sexual offence there was present in the complainant a disease which at any relevant time was absent in the accused person; or

(d) it is evidence relevant to whether the allegation that the sexual offence was committed by the accused person was first made following a realisation or discovery of the presence of pregnancy or disease in the complainant (being a realisation or discovery which took place after the commission of the alleged sexual offence); or

(e) it is evidence tending to show that the complainant has, at a different time, made another allegation of a sexual offence which the complainant has subsequently withdrawn, admitted was false or which was unsubstantiated; or

(f) where it has been disclosed or implied in the case for the prosecution against the accused person that the complainant has or may have—

(i) had sexual experience, or lack of sexual experience of a general or specified nature; or

(ii) taken part or not taken part in sexual activity of a general or specified nature; and

(iii) the accused person might be unfairly prejudiced if the complainant could not be cross-examined by or on behalf of the accused person in relation to the disclosure or implication.

(2A) The judge shall not give leave under paragraphs (a) to (f) of subsection (2) above unless he is satisfied that it would be unfair to that defendant to refuse to allow the evidence to be adduced or the question or questions to be asked.

(2B) Where a judge has given leave in accordance with this section for evidence to be adduced or for a question or questions to be asked he shall record or cause to be recorded in writing the nature and scope of the evidence which may be adduced and the question or questions which may be asked and he shall further record or cause to be recorded in writing his reasons for giving leave.

(2C) In considering the nature and scope of the evidence which may be adduced and the question or questions which may be asked the judge shall take into account any distress, humiliation or embarrassment which the complainant might suffer as a result.".'.

New clause 13—*Trial judge warnings on delays in reporting sexual offences*—

' .—Where on the trial of a person for a sexual offence evidence is given either by the prosecution or the defence or a question is asked of a witness which tends to suggest an absence of complaint in respect of the commission of the alleged offence by the person upon whom the offence is alleged to have been committed or to suggest delay by that person in making any such complaint, the trial judge shall—

(a) give a warning to the jury to the effect that absence of complaint or delay in complaining does not necessarily indicate that the allegation that the offence was committed was false; and

(b) inform the jury that there may be good reasons why a victim of a sexual offence may delay in making, or may refrain from making, a complaint about the offence.'.

Ms Jowell: The new clauses are entirely consistent with the purposes of the Bill as set out by the Home Secretary when the legislation was published last November. The Government said that their aim was to ensure that

"the guilty are convicted while continuing to protect the innocent through detailed measures to improve the administration of justice".

The Home Secretary added:

"The criminal justice system should not be a legal maze which allows too many guilty people to walk free. The Bill will also help to reduce trauma and stress on victims".

The three new clauses introduced by the Labour party today are designed to ensure that the victims of rape and sexual assault receive fair, sensitive and humane treatment at the hands of the legal service and to help to reduce the intolerable trauma and stress that often accompanies the experience of becoming a complainant in a case. They also seek to ensure that serial rapists receive the punishment that they deserve and do not walk free only to assault again.

The purpose of any justice system must be to ensure that the innocent go free and that the guilty are convicted. With the conviction rate for rape at less than 9 per cent.—unchanged since 1985—no one can believe that 90 per cent. of women who make a complaint to the police alleging rape are making it up. The new clauses seek to address those issues. They represent small but important steps in a long process of rebuilding the confidence of victims of rape and sexual assault in the criminal justice system.

In recent weeks I have received many letters from women which give vivid glimpses of their damaged self-confidence. Women's self-confidence is damaged initially by the assault and then damaged further by the legal processes that follow, or by their encounter with them. I received a letter from a woman in Liverpool who was raped when she was 10. She summed up the feelings expressed by many. She wrote:

"People should remember that we have already been through a degrading act when we are raped and have to relive it when we are in court. We are the victims not the perpetrators. A woman does not ask for this invasion by what she wears or how she talks. I only hope that my daughter sees the day when she can be proud of the justice system and of the help it gives to rape victims".

Recent improvements in the way that the police deal with women who are the victims of rape and sexual assault are welcome. However, according to Commander Tom Williamson, who chairs the Metropolitan police's sexual offences steering committee, the benefits of those improvements have been undermined by the treatment of victims in court. At a conference last year, he said:

"Just because a victim is giving evidence about a rape it should not entitle a barrister to rape them metaphorically a second time".

Commander Williamson said that the prospect of that ordeal still prevents many victims from coming forward. He added:

"A consequence of this lack of confidence in the criminal justice system is the loss of criminal intelligence, with the modus operandi in a series of crimes not being identified and rapists not being brought to justice".

Twenty years ago, the Heilbron report found that the intrusive and irrelevant questioning of rape victims by defence lawyers was in effect putting the woman on trial. That is still true today. A 17-year-old rape victim remarked after the trial and conviction of her rapist:

"no woman in her right mind would bring a case".

Our new clauses reassert the Heilbron report's unarguable and obvious principle which should not need to be restated: a woman's sexual experiences with partners of her choice in no way indicate a general willingness to

[Ms Jowell]

consent to sex with anyone. Women do not give consent to sex with general categories of men; nor do they give general consent to intercourse in particular places. Consent is granted or declined only on an individual and private basis.

Our proposals also address the alarming decline in the conviction rate for rape offences in recent years. In 1980, 37 per cent. of rape offences reported to the police resulted in a conviction. By 1994, the figure had fallen to 8.6 per cent. Since the Crown Prosecution Service was established, the percentage of cases that have not proceeded to a Crown court committal has trebled. We share the Home Secretary's aspiration that:

"The criminal justice system should not be a legal maze which allows too many guilty people to walk free".

Today we will give the right hon. and learned Gentleman and his colleagues the opportunity to put that principle and that aspiration into practice.

I shall summarise briefly the essence of the three new clauses. The first concerns evidence of multiple sex offences. The new clause tackles judges' evident reluctance to hear together the separate sexual offences of which a defendant may stand accused. There is alarming evidence to show that such reluctance is resulting in men who are accused of multiple rapes against different women going free or receiving lighter sentences that do not match the severity of their crimes. Trial judges' readiness to hear cases separately denies juries crucial information about the extent of the allegations made against some serial rapists. The new clause tightens the current rules on multiple sex offence charges and makes it clear that the presumption for the trial judge should be that such cases are tried together.

New clause 12 deals with irrelevant questioning about a victim's past sexual history. The new clause is necessary because of the evident failure of the Sexual Offences (Amendment) Act 1976, which gives judges the discretion to limit questions about the complainant's sexual history. Research conducted by Zhusanna Adler at the Old Bailey in the early 1980s found that not only was leave given to the defence to ask about sexual history in more than 70 per cent. of cases when it was requested, but the defence counsel frequently did not bother to ask for leave and launched into cross-examination on sexual history without any objection from the judge or from the prosecution. In a further study on Court of Appeal rulings about sexual history evidence in England and Wales, Professor Jennifer Temkin argued:

"The willingness of the Court of Appeal to see a wide range of evidence as relevant to consent means that trial judges who refuse to allow in sexual history evidence do so at some considerable risk of a quashed conviction on appeal. It will be an inept defence counsel who is unable by some means or other successfully to apply under Section 2".

Professor Sue Lees, who has conducted landmark studies in this area, monitored all contested rape trials at the Old Bailey over a four-month period in summer 1993. She found that judges allowed questions about victims' past sexual histories in seven out of 10 rape trials. She has shown how judges continue to give defending barristers free rein to ask the most intrusive and needlessly distressing questions of women who have been the victims of rape.

Barristers claim that such questions are vital in order to protect the defendant from false allegations. It is true that such questioning is needed on some occasions, and our new clause allows for it in those circumstances. However, a Scottish Office survey of defence barristers got closer to the truth. Many admitted that they used such questions to:

"create a smokescreen of immorality around the girl."

In her book "Carnal Knowledge: Rape on Trial", Professor Lees gives examples of questions that, according to the spirit of the Sexual Offences Act 1976, should not have been allowed. In one case, the complainant was asked:

"Before this incident on 5 February, when was the last time that you had sexual intercourse with anyone?"

On another occasion, a complainant was asked:

"Have you had sex with a man other than the defendant?"

Often, the questions are more oblique. Questions such as "What kind of material is your underwear made of?" or "Would you agree that it's a dressy dress?" are designed to construct the "smokescreen of immorality" through insinuation and innuendo. Sue Lees has said:

"In the trial transcripts I examined I found that the perfectly normal behaviour of young women is presented as evidence that they provoked the man's attack or asked for it."

The new clause revises sections 1 and 2 of the Sexual Offences (Amendment) Act 1976 to provide important new protections from unjust, irrelevant and intrusive questioning of rape and sexual assault victims. The proposals are based on the tried and tested formula of the 1981 New South Wales Act. The proposals set out in the new clause would establish for the first time clear and specific circumstances in which a judge may allow any questioning about the victim's sexual history. It requires the prosecution to seek permission to ask any such questions away from the jury, and requires the judge to state clearly in writing the questions that may be asked, and his reasons for giving such leave.

The new clause would require the judge, in considering any request from the prosecution, to take clearly into account any distress, humiliation or embarrassment that the questioning might cause the victim. The proposals should also be linked to improved training for judges when handling rape cases, and to a more determined effort than we have seen to increase the number of women sitting as judges.

New clause 13 refers to delays in reporting offences. The aim of the new clause is to ensure that the victims of sexual crime receive fair treatment at the hands of the courts. Victims of sexual offences frequently delay reporting the offence to the police, and they often have a number of good reasons for doing so. Those reasons might include their immediate distress and the fact that they were only urged to report the offence when they talked to a friend.

Some victims are prevented from reporting an offence by a sense of shame; others are simply too embarrassed or too fearful of the effects of a complaint on their families or friends. While people in the criminal justice service may be aware of those good reasons, there is evidence that juries are often misled about the significance of any such delay. We therefore propose to require trial judges to inform juries in all sexual offences trials that there may be good reasons why a victim may delay reporting an offence, so that juries do not draw unwarranted conclusions from any delay.

The three measures that we have placed before the House today are small steps to end some of the injustices experienced by victims of rape and sexual assault. They are a start, and are entirely in keeping with the spirit and intended purpose of the legislation. They are consistent with the Bill's aims of ensuring that the guilty are convicted while continuing to protect the innocent, and of offering detailed measures to improve the administration of justice.

I shall finish with the words of a woman who, having experienced rape, wrote to me recently. She said:

"I hope I can see the day when we can cheer the support of the courts instead of weep."

The Government have betrayed the victims of rape and sexual assault. Today the Labour party is giving the Government the opportunity to repair some of that damage.

Mr. Maclean: The hon. Member for Dulwich (Ms Jowell) made an interesting speech, but I am sorry that she spoilt it at the end with her ridiculous jibe. This Government introduced, in the Criminal Justice Act 1988, powers to increase the maximum penalty for cruelty to children—something that the hon. Member for Newcastle-under-Lyme (Mrs. Golding) conveniently forgets when she trumpets the work that she is now doing for children.

The Government increased the penalty from two years to 10, and the Labour party voted against it. That happened on 18 January 1988, when, under the Criminal Justice Act, we increased the maximum penalty for cruelty to children to 10 years' imprisonment. I accept that the hon. Member for Dulwich was not in the House then, but other hon. Members were. I invite Opposition Members to check *Hansard* of 18 January 1988, when they will see that the Labour party voted against the Criminal Justice Act.

The Government increased the maximum penalty for dealing in hard drugs to life imprisonment. We increased the maximum penalty for taking a gun to a crime to life imprisonment. We gave the Attorney-General the right to appeal against lenient sentences, including lenient rape sentences, and the Labour party voted against it. I was not going to recite that list, Mr. Deputy Speaker—

Mr. Deputy Speaker: Order. I would have welcomed it if the Minister had not done so, as the list has nothing to do with the new clause.

Mr. Maclean: I am sorry to have strayed into that subject, Mr. Deputy Speaker, but the hon. Member for Dulwich should not have said that the Government betrayed rape victims. The Government made all the changes in the 1980s to make life easier for rape victims. They strengthened the police; they dramatically increased their numbers; they encouraged the police to introduce rape suites to help rape victims; they introduced the DNA national database—the first in the world. The hon. Lady should get her facts straight before making such silly jibes.

The new clauses deserve to be considered seriously, as they raise complex issues about the admissibility of evidence in sexual offences cases. I think that we would all agree that there is something particularly abhorrent about such crimes, and we are all aware of their dramatic effect on the victims. The Government have introduced a range of measures to strengthen the powers of the police and the courts to prosecute those who commit such crimes. The national DNA database provides the police with a valuable new weapon to investigate such crimes.

We have removed the requirement for juries to be warned about convicting on the uncorroborated evidence of the victim of a sexual offence. We have announced tough new proposals for automatic life sentences for offenders who are convicted for a second time of a serious violent or sex offence unless there are genuinely exceptional circumstances. The Opposition have been in a quandary over our proposals for automatic life sentences and minimum mandatory sentences; they are not sure whether or not to support them.

The nature of sexual offences and the frequent lack of corroborating evidence makes it particularly difficult to prosecute successfully. There has been a reduction in the number of convictions, as a proportion both of the number of offences recorded and of the number of prosecutions. That is a matter of concern, but it is the product of a wide range of factors.

Recent research has suggested the need for a larger-scale study to ensure that we properly understand the problems and how best to tackle them. We intend to conduct such research. Despite the understandable desire to make it easier to secure convictions, it is essential to maintain a proper balance—to preserve the defendant's right to a fair trial, and to ensure that the case against the criminal is properly tested.

The Government fully understand the concerns that have prompted the new clauses, but we are not convinced that they have been subjected to the rigorous examination necessary before changes can be made to such a complex and sensitive area of law. I shall consider first new clause 11. Often, those responsible for crimes of a sexual nature are known—or thought—to have committed other similar offences. I agree that it is important that juries should have the opportunity to hear that that has been the case where the judge believes it is in the interests of justice to do so.

It is worth correcting any misconception that sexual offences cannot be tried together. Under the 1971 indictment rules, charges for offences may already be joined in the same indictment. The particular nature of sexual offences and the frequent lack of corroborating evidence require a slightly more cautious approach to whether cases can be tried on the same indictment. A jury may find it more difficult to consider each charge separately, as they may be influenced, consciously or unconsciously, by the extent and nature of the charges against the defendant.

The Indictments Act 1915, to which the new clause refers, gives the trial judge discretion to decide whether, on the particular facts before him, it would be appropriate for the charges to be tried together or severed. Before the judge can do that, it will first be for the Crown Prosecution Service to decide how the indictment against the accused is prepared.

The Crown Prosecution Service, quite rightly, will want to take a view on how best to prosecute an individual who is to be charged with more than one sexual offence when there are similarities between his crimes. That is a matter to which the CPS already attaches great importance and charges are joined whenever it seems right to do so. So

[Mr. Maclean]

new clause 11 would not automatically mean that all charges against an accused would be heard at the same time if the CPS considered that the public interest, including that of the victims, is better served by separate prosecutions.

6.30 pm

In our view, a decision on severing an indictment remains an important judgment, which the trial judge is best placed to make based on all the circumstances of the case before him. He has the ability to consider a wide range of criteria before making his decision, which the new clause would remove.

That ability was reinforced in a recent ruling by the House of Lords in a case involving multiple sexual offences against different victims. The ruling in Regina *v.* Christou reinforced the right of the courts to try cases together even when the evidence is not corroborative, and has provided useful guidance on the factors that trial judges should take into account when making such decisions.

The new clause is unsound in two respects. First, it is seriously defective because it would disapply section 5 of the Indictments Act 1915 altogether in relation to sexual offences. Among other things, section 5 allows the courts to order the amendment of defective indictments. Those might include the fact that the trial would become too unwieldy if all the charges were tried together. The court's powers in respect of trying cases together are to be found in section 5(3) rather than section 5 as a whole.

The second and more serious flaw is that new clause 11 would unnecessarily restrict the discretionary powers of judges to rule on the extent of indictments that come before them. It would do this by requiring that decisions were made on the grounds of prejudice alone and can only be made at the request of the defence. Presently, the judge can act on his own initiative, and may take account not only of whether the indictment is prejudicial but of other important issues, such as the impact on victims of ordering two or more trials. We believe that judges should retain their existing discretion to decide upon those important matters.

The question that faces us on new clause 12 is whether it would improve the Sexual Offences (Amendment) Act 1976. I believe that it is clear that section 2 of that Act represents an additional hurdle to be cleared after common-law tests of relevance have been met, and that its main purpose—the prevention of mud-slinging attacks on the complainant's reputation—is plain.

The most difficult issue in practice, however, is the degree to which sexual history may be relevant to the issue of consent, and it is on that question that the greatest scope for dispute over individual judicial decisions arises. The Court of Appeal has in a number of cases, and notably in Regina *v.* Viola in 1982, provided guidance on how the existing provisions should be applied. The Court of Appeal said that the general aim should be to exclude questioning relating to the credit of the complainant but generally to admit that which is relevant to an issue in the trial.

New clause 12 seeks to prevent irrelevant questioning about a victim's previous sexual history by defining the circumstances in which the judge may exercise his discretion. It would also extend that provision to victims of all sexual offences. Cross-examination about previous sexual experience is more likely to be an issue in rape cases—hence the need for the special provisions in the 1976 Act. It is not clear that a major extension of the present situation to all sexual offences is justified.

Section 2 of the 1976 Act is a straightforward provision that allows a proper balance to be struck between giving the complainant some protection from oppressive and irrelevant questioning, while safeguarding the defendant's right to a fair trial.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr. Deputy Speaker. I do not wish to raise an issue of contempt, but it is a contempt of the House to misrepresent proceedings of the House of Commons. You will have heard the Minister tell the House that, on 18 January 1988, Labour Members of Parliament voted against increasing penalties during proceedings on the Criminal Justice Act 1988.

I have checked the *Hansard*, and found that Labour Members of Parliament did no such thing. They voted against the Second Reading of that Act on the basis that it had implications for civil liberties that arose out of changes to extradition, jury selection and remand and sentencing. We voted against Second Reading, and we have been misrepresented during this debate.

Mr. Deputy Speaker: That point can be made in debate; it is certainly not a point of order for the Chair.

Mr. Maclean: I am glad to hear those confessions and admissions. Perhaps the hon. Member for Workington (Mr. Campbell-Savours) will take the time to read the contents of the Criminal Justice Act 1988. He will find that the Labour party voted against penalties to increase sentences for people who are cruel to children and for drug dealers.

It is no wonder the Labour party does not like being reminded about that. Labour Members can come up with any excuse they like now, but they voted against that Act, lock, stock and barrel. They now have a guilty conscience about it, and I suspect that that is why we have seen all these spurious and bogus new clauses, which are 10 years late. The Labour party is trying to say that it is sorry about the mistakes of 1980s, and that it wants to make up for them. I am grateful to the hon. Gentleman, who is my near neighbour, for his confession—he is "one sinner that repenteth".

I turn now to new clause 13, which raises complex issues about the law on evidence—I do not know of any issues about the law of evidence that are not complex—and, in particular, what evidence may be given to explain why a complaint was not made or was delayed.

Of course the Government share the concern that juries should be able to make a proper assessment of the value of evidence on such matters; that is why, last year, we removed the automatic warning that juries were given that the evidence of one woman alone had to be treated with a certain circumspection. It was not right to retain that warning, but I am not convinced that it is right to create a new warning for the jury.

The present position is that, if evidence is admitted that a victim has made no complaint—or, more likely, that the complaint was substantially delayed—the court may hear

evidence to explain why the alleged victim did not complain. That is the correct way to proceed. The court is then able to hear the evidence relevant to the circumstances of the case, which may explain the reasons for the delay. There may be good evidential reasons why the victim did not come forward immediately to report a sexual attack, and the court should be told those reasons and the jury should take them into account.

In other cases, the evidence may not be so strong. In some cases, the absence of complaint may be crucial to the case, and a warning in the terms proposed would be inappropriate. A requirement to give the same warning regardless of the circumstances of the case and the quality of the evidence explaining any delay would confuse the issues and make the task of the judge and the jury more difficult.

The use of a warning should therefore be considered in the context of the rules governing the evidence that may be admitted to refute any allegation of the kind mentioned in new clause 13. It may, for example, be possible for previous consistent statements to be produced in evidence to support the allegation made by the victim.

That is a complex aspect of the law on hearsay and related topics, which the Law Commission is at present considering. Its report is expected later this year. It is likely to include proposals about the extent to which previous consistent statements should be admissible as evidence of the truth, and not merely, as at present, the credibility of the witness. It is also likely to address the question whether previous consistent statements should be admissible in cases other than sexual offences, in which physical injury might also have been inflicted.

Those are important issues that bear directly on whether there should be a statutory warning, and, if so, what it should be. It would, in our view, be wrong to legislate on that complex area of the law without having the benefit of the Law Commission's work. For those reasons, the Government cannot support new clause 13.

I am sorry that I have spoken at length on new clauses 11, 12 and 13, but they raise important and complex issues. We shall give further consideration to changes in the law in the light of the Law Commission's current work and the research that we intend to conduct into attrition rates in sexual offence cases, but we are unable at present to support the new clauses.

Ms Jowell: The length of the Minister's speech has served as an effective smokescreen for the fact that he has nothing to say. His lengthy diatribe about the defective nature of the new clauses is simply a way to sidestep the real issues that they raise.

Those of us who read our copy of *The Independent* this morning have been led to believe that next week the Government are holding their law and order week in order to regain the initiative on law and order from the shadow Home Secretary and the Labour party. There is a growing conviction across the country that it is the Labour party that understands people's fears about crime, and that it is Labour which brings forward specific and practical proposals, which the Government then reject out of hand.

The Government's response to the new clause will be received by women across the country for what it represents: indifference, and a refusal to do anything about one of the most serious problems besetting women in the criminal justice system.

Question put, That the clause be read a Second time:—

The Committee divided: Ayes 190, Noes 234.

Division No. 144] **[6.42 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Corston, Jean
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Fraser, John
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
George, Bruce
Gerrard, Neil
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hall, Mike
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Helen *(Sheff'ld, H)*
Jenkins, Brian *(SE Staff)*
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Liddell, Mrs Helen
Livingstone, Ken
Llwyd, Elfyn
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McKelvey, William
McNamara, Kevin
McWilliam, John
Madden, Max
Maginnis, Ken
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martlew, Eric
Maxton, John
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, William *(Normanton)*
Olner, Bill
Orme, Rt Hon Stanley

Pearson, Ian
Pendry, Tom
Pope, Greg
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Sheldon, Rt Hon Robert
Simpson, Alan
Skinner, Dennis
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D *(Strgfd)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Trimble, David
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony

Tellers for the Ayes:
Mr. Malcolm Chisholm and
Mr. John Owen Jones.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burns, Simon
Burt, Alistair
Butcher, John
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Channon, Rt Hon Paul
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fox, Dr Liam *(Woodspring)*
French, Douglas
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hill, James *(Southampton Test)*
Horam, John
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Patrick McLoughlin and
Mr. Roger Knapman.

Question accordingly negatived.

New clause 14

PENALTY FOR FAILURE TO DISCLOSE

'.—(1) A failure by any individual or organisation to disclose material required to be disclosed to the prosecutor under the provisions of this Act shall be an offence.

(2) An offence under subsection (1) may be punished on conviction on indictment by imprisonment for five years or a fine, or on summary conviction by imprisonment for six months or a fine at level 5 on the standard scale.'.—*[Mr. Michael.]*

Brought up, and read the First time.

Mr. Michael: I beg to move, That the clause be read a Second time.

New clause 14 introduces a penalty for failure to disclose information. It arises from the concern that is felt in many places that the legislation as it stands is balanced in terms of obligations, which is why we have supported it and the principles that it seeks to introduce, but that there is no equivalent penalty for the failure to disclose by the police or the prosecutor. It is for that reason that we have tabled the new clause.

The new clause makes it clear that

"A failure by any individual or organisation to disclose material required to be disclosed to the prosecutor under the provisions of this Act shall be an offence."

It arises from discussion in Committee when, in response to the debate, the Solicitor-General suggested that, as far as prosecutors are concerned, the professional onus and requirements placed upon them would give a mechanism to deal with any breach.

It was pointed out during the course of that debate, however, that there is no similar onus and no penalty in respect of a failure to disclose by the police to the prosecutor. It was also pointed out by my hon. Friend the Member for Sunderland, South (Mr. Mullin) that a number of miscarriages of justice had arisen precisely from failure to disclose by the police at an appropriate stage.

Now that we are giving matters much greater clarity in the Bill and in the code of conduct that will follow it, it is surely appropriate that in the background there should be the possibility of punishment, which surely concentrates minds when it comes to ensuring that the letter of the law is observed.

I emphasise that the new clause does not mean that an inappropriate or excessive punishment would follow an accidental breach of the requirement. I took advice in advance of today's debate and in preparing the wording of the new clause and the advice was to the effect that accidental failure or a minor sin of omission could be dealt with by no prosecution taking place. However, there are occasions, and there have been events in the past, when an omission or a failure to provide information has had a major impact, and when it has been serious and deliberate. Such an event requires the new clause to be added to the Bill.

The situation for the prosecutor is, in the view of the Solicitor-General, already covered in the legislation. The Opposition were not entirely satisfied by that, but we accept that the Solicitor-General made a strong case in Committee. However, there is a gap with regard to the investigator.

It is for those reasons that we seek to add the new clause to the Bill. In Committee, the Solicitor-General referred to professional discipline and the views that can be expressed by the jury. But they can be expressed only if matters come to light in a way that enables a jury to make such an observation. The question is whether there is a suitable mechanism to deal with a failure to disclose in the manner described in the new clause. The Opposition believe that it would fill a gap and ensure a proper balance between the two sides involved in dealing with a case in the courts.

Mr. Chris Mullin (Sunderland, South): I support the new clause. Non-disclosure, deliberate or negligent, has been a feature of most of the major miscarriages of justice that have been proven during the past four or five years and of many of those that are alleged. One feature common to all such cases is that, even if those responsible for suppressing inconvenient information or evidence are caught red-handed, nothing ever happens to them. To my knowledge—I welcome correction—even though they have been caught red-handed and in some cases denounced by the judge, no prosecutor or police officer has suffered anything more than mild inconvenience. As a result, they do not have much incentive to ensure that all evidence that should be put before a court is put before it.

The new clause will provide them with an incentive. No one is suggesting that in cases of minor negligence some draconian penalty should be visited on those responsible. But where, as in the Guildford case and the Judith Ward case, for example, there was a deliberate suppression of evidence at a high level, in which a number of people connived, some of whom either were at the time or went on to become very distinguished, they should be aware that some penalty awaits them. That has not been the case in the past, but it must happen in the future if the legislation is to be taken seriously by those whose job it will be to implement it.

The Solicitor-General (Sir Derek Spencer): Without being disrespectful to the hon. Members for Sunderland, South (Mr. Mullin) and for Cardiff, South and Penarth (Mr. Michael), who have just spoken, I can deal with the matter quite briefly.

In summary, the new clause is quite unnecessary, as a range of sanctions are already in place that are proportionate to the gravity of the failure to disclose. Let me explain. The objective, which I assume lies behind the proposal, of ensuring that the prosecutor has available all the necessary information is sensible, as the system will not work properly unless evidence is properly gathered by the police and they reveal it properly to prosecuting counsel in accordance with the regime set up by the Bill. Clearly, the police and other investigators must help the prosecutor if the disclosure system is to work.Inb

7 pm

The responsibilities of the police to retain, record and make available to the prosecutor relevant information obtained during an investigation will be set out in the code of practice, for which provision is made in clause 22, which is extensive and contains many paragraphs that deal with the duties of the police in relation to a wide variety of material. We are also amending the Bill to place a duty on the police to investigate all reasonable lines of inquiry, both those that point

[Sir Derek Spencer]

towards the guilt of a defendant and those that point the other way. That mirrors best practice at the moment but it is a new step in terms of statute.

Sanctions already exist if there is a failure to meet responsibilities by law. I shall say briefly what they are: first, a deliberate failure by an investigator to disclose material could render him or her liable to prosecution for perverting or attempting to pervert the course of justice. If two or more are involved, the offence would be conspiracy. I am surprised that the hon. Member for Sunderland, South says that no more than slight inconvenience has been caused to those caught grievously—and dishonestly—failing in their duty to disclose. He must be familiar with the criminal proceedings that were taken against the police officers who inquired into the Birmingham Six and the Guildford cases, in which the officers were prosecuted and the due process of law took place.

Mr. Mullin: Will the Solicitor-General give way?

The Solicitor–General: My patience was taxed in Committee by the hon. Member for Cardiff, South and Penarth, but, notwithstanding that, I shall give way.

Mr. Mullin: I am very familiar with the two cases that the Solicitor-General just named, and I have rarely seen a more half-hearted attempt to prosecute those allegedly responsible for fraud and perjury on a vast scale. Can he name one example of any charges brought against the Crown prosecutor for deliberately suppressing inconvenient evidence?

The Solicitor–General: There has never been any evidence that counsel or any Crown prosecutor acted in a dishonest way. I am surprised at the selective way in which the hon. Gentleman addresses the problem. When he made this complaint in Committee, and repeated it just now, he overlooked the prosecution of the police officers in the Birmingham Six and Guildford cases. He casts aspersions, sometimes on named and unnamed prosecutors, and in Committee he went so far as to say:

"I do not doubt that everyone intimately involved in those cases, including Lord Havers and the DPP, knew from the outset that they had got the wrong people once they had caught the right people, but they chose to rewrite the script to prevent that from coming out."—[*Official Report, Standing Committee B*, 21 May 1996; c. 137-138.]

I have to say that, as Lord Havers' former pupil in chambers and then his Parliamentary Private Secretary when he was Attorney-General, I repudiate entirely those allegations, which are not supported by a shred of evidence. Indeed, Sir John May's report, which was published in two stages, the second part in 1992, demonstrated quite clearly to anybody who was prepared to read it that the allegations that the hon. Gentleman just made were without foundation. I remember standing at the Dispatch Box shortly after the second report had been published and saying just that. I am deeply disappointed with the hon. Gentleman's approach to the problem.

Mr. Mullin *rose—*

Mr. James Hill (Southampton, Test): Say it outside the House.

Mr. Mullin: I have done so, as it happens.

When members of the IRA unit captured at Balcombe street were arrested, they owned up in considerable detail to the Guildford and Woolwich bombings. They were interviewed by superintendent Peter Imbert, who told the Home Affairs Select Committee that the Director of Public Prosecutions was responsible for ensuring that the statements from the captured IRA people were not made available to the defence. I rest my case.

The Solicitor–General: This has all been investigated in the greatest detail by Sir John May, whose report is available for anybody who cares to read it. The hon. Gentleman talks about rewriting the script. When rewriting the script is discussed, he should own up to doing just that, because his account of these matters does not bear the most cursory examination.

Mr. Mullin: My track record is better than yours, judged by results.

The Solicitor–General: Let me proceed with something serious and not be distracted by such trivia.

The second possible sanction available if there has been a failure to disclose is disciplinary proceedings against the police. New disciplinary arrangements are currently being developed following the Police and Magistrates' Courts Act 1994.

Thirdly, clause 25(4) requires the court to take into account, when determining any question arising in the proceedings, a failure by a police officer to comply with the code, or a failure of any other person charged with the duty of conducting an investigation to have regard to the code.

Fourthly, if new relevant information becomes available after conviction, it may form grounds for an appeal.

The new clause is defective because, as the hon. Member for Cardiff, South and Penarth observed, it contains no mental ingredient at all, in the sense that it just speaks about a failure to disclose. It does not say whether that failure is deliberate or reckless or whether there is any reasonable excuse. It says that the maximum penalty for that is five years imprisonment on indictment. But its deficiencies do not end there. I imagine that it is an example of the law of unintended effect. It is drafted so widely that it appears to take into account the defence as well as the prosecution. Accordingly, if there is a failure by the accused or his or her legal adviser to disclose, that might also be caught by the new offence. I doubt very much whether that is what the hon. Gentleman intends.

The hon. Member for Cardiff, South and Penarth said that I concentrated in Committee on the professional restraints on the Crown Prosecution Service and on counsel involved in the case. I did not concentrate on it; I referred to it, but on this occasion I do not think that it is necessary to repeat what I said in Committee. I invite the hon. Gentleman to reconsider the matter, and I hope that when he has done so he will agree that the new clause is unnecessary and withdraw it.

Mr. Michael: I have never heard such an inadequate response from a Minister. If the Solicitor-General's patience was taxed in Committee, he must suffer from patience deficiency syndrome. His patience should not

have been taxed in Committee because we tried to have a reasonable discussion there; he must be an extremely impatient man.

The Solicitor-General's response today has been complacent in the extreme and he does neither himself nor the legal system any benefit by it. It is a great pity that he has been distracted from whatever he would otherwise have been doing by being brought before the House for the trivial matter of trying to ensure that justice is conducted in such a way that the guilty are punished and the innocent walk free. The Solicitor-General has not enhanced his reputation by the way in which he has dealt with this debate.

I explained in my introduction, to which the Solicitor-General does not seem to have listened, that the case of someone who is acting inadvertently is not affected by a requirement of recklessness because there is no need for a prosecution to follow if there is an explanation of an accidental omission. The court would be able to take that fully into account and would not have to use the top end of the penalty scale if it was inappropriate to do so. It shows a lack of confidence in the courts to suggest that they would be constrained to act in a different way.

The Solicitor-General concentrated on the position of the lawyers in his response in Committee; that is not dealt with under the new clause. I am also surprised by his suggestion that the requirement of disclosure includes the defence because it is clear that the requirement is on

"any individual or organisation to disclose material required to be disclosed to the prosecutor under the provisions of the Act."

That requirement is clear.

I am disappointed by the Solicitor-General's response; he has not engaged seriously with the serious issues before us. It is clear that he and the Government would vote against the new clause, so there is no point in taking up further time. I therefore beg to ask leave to withdraw the new clause—not because we have been wrong to raise the issue, but because there is no need to take up the time of the House following such an inadequate response.

Motion and clause, by leave, withdrawn.

New clause 15

CODES OF CONDUCT (NON–POLICE INVESTIGATIONS)

'—(1) The Secretary of State may prepare a code or codes relating to the conduct by persons other than police officers of criminal investigations with a view to it being ascertained—

(a) whether a person should be charged with an offence; or

(b) whether a person charged with an offence is guilty of it.

(2) In preparing a code under subsection (1) the Secretary of State shall have regard to—

(a) the nature of the investigations conducted by the persons to whom the code applies; and

(b) the need to ensure that, so far as possible, persons other than police officers conduct investigations in the same manner as police officers.'.—*[Mr. Michael.]*

Brought up, and read the First time.

Mr. Michael: I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss the following amendments: No. 73, in clause 24, page 17, line 18, after '22', insert

'or (*Codes of Conduct (non–police investigations)*)'.

No. 74, in clause 25, page 17, line 33, after '(1)', insert

'If no relevant code prepared under section (*Codes of Conduct (non–police operations)*) has been brought into operation,',

No. 75, in page 17, line 40, leave out 'police officer' and insert 'person'.

No. 76, in clause 26, page 18, line 10, after '22', insert

'or (*Codes of conduct (non–police investigations)*)'.

Mr. Michael: In Committee, we pointed out that it was extremely unsatisfactory for a number of investigators not to be required to operate to the standard that we required of the police. The response was that Ministers did not want to place onerous requirements on a variety of organisations that had a variety of responsibilities involving undertaking investigations. During the debate, we made it clear that we wanted to regulate the activities of and place the same onerous requirements on, for instance, customs officers, who frequently undertake investigations into criminal activities, which are comparable in every way to the work of the police. That point does not cover all their activities, and the same applies to other organisations that are sometimes involved in the investigation of criminal offences.

We took the Minister's response in Committee seriously and that is why we tabled the new clause, which we hope will cover the point rather more constructively. It would give a power to the Secretary of State to prepare a code or codes relating to the conduct of persons other than police officers who undertake criminal investigations. That means that the power lies in the hands of the Home Secretary to introduce a code for investigative organisations where it is appropriate. We also make it clear that he would have regard to the nature of the investigations being conducted by the person to whom the code applied. In responding to the debate in Committee, the Minister made the valid point that some investigations are comparable to the work of police officers, but that other investigations undertaken by a variety of public bodies are not comparable. We allow for that distinction in the new clause.

7.15 pm

We also underline the point that there is a need for persons other than police officers who conduct investigations to do so in the same manner where an equivalent matter is involved. I make the point strongly that it is the work of Customs and Excise in gathering intelligence, through central intelligence operations, and in investigating offences which is strictly comparable to the work of the police. It seems odd to suggest that, in relation to matters such as drug smuggling, different criteria should be applied to a non-police prosecuting or investigating agency from those that are stringently applied to the police, who are already far more accountable than an agency such as Customs and Excise. I again make it clear that I am talking only about the investigative functions of such agencies which are comparable to police functions.

There is a danger of confusion, arising from questions such as who is an investigator, to whom the code applies, which is not mentioned in the Bill, and which parts of the code apply to people other than police officers, if we stick to the present wording in the Bill. It merely requires other

[Mr. Michael]

investigators to have regard to the code of conduct, which has been made available in draft and which specifically applies to the police. We require the highest standards to be observed by police officers. The fact that Ministers made the draft code available at a very early stage has been helpful to us. That allowed for much better and informed debate, and I place on record our thanks for the way in which Ministers made our deliberations in Committee far more fruitful as a result. The need to go down many false trails was avoided because answers had been given to us in the draft code.

At the end of the debate in Committee, I said that I hoped that the Minister would consider the points raised in the light of our constructive exchanges and that we would study the Minister's comments between the Committee stage and Report. We have done so. I believe that the new clause avoids the difficulties that the Minister highlighted in the Committee debate. It is disappointing that the Government have not tabled an amendment rather than, once again, leaving it to the Opposition. However, I stress that we have tabled an enabling new clause. It does not require the Home Secretary to use the power that it contains, but it means that, without primary legislation, it would be possible to extend a specific code to agencies other than the police.

Mr. Kirkhope: On 16 May in Committee, as the hon. Member for Cardiff, South and Penarth knows, mark 1 of his proposals was put before the Committee. Sadly, I had to say that we were unable to accede to his wishes. In the following sitting on 21 May, as I said and as was reported in *Hansard*, he miraculously produced a derivative which I regard as mark 2. Again, I was not able really to help him. Today we have mark 3, so one cannot say that the hon. Gentleman has not been trying hard in his wish to see his proposals accepted. I am sorry to say that I cannot accept those proposals, and I shall explain why.

New clause 15 would enable the Secretary of State to prepare codes for the conduct of criminal investigations by persons other than police officers. Amendments Nos. 73 to 76 make related changes to part II of the Bill. As the hon. Gentleman has more or less confirmed, the new clause is presumably meant to ensure that if the Secretary of State prepares a code for non-police investigations, it is binding to the persons to whom it applies. However, I am not certain that the new clause would achieve that. Unlike clause 22, it does not require the code to contain provisions designed to secure that anything is done by such persons. It provides simply that the Secretary of State should have regard to the nature of a criminal investigation and ensure that it is conducted as far as possible in the same manner as if it were conducted by police officers. It is not clear what practical effect the new clause would have. Despite the hon. Gentleman's remarks, I am sure that that is the position.

Mr. Michael: Perhaps I may help by explaining what is meant by that. The new clause states that the Home Secretary, in preparing the code, should have regard to those elements. Once it had been prepared by the Home Secretary, the code would be binding on the individuals required to observe it.

Subsection (2) of the new clause would merely ensure that the Home Secretary had regard to two elements that I understand the Minister wanted to include in the requirements placed on non-police investigating bodies.

Mr. Kirkhope: We had a long debate in Committee on the whole question of codes as they apply to non-police investigators. We exhausted the discussion and my conclusions at the time were that codes of practice were so different and disparate, and in many ways they should be, because of the different nature of activities of certain bodies and the fact that some, such as the Health and Safety Executive, have a dual role of investigation and prosecution. I explained all that and we went through it with great care.

I know that the hon. Gentleman is trying to be helpful, but whatever he has said, I do not consider it necessary to amend the Bill as he proposes. As he knows, it already requires the Secretary of State to prepare a code of practice for criminal investigations by police officers and it requires investigators other than the police to have regard to the relevant provisions.

As I explained in Committee, that formulation was based on the precedent in the Police and Criminal Evidence Act 1984. I also explained that a number of cases since then have established that the relevant provisions of the PACE codes of practice are binding on persons other than police officers who are charged with the duty of investigating offences.

Although I fully understand why the hon. Gentleman wants to give the Secretary of State the power contained in new clause 15, we continue to believe that it is one power that he does not need to take.

Despite the hon. Gentleman's eloquence, the arguments that he made and the stamina that he displayed, we are not persuaded that the new clause is necessary or desirable. We believe that we can achieve the necessary elements without it. So, on behalf of the Government, I am afraid that I am not able to accept the new clause.

Mr. Michael: I am grateful to the Minister for at least trying to be positive in the way that he responded, even if the answer is still a clear no. We all agree about the importance of giving the police specific and clear responsibilities. The trouble is that the Bill requires non-police investigators only to "have regard" to its provisions and to the code of conduct. To a great extent, they will decide for themselves what it means to have regard to those provisions. Therefore, the requirements on non-police investigators are far less onerous than they are on the police.

Mr. Kirkhope: I shall not detain the House, but I should make it clear that although those investigators have only to "have regard to", as I explained, the courts will take careful note of whether they have done so, and there is plenty of evidence that that is an onerous requirement.

Mr. Michael: I accept that it would be an onerous requirement if it were enforced by the courts, but that will not apply where it does not come to the attention of the courts. We are concerned not only with what comes to the attention of the courts, but with the ethos and method of investigating and passing on information in the process of prosecution, which investigators are required to observe.

The fact that the requirements are less onerous than those on the police is perhaps a tribute to the importance that we place on the police. However, there is a growth in investigative and intelligence activities by non-police organisations, particularly Customs and Excise, as I highlighted earlier.

Many investigating organisations also act as the prosecutor, so there is no clear separation between investigator and prosecutor, which is a strength of the structure reflected in the Bill in respect of the police.

For those reasons, we felt that the new clause was desirable and should be added to the Bill. However, it is clear that the Minister will not accept it. He has responded in a courteous way. I believe that at some point in future we shall have to return to this in amending legislation, but for today I am content for the points to have been made. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 3

PRIMARY DISCLOSURE BY PROSECUTOR

Mr. Mullin: I beg to move amendment No. 30, in page 2, line 34, leave out from 'accused' to 'or' in line 36 and insert

'and which may be relevant to an issue in the case'.

Madam Speaker: With this, it will be convenient to discuss the following amendments: No. 32, in page 2, line 34, leave out

'in the prosecutor's opinion might'

and insert

'might be reasonably expected to'.

No. 71, in page 2, line 34, leave out 'in the prosecutor's opinion'.

No. 72, in page 2, line 35, leave out 'undermine' and insert 'cast serious doubt on'.

No. 31, in page 2, line 39, after second 'material', insert

'relevant to the offence or to the offender or to the surrounding circumstances of the case.'.

No. 33, in page 3, line 3, at end insert—', or

(c) which falls within subsection (2A).

(2A) Material falls within this subsection if in pursuance of a code operative under Part II the prosecutor must, if he asks for the material, be given a copy of it or be allowed to inspect it in connection with the case for the prosecution against the accused.'.

No. 34, in clause 7, page 5, line 25, at end insert—', or

(c) which falls within subsection (2A).

(2A) Material falls within this subsection if in pursuance of a code operative under Part II the prosecutor must, if he asks for the material, be given a copy of it or be allowed to inspect it in connection with the case for the prosecution against the accused.'.

Mr. Mullin: The amendments address what in my view is the main defect of the Bill—that, as drafted, it allows the police and prosecution to determine what material will be made available to the defence and prevents the defence from deciding for itself what is relevant to its case. That flies in the face of the lessons that we should have learnt from the disastrous series of miscarriages of justice in the 1970s and 1980s, which inflicted so much damage on the credibility of our legal system. I am sorry if it upsets the Solicitor-General, but I repeat that deliberate or negligent disclosure by the police or prosecution was an important feature of just about all those cases and, if it remains unchanged, the Bill will lay the ground for further disasters.

My amendments and those in the names of my hon. Friends provide the Government with a number of alternatives. In amendments Nos. 71 and 72, my hon. Friends seek to soften the effect of clause 3. That is certainly a step in the right direction, but I seek to go further. My amendment No. 30, drafted with the help of Mr. Roy Amlot QC, deletes the prosecutor's opinion from the clause and the suggestion that only evidence that undermines the defence case should be disclosed, and seeks considerably to widen the definition of what should be disclosed by obliging disclosure of any material that might be relevant to the case.

Amendment No. 31 offers an alternative. It proposes that the prosecutor must make available to the defence all material

"relevant to the offence or to the offender or to the surrounding circumstances of the case".

Those words have been chosen with care. They are taken from recommendation 124 of the royal commission on criminal justice, which was set up by the Government precisely with a view to recommending measures that would restore confidence in the criminal justice system. Ministers are not slow to quote the royal commission when it suits them, but they rejected that recommendation, and I am seeking to implement it.

My amendment No. 32, drafted with the help of the Law Society, offers yet another possibility. It deletes the reference to the prosecutor's opinion, and substitutes a test of reasonableness. My amendments Nos. 33 and 34—also drafted with the help of the Law Society—clarify the definition of prosecution material in clauses 3 and 7. As currently drafted, the Bill gives the police far too much latitude. There is a danger that they, not the overworked prosecuting counsel, will in practice decide what shall be disclosed. That is a recipe for a great deal of trouble in the future.

7.30 pm

The Government are spoilt for choice. They can choose between four definitions of what should be disclosed. Before they reject them all out of hand, they should perhaps bear it in mind that the definition proposed in the Bill has been rejected not only by the Opposition but by the royal commission, the Law Society and the Criminal Bar Association, whose members will have to implement the disclosure regime.

Far from simplifying matters, the Bill introduces unnecessary complications. Many criminal cases are not particularly complex: under the present system, the prosecution simply provides the defence with a bundle of what is known as non-material evidence—that is, statements collected by the police and not relied on as part of their case. The Bill requires the prosecutor to examine all material before handing it over, and to make a judgment about every item. He will then have to provide the defence with a schedule describing the nature of each item. Finally, the prosecutor must make a judgment about what further material must be disclosed. Just where will Crown prosecution lawyers, who are already considerably overstretched, find time to engage in such a complex procedure? There is an obvious danger that mistakes will

[Mr. Mullin]

be made; indeed, it is likely that in most cases such judgments will be left to the police, and that is fraught with danger.

I recognise—as the royal commission did—that occasional demands from unscrupulous lawyers for large quantities of material relevant to the defence case can cause unnecessary delay and expense. That is particularly the case in fraud trials. I acknowledge that it may well be possible to take steps to simplify and improve existing practice, but I do not believe that the problem is as great as some people allege. Indeed, I believe that it has been deliberately talked up to distract attention from the inconvenient fact that the failure of the police and Crown prosecutors to disclose material that they should have disclosed caused many of our recent problems.

In the Carl Bridgewater case—if I may take a topical example—many years elapsed before it was revealed to the defence that unidentified fingerprints had been found at the scene of the murder. A further five or six years elapsed before Ministers were persuaded to disclose that those fingerprints—which do not belong to any of the convicted men—were found on the victim's bike, which was picked up by one of the murderers and tossed into a nearby pigsty. Despite what has now emerged, and although the man who prosecuted in the case has urged the Government to refer it back to the Court of Appeal, the Home Secretary is refusing to do so. That suggests that a very casual attitude to disclosure prevails among Home Office Ministers. Indeed, one is bound to wonder whether any of the lessons of past disasters have been learnt.

That case is an illustration—only one of a number that I could offer—of the gulf that divides us on this issue. I say "divides us"; I remind the House that it divides the Government from not only the Opposition but the Criminal Bar Association, the Law Society and just about anyone with any expertise relating to criminal trials. It does not make sense to try to resolve problems with the existing arrangements by devising a system that is considerably more complicated than the existing system, and may store up even greater problems for the future.

Incidentally, anyone who thinks that this is a cheaper solution should reflect on the millions of pounds that are spent, and the vast quantities of extra paperwork that are incurred—to say nothing of the cost of imprisoning and compensating innocent people—when controversial cases revisit the Court of Appeal, often many years later. I have no doubt that, if it remains unamended, the Bill will result in more cases being referred back to the Appeal Court, as it becomes clear in future years that material that should have been made available to the defence at trial has been either negligently or deliberately—probably negligently in most cases—unreasonably withheld.

Mr. Michael: I wish to speak briefly about amendments Nos. 71 and 72, to which my name is attached.

Clause 3 requires the prosecutor to

"disclose to the accused any prosecution material which has not previously been disclosed to the accused and which in the prosecutor's opinion might undermine the case for the prosecution against the accused".

We feel that the words "in the prosecutor's opinion" incorporate in the Bill a subjective test, rather than the objective test that is normal in legislation. I shall not make the point at length, because I made it strongly in Committee. It is simple and straightforward, and I am surprised that the Government have still not accepted it—unless the Minister is going to surprise and delight us by accepting it in the next few minutes. I suspect that he will not do that.

Amendment No. 71 would leave out the words "in the prosecutor's opinion". Amendment No. 72 would replace the word "undermine" with the words "cast serious doubt on". We feel that the test that matters need to be disclosed if they might undermine the prosecution's case is far too black and white. To undermine a case is to leave nothing of that case to proceed, but other matters might be involved which, although not absolute and conclusive, would require judge and jury to exercise their critical faculties in deciding whether the case was made or had failed in the light of the evidence. The piece of evidence concerned, however, might be serious, and it is possible that, according to all the tests that we discussed in Committee and in previous debates on the Bill, it should be made available to the accused. It is not a question of absolutely anything having to be disclosed, but I feel that requiring the disclosure of significant material that would cast serious doubt on the case is preferable to the absolute concept of material that would totally undermine the case.

Let me make it clear—as we have done on a number of occasions, including Second Reading—that the Opposition fully support the Bill. We believe that the reduction in the volume of disclosure, and in the amount of paperwork, is an important objective. We also believe, however, that in seeking that objective it is important to get the balance right. That, indeed, is what most of our debates on Second Reading and in Committee have been about.

I think that the Bill has improved as a result of our debates. The Government have tabled amendments, in Committee and on Report, which deal with some of the issues raised in earlier debates. That is positive, and it is right to give credit for that. The absolute nature of the test in clause 3(1)(a) fails to get the balance right, and I hope that—at the very least—the Government will be willing to change the word "undermine" to a requirement to reveal material that would "cast serious doubt" on the case for the prosecution.

My hon. Friend the Member for Sunderland, South (Mr. Mullin) takes a serious view of these matters, and I greatly respect his opinion because of his experience and the vast amount of time that he has spent dealing with serious miscarriages of justice. His judgment has been proved right on a number of occasions when hon. Members and others have backed away from accepting the logic of his case. I understand his personal reservations about the Bill and his concerns that limiting disclosure may lead to miscarriages of justice. Opposition Front Benchers have taken a different approach, which is to try to make sure that safeguards are in place and that the balance is right, to produce a reduction in disclosure without leading to miscarriages of justice.

In general, the Bill has the balance right, but I hope that the Minister will accept the two specific amendments about which I have spoken—in particular amendment No. 72, which I believe would make a significant improvement to the balance of the Bill without in any way undermining its purpose, which we support.

The Solicitor–General: I listened with great interest to the hon. Member for Sunderland, South (Mr. Mullin) on this important topic, which goes to the heart of our reforms. I am a member of the Criminal Bar Association and I practise in the courts. If the regime is going to lead to injustice, I—together with my colleagues in the association—will be engaged in the front line with it. Therefore, I am as anxious as anyone can be to ensure that we put on the statute book a system that gives rise to justice, and avoids some of the horrible miscarriages of justice that have occurred in the past. I urge him not to remain in the past on this issue, as some of the critics of the Bill have done. The Government have learnt the lessons of the past and the structures that we are endeavouring to put in the Bill show that we have learnt those lessons well and truly.

Amendments Nos. 30, 72, 32 and 71 would all change the test for primary prosecution disclosure. In summary, they would not affect any worthwhile reform, and would entrench the present deficiencies of the law in the statute book. For that reason, I invite the House to resist the amendments. I would also caution against wrenching part of the new system out of its context. For example, there has been an over-close examination of the prosecution's primary disclosure and the test to be applied there. It must not be taken out of context, and should be looked at against the background of part II and the code that will be introduced, which will place new and extensive duties upon the police.

The hon. Member for Sunderland, South was right—unless the investigation is carried out both honestly and effectively, and unless honest and effective revelation is made of all information by the police to the prosecutor, injustices will occur. One of the best encouragements to get the police to act in an honest and effective way is to present them with a regime that is fair, and that they can see is fair. There is therefore no incentive for them to cut corners and indulge in what is sometimes infelicitously called "noble cause corruption". One of the attributes of the Bill is that it presents a regime that is fair, and places explicit duties on the police, prosecution and defence. Everyone will see that it is fair and will co-operate in its implementation. If so, the horrors of the past will be avoided.

Mr. Mullin: Does the Solicitor-General agree that, far from reducing the burden on the Crown Prosecution Service, the Bill will increase it, because the CPS will have to make a judgment about each separate item? Alternatively, will not the CPS leave the responsibility to the police because, as he knows, the CPS is seriously overstretched?

7.45 pm

The Solicitor–General: Such complaints are made by people who do not have sufficient first-hand experience of the system. One of the problems of the present system is that far too much material—indeed, virtually the bulk of the prosecution material as defined by the broad test of the Keane case—is revealed by the police, first to the prosecution and then by the prosecution to the defence, irrespective of what the defence case is. That must be stopped. We must introduce into our law a test that is focused on the revelation and dissemination to the prosecution and the defence of material that is necessary in the interests of justice. At the moment, virtually everything that the police find must be copied and disgorged through the system to the prosecution and the defence.

Amendment No. 30 proposes a test of relevance, which includes everything that might have a bearing on the case. That is very different from whether it has a bearing on the defence, and that is what the accused relies upon in court. The affect of the current test is that the police often have to photocopy and deliver large volumes of material to the accused, much of which is unnecessary and completely irrelevant to the defence. It places upon the police, as the hon. Member for Cardiff, South and Penarth said, a completely disproportionate burden.

A test as wide ranging as "relevance" does nothing to narrow the issues in dispute in the case. One of the objectives achieved by the legislation is not only to reduce the volume and nature of the material that goes down the pipeline from the prosecution to the defence, but to put in place a system that will enable the issues in the case to be identified before the trial begins. Our present system is sorely defective, in that it does not achieve that. All too often, we go into cases not knowing what the issues are, and we sometimes sit for weeks before the issues emerge. That must not be allowed to continue.

Amendment No. 72 would replace the word "undermine" with the phrase "cast serious doubt on". I do not accept that the word "undermine" is unduly weighty. It is designed to ensure that the prosecutor discloses at the first stage material that, generally speaking, has an adverse effect on the strength of the prosecution case. I urge those who say that that is an unduly narrow test to hold on because the machine does not stop there. The next stage is for the defence to put its case and then secondary prosecution disclosure takes place.

The second reason why I invite the House to reject amendment No. 72 is that it would not materially benefit the accused. It may create difficulties of its own by requiring the prosecutor to consider whether material casts doubt on the prosecution or serious doubt. There would be word pinching about whether it was a doubt or, as the amendment requires, a "serious doubt".

Amendments Nos. 32 and 72—a similar amendment was tabled in Committee—would introduce an objective test. They would give rise to the risk of judicial review of many thousands of cases in the magistrates court where, under our new regime, for the first time, there would be disclosure. There would be a risk of judicial review along the lines that existed for a period on the grounds of abuse of process based on delay. We do not want to return to that.

Mr. Michael: I am concerned at what the Solicitor-General is saying. First, the meaning that he places on the word "undermine" is far too slack. It means material that would do far more than merely have an adverse effect on the prosecution case, and therefore it is an onerous test. The test that we suggest involves material that would cast "serious doubt". I am not satisfied with his explanation. That would lead us to press amendment No. 72 to a vote. I invite him to explain why more legal challenges would be likely on our suggested wording than on his word, "undermine". Surely that word opens up far more avenues for argument than does our suggested formulation.

The Solicitor–General: The elimination of the words "in the prosecutor's opinion" and the substitution of that

[Mr. Michael]

subjective test by an objective one would lead to judicial review of many thousands of cases in the magistrates court.

Mr. Michael: With respect, I was talking about amendment No. 72. It was on that narrow point that I was asking for a response.

The Solicitor-General: The original White Paper, on which we consulted widely, had the word "undermine" in it. There was no dissent from that. When the Bill was introduced in the other place, the former Lord Chief Justice, Lord Taylor, gave it his blessing. We have considered time and time again the representations that we have had not only from the Opposition but from the Criminal Bar Association, the Bar Council and the Law Society and concluded that the present test is the correct one.

Amendments Nos. 31, 33 and 34 are not necessary. The code of practice provides that material that is relevant to the investigation must be recorded and retained by the investigator and revealed to the prosecutor, who will receive a schedule of sensitive material and a schedule of non-sensitive material. The description of each item on the schedule should make clear the nature of the item and contain sufficient detail to enable the prosecutor to form a judgment on whether it should be disclosed. Furthermore, clause 4 provides that the prosecutor must give the accused the schedule of non-sensitive material at the time of primary prosecution disclosure.

Similarly, amendment No. 34, which widens the definition of prosecution material in clause 7, is unnecessary because clause 8 provides that if the accused has reason to believe that the prosecutor has material that has not been disclosed and that might reasonably be expected to assist his defence, which he has disclosed, he may apply to the court for an order requiring the prosecutor to disclose such material. It is perfectly open for the defence in those circumstances to apply to the court for disclosure of the material that the prosecutor has not himself inspected but which is referred to on the schedule. That should allay the fear of the hon. Member for Sunderland, South that the defence will not be put in a position to put forward its best defence. We are confident that this regime, considered in full, will achieve the essential objective of doing justice in all cases. I therefore invite the House to reject the amendment.

Mr. Mullin: I want to address one point made by the Solicitor-General. He said that he suspected that the fears were on the part of people who were stuck in the past and who do not have too much experience. I will own up to not having much experience of the conduct of criminal cases, although some of those in which I have had an interest were large and complex. My points about the extra burden that would be placed on the prosecutor were made not by me, but in a paper by the Criminal Bar Association. The signatures on the bottom are those of Mr. Roy Amlot, QC; Mr. John Nutting, QC; Mr. Stephen Kramer, QC; Mr. David Perry; and Mr. Jeremy Dein, on behalf of the Criminal Bar Association. Those gentlemen have quite a lot of experience of the criminal justice process. I cannot stress too strongly that it is their opinion, not mine.

I take a more robust view than my Front-Bench colleagues, but I recognise that their amendments are an improvement on what is in the Bill. So, with some reluctance, I withdraw my amendment in favour of those of my hon. Friends.

Amendment, by leave, withdrawn.

Amendment proposed: No. 72, in page 2, line 35, leave out 'undermine' and insert 'cast serious doubt on'.—*[Mr. Michael.]*

Question put, That the amendment be made:

The House divided: Ayes 143, Noes 200.

Division No. 145] **[7.57 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Bayley, Hugh
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Chisholm, Malcolm
Clark, Dr David *(South Shields)*
Clwyd, Mrs Ann
Coffey, Ms Ann
Connarty, Michael
Corston, Jean
Cunningham, Jim *(Covy SE)*
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fraser, John
Fyfe, Maria
Gapes, Mike
George, Bruce
Gerrard, Neil
Godsiff, Roger
Golding, Mrs Llin
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jenkins, Brian *(SE Staff)*
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Khabra, Piara S
Killoyle, Peter
Liddell, Mrs Helen
Livingstone, Ken
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McKelvey, William
Maclennan, Robert
Madden, Max
Mahon, Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Maxton, John
Michael, Alun
Michie, Mrs Ray *(Argyll & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
Orme, Rt Hon Stanley
Pearson, Ian
Pike, Peter L
Pope, Greg
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Reid, Dr John
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*

Rowlands, Ted
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Welsh, Andrew
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony

Tellers for the Ayes:
Mr. Eric Clarke and
Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowis, John
Brandreth, Gyles
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burt, Alistair
Butterfill, John
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Deva, Nirj Joseph
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dykes, Hugh
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fox, Rt Hon Sir Marcus *(Shipley)*
French, Douglas
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Hendry, Charles
Hill, James *(Southampton Test)*
Horam, John
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Rt Hon Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maginnis, Ken
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Powell, William *(Corby)*
Rathbone, Tim
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Sackville, Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Young, Rt Hon Sir George

Tellers for the Noes:
Dr. Liam Fox and
Mr. Simon Burns.

Question accordingly negatived.

Clause 7

SECONDARY DISCLOSURE BY PROSECUTOR

Amendment made: No. 10, in page 5, line 15, leave out 'to the prosecutor'.—*[Mr. Maclean.]*

Clause 8

APPLICATION BY ACCUSED FOR DISCLOSURE

Amendment made: No. 11, in page 5, line 45, leave out 'to the prosecutor'.—*[Mr. Maclean.]*

Clause 9

CONTINUING DUTY OF PROSECUTOR TO DISCLOSE

Amendment made: No. 12, in page 6, line 46, leave out 'to the prosecutor'.—*[Mr. Maclean.]*

Clause 11

FAULTS IN DISCLOSURE BY ACCUSED

Amendments made: No. 13, in page 7, line 37, leave out 'that section' and insert 'section 5'.

No. 14, in page 7, line 40, leave out 'that section' and insert 'section 5'.

No. 15, in page 7, line 43, leave out 'that section' and insert 'section 5'.

No. 16, in page 8, line 2, leave out 'that section' and insert 'section 5'.—*[Mr. Maclean.]*

Clause 22

CODE OF PRACTICE

Amendment made: No. 18, in page 15, line 1, at end insert—

'(aa) that where a criminal investigation is conducted all reasonable steps are taken for the purposes of the investigation and, in particular, all reasonable lines of inquiry are pursued;'.—*[Mr. Maclean.]*

Clause 43

REINSTATEMENT OF CERTAIN PROVISIONS

Amendment made: No. 35, in page 27, line 24, leave out from '(repeals)' to end of line 25 and insert

'the entries relating to the following (which concern committal, transfer and other matters) shall be omitted—

(a) sections 13(3) and 49(2) of the Criminal Justice Act 1925;

(b) section 1 of the Criminal Procedure (Attendance of Witnesses) Act 1965;

(c) section 7 of the Criminal Justice Act 1967 and in section 36(1) of that Act the definition of "committal proceedings";

(d) in paragraph 1 of Schedule 2 to the Criminal Appeal Act 1968 the words from "section 13(3)" to "but";

(e) in section 46(1) of the Criminal Justice Act 1972 the words "Section 102 of the Magistrates' Courts Act 1980 and", "which respectively allow", "committal proceedings and in other", "and section 106 of the said Act of 1980", "which punish the making of", "102 or" and ", as the case may be", and section 46(2) of that Act;

(f) in section 32(1)(b) of the Powers of Criminal Courts Act 1973 the words "tried or";

(g) in Schedule 1 to the Interpretation Act 1978, paragraph (a) of the definition of "Committed for trial";

(h) in section 97(1) of the Magistrates' Courts Act 1980 the words from "at an inquiry" to "be) or", sections 102, 103, 105, 106 and 145(1)(e) of that Act, in section 150(1) of that Act the definition of "committal proceedings", and paragraph 2 of Schedule 5 to that Act;

(i) in section 2(2)(g) of the Criminal Attempts Act 1981 the words "or committed for trial";

(j) in section 1(2) of the Criminal Justice Act 1982 the words "trial or";

(k) paragraphs 10 and 11 of Schedule 2 to the Criminal Justice Act 1987;

(l) in section 20(4)(a) of the Legal Aid Act 1988 the words "trial or", and section 20(4)(bb) and (5) of that Act;

(m) in section 1(4) of the War Crimes Act 1991 the words "England, Wales or", and Part I of the Schedule to that Act.'—*[Mr. Maclean.]*

Clause 45

COMMITTAL PROCEEDINGS

Amendment made: No. 36, in page 28, line 23, after 'proceedings' insert 'and related matters'.—*[Mr. Maclean.]*

Clause 63

SUMMONS TO WITNESS TO ATTEND CROWN COURT

Amendments made: No. 1, in page 40, line 32, leave out 'sections'.

No. 2, in page 40, line 33, at end insert—

'"*Issue of witness summons on application*".

No. 3, in page 40, line 34, leave out

'Summons to witness to attend Crown Court'

and insert

'Issue of witness summons on application to Crown Court'.

No. 4, in page 41, line 5, after 'issued' insert 'under this section'.

No. 5, in page 41, line 6, leave out

'by a party to the case'.

No. 6, in page 41, line 26, at end insert—

'(aa) may, in such cases as the rules may specify, require an application to be made by a party to the case;'.

No. 7, in page 41, line 37, after 'hearing' insert

'of the application for the witness summons'.

No. 8, in page 42, line 13, after 'summons' insert

'which is issued under section 2 above and'.

No. 9, in page 43, line 45, at end insert—

'Issue of witness summons of court's own motion

Issue of witness summons of Crown Court's own motion

2D. For the purpose of any criminal proceedings before it, the Crown Court may of its own motion issue a summons (a witness summons) directed to a person and requiring him to—

(a) attend before the court at the time and place stated in the summons, and

(b) give evidence, or produce any document or thing specified in the summons.

Application to make summons ineffective

2E.—(1) If a witness summons issued under section 2D above is directed to a person who—

(a) applies to the Crown Court, and

(b) satisfies the court that he cannot give any evidence likely to be material evidence or, as the case may be, produce any document or thing likely to be material evidence,

the court may direct that the summons shall be of no effect.

(2) The Crown Court may refuse to make a direction under this section if any requirement relating to the application under this section is not fulfilled.

(3) An application under this section must be made in accordance with Crown Court rules; and different provision may be made for different cases or descriptions of case.

(4) Crown Court rules may, in such cases as the rules may specify, require that where—

(a) a person applying under this section can produce a particular document or thing, but

(b) he seeks to satisfy the court that the document or thing is not likely to be material evidence,

he must arrange for the document or thing to be available at the hearing of the application.

Other provisions'.—*[Mr. Maclean.]*

Clause 74

EXTENT

Amendment made: No. 19, in page 48, line 29, leave out 'section' and insert

'sections 43, 45, (*Abolition of witness orders*), (*Witness summons: securing attendance of witness*), (*Use of written statements and depositions at trial*) and'.—*[Mr. Maclean.]*

New Schedule

STATEMENTS AND DEPOSITIONS

Statements

1.—(1) Sub–paragraph (2) applies if—

(a) a written statement has been admitted in evidence in proceedings before a magistrates' court inquiring into an offence as examining justices,

(b) in those proceedings a person has been committed for trial,

(c) for the purposes of section 5A of the Magistrates' Courts Act 1980 the statement complied with section 5B of that Act prior to the committal for trial,

(d) the statement purports to be signed by a justice of the peace, and

(e) sub–paragraph (3) does not prevent sub–paragraph (2) applying.

(2) Where this sub–paragraph applies the statement may without further proof be read as evidence on the trial of the accused, whether for the offence for which he was committed for trial or for any other offence arising out of the same transaction or set of circumstances.

(3) Sub–paragraph (2) does not apply if—

(a) it is proved that the statement was not signed by the justice by whom it purports to have been signed,

(b) the court of trial at its discretion orders that sub–paragraph (2) shall not apply, or

(c) a party to the proceedings objects to sub–paragraph (2) applying.

(4) If a party to the proceedings objects to sub–paragraph (2) applying the court of trial may order that the objection shall have no effect if the court considers it to be in the interests of justice so to order.

Depositions

2.—(1) Sub–paragraph (2) applies if—

(a) in pursuance of section 97A of the Magistrates' Courts Act 1980 (summons or warrant to have evidence taken as a deposition etc.) a person has had his evidence taken as a deposition for the purposes of proceedings before a magistrates' court inquiring into an offence as examining justices,

(b) the deposition has been admitted in evidence in those proceedings,

(c) in those proceedings a person has been committed for trial,

(d) for the purposes of section 5A of the Magistrates' Courts Act 1980 the deposition complied with section 5C of that Act prior to the committal for trial,

(e) the deposition purports to be signed by the justice before whom it purports to have been taken, and

(f) sub–paragraph (3) does not prevent sub–paragraph (2) applying.

(2) Where this sub–paragraph applies the deposition may without further proof be read as evidence on the trial of the accused, whether for the offence for which he was committed for trial or for any other offence arising out of the same transaction or set of circumstances.

(3) Sub–paragraph (2) does not apply if—

(a) it is proved that the deposition was not signed by the justice by whom it purports to have been signed,

(b) the court of trial at its discretion orders that sub–paragraph (2) shall not apply, or

(c) a party to the proceedings objects to sub–paragraph (2) applying.

(4) If a party to the proceedings objects to sub–paragraph (2) applying the court of trial may order that the objection shall have no effect if the court considers it to be in the interests of justice so to order.

Signatures

3.—(1) A justice who signs a certificate authenticating one or more relevant statements or depositions shall be treated for the purposes of paragraphs 1 and 2 as signing the statement or deposition or (as the case may be) each of them.

(2) For this purpose—

(a) a relevant statement is a written statement made by a person for the purposes of proceedings before a magistrates' court inquiring into an offence as examining justices;

(b) a relevant deposition is a deposition made in pursuance of section 97A of the Magistrates' Courts Act 1980 for the purposes of such proceedings.

Time limit for objection

4. Without prejudice to section 84 of the Supreme Court Act 1981 (rules of court) the power to make rules under that section includes power to make provision—

(a) requiring an objection under paragraph 1(3)(c) or 2(3)(c) to be made within a period prescribed in the rules;

(b) allowing the court of trial at its discretion to permit such an objection to be made outside any such period.

Retrial

5. In Schedule 2 to the Criminal Appeal Act 1968 (procedural and other provisions applicable on order for retrial) in paragraph 1 for the words from "section 13(3)" to "before the original trial" there shall be substituted "paragraphs 1 and 2 of Schedule (*Statements and depositions*) to the Criminal Procedure and Investigations Act 1996 (use of written statements and depositions) shall not apply to any written statement or deposition read as evidence at the original trial".

Repeals

6.—(1) Section 13(3) of the Criminal Justice Act 1925 (which relates to depositions taken before examining justices and is superseded by paragraph 2 above) shall be omitted.

(2) Section 7 of the Criminal Justice Act 1967 (which is superseded by paragraph 3 above) shall be omitted.

Commencement

7. This Schedule shall have effect in accordance with provision made by the Secretary of State by order.'—*[Mr. Maclean.] Brought up, read the First and Second time, and added to the Bill.*

Schedule 1

COMMITTAL PROCEEDINGS

Amendments made: No. 38, in page 49, line 30, at end insert—

'(dd) statements complying with section 5D below.'

No. 39, in page 49, line 31, leave out from beginning to end of line 5 on page 50 and insert—

'(e) documents falling within section 5E below.'

No. 40, in page 50, line 48, at end insert—

'(6) In this section "document" means anything in which information of any description is recorded.'

No. 41, in page 51, line 15, at end insert—

'(4) So much of any deposition as is admitted in evidence by virtue of this section shall, unless the court commits the accused for trial by virtue of section 6(2) below or the court otherwise directs, be read aloud at the hearing; and where the court so directs an account shall be given orally of so much of any deposition as is not read aloud.

(5) Any document or other object referred to as an exhibit and identified in a deposition admitted in evidence by virtue of this section shall be treated as if it had been produced as an exhibit and identified in court by the person whose evidence is taken as the deposition.

(6) In this section "document" means anything in which information of any description is recorded.'

No. 42, in page 51, line 15, at end insert—

'Statements

5D.—(1) For the purposes of section 5A above a statement complies with this section if the conditions falling within subsections (2) to (4) below are met.

(2) The condition falling within this subsection is that, before the committal proceedings begin, the prosecutor notifies the magistrates' court and each of the other parties to the proceedings that he believes—

(a) that the statement might by virtue of section 23 or 24 of the Criminal Justice Act 1988 (statements in certain documents) be admissible as evidence if the case came to trial, and

(b) that the statement would not be admissible as evidence otherwise than by virtue of section 23 or 24 of that Act if the case came to trial.

(3) The condition falling within this subsection is that—

(a) the prosecutor's belief is based on information available to him at the time he makes the notification,

(b) he has reasonable grounds for his belief, and

(c) he gives the reasons for his belief when he makes the notification.

(4) The condition falling within this subsection is that when the court or a party is notified as mentioned in subsection (2) above a copy of the statement is given, by or on behalf of the prosecutor, to the court or the party concerned.

(5) So much of any statement as is in writing and is admitted in evidence by virtue of this section shall, unless the court commits the accused for trial by virtue of section 6(2) below or the court otherwise directs, be read aloud at the hearing; and where the court so directs an account shall be given orally of so much of any statement as is not read aloud.'

No. 43, in page 51, line 15, at end insert—

'Other documents

5E.—(1) The following documents fall within this section—

(a) any document which by virtue of any enactment is evidence in proceedings before a magistrates' court inquiring into an offence as examining justices;

(b) any document which by virtue of any enactment is admissible, or may be used, or is to be admitted or received, in or as evidence in such proceedings;

(c) any document which by virtue of any enactment may be considered in such proceedings;

(d) any document whose production constitutes proof in such proceedings by virtue of any enactment;

(e) any document by the production of which evidence may be given in such proceedings by virtue of any enactment.

(2) In subsection (1) above—

(a) references to evidence include references to prima facie evidence;

(b) references to any enactment include references to any provision of this Act.

(3) So much of any document as is admitted in evidence by virtue of this section shall, unless the court commits the accused for trial by virtue of section 6(2) below or the court otherwise directs, be read aloud at the hearing; and where the court so directs an account shall be given orally of so much of any document as is not read aloud.

(4) In this section "document" means anything in which information of any description is recorded.'

No. 44, in page 51, line 15, at end insert—

'Proof by production of copy

5F.—(1) Where a statement, deposition or document is admissible in evidence by virtue of section 5B, 5C, 5D or 5E above it may be proved by the production of—

(a) the statement, deposition or document, or

(b) a copy of it or the material part of it.

(2) Subsection (1)(b) above applies whether or not the statement, deposition or document is still in existence.

(3) It is immaterial for the purposes of this section how many removes there are between a copy and the original.

(4) In this section "copy", in relation to a statement, deposition or document, means anything onto which information recorded in the statement, deposition or document has been copied, by whatever means and whether directly or indirectly.'

No. 45, in page 51, line 41, leave out from beginning to end of line 42.

No. 46, in page 52, line 22, leave out first 'the' and insert 'a'.

No. 47, in page 52, line 33, leave out 'Isles' and insert 'Islands'.

No. 48, in page 52, line 36, leave out from beginning to end of line 38.

No. 49, in page 52, line 53, at end insert—

'(6A) Where—

(a) a summons is issued under subsection (2) above or a warrant is issued under subsection (3) or (6) above, and

(b) the summons or warrant is issued with a view to securing that a person has his evidence taken as a deposition,

the time appointed in the summons or specified in the warrant shall be such as to enable the evidence to be taken as a deposition before a magistrates' court begins to inquire into the offence concerned as examining justices.'

No. 50, in page 53, line 39, after 'for' insert

'"tendered" there shall be substituted "admitted" and for'.

No. 51, in page 53, line 40, leave out from 'Schedule 3' to end of line 41 and insert

'the following shall be substituted for paragraph 2(a) (representative may make statement on behalf of corporation before examining justices)—

"(a) make before examining justices such representations as could be made by an accused who is not a corporation;".'

No. 52, in page 53, line 43, at end insert—

'Criminal Law Amendment Act 1867

14A. Sections 6 and 7 of the Criminal Law Amendment Act 1867 (statements taken under section 105 of the Magistrates' Courts Act 1980) shall be omitted.'

No. 53, in page 54, line 37, leave out paragraph 22 and insert—

'22.—(1) Section 46 of the Criminal Justice Act 1972 (written statements made outside England and Wales) shall be amended as follows.

(2) In subsection (1) the following words shall be omitted—

(a) "Section 102 of the Magistrates' Courts Act 1980 and";

(b) "which respectively allow";

(c) "committal proceedings and in other";

(d) "and section 106 of the said Act of 1980";

(e) "which punish the making of";

(f) "102 or";

(g) ", as the case may be".

(3) The following subsections shall be inserted after subsection (1)—

"(1A) The following provisions, namely—

(a) so much of section 5A of the Magistrates' Courts Act 1980 as relates to written statements and to documents or other exhibits referred to in them,

(b) section 5B of that Act, and

(c) section 106 of that Act,

shall apply where written statements are made in Scotland or Northern Ireland as well as where written statements are made in England and Wales.

(1B) The following provisions, namely—

(a) so much of section 5A of the Magistrates' Courts Act 1980 as relates to written statements and to documents or other exhibits referred to in them, and

(b) section 5B of that Act,

shall (subject to subsection (1C) below) apply where written statements are made outside the United Kingdom.

(1C) Where written statements are made outside the United Kingdom—

(a) section 5B of the Magistrates' Courts Act 1980 shall apply with the omission of subsections (2)(b) and (3A);

(b) paragraph 1 of Schedule (*Statements and depositions*) to the Criminal Procedure and Investigations Act 1996 (use of written statements at trial) shall not apply."

(4) Subsection (2) shall be omitted.'

No. 54, in page 55, line 13, at end insert—

'23A. The following shall be inserted at the end of section 71 of the Police and Criminal Evidence Act 1984 (microfilm copies)—

"Where the proceedings concerned are proceedings before a magistrates' court inquiring into an offence as examining justices this section shall have effect with the omission of the words "authenticated in such manner as the court may approve."'

No. 55, in page 55, line 33, leave out lines 33 to 37 and insert—

' "(5) This section shall not apply to proceedings before a magistrates' court inquiring into an offence as examining justices."'

No. 56, in page 55, line 40, leave out lines 40 to 43 and insert—

' "(5) This section shall not apply to proceedings before a magistrates' court inquiring into an offence as examining justices."'

No. 57, in page 55, line 43, at end insert—

'28A. The following shall be inserted at the end of section 26 of the Criminal Justice Act 1988 (statements in certain documents)—

"This section shall not apply to proceedings before a magistrates' court inquiring into an offence as examining justices."

28B. The following shall be inserted at the end of section 27 of the Criminal Justice Act 1988 (proof of statements contained in documents)—

"This section shall not apply to proceedings before a magistrates' court inquiring into an offence as examining justices."'—*[Mr. Maclean.]*

Schedule 2

FRAUD

Amendment made: No. 17, in page 61, line 9, at end insert—

'(aa) on or after the appointed day the accused is committed for trial for the offence,'.—*[Mr. Maclean.]*

Schedule 3

MODIFICATIONS FOR NORTHERN IRELAND

Amendments made: No. 70, in page 62, line 22, at end insert—

'5A. In section (*Time limits: transitional*) (1) for "the bill of indictment is preferred" substitute "the indictment is presented".'

No. 20, in page 64, line 35, leave out from beginning to end of line 43 and insert—

'(8) This section applies where a notice of transfer is given under Article 3 of the 1988 Order or Article 4 of the 1995 Order (as the case may be) on or after the appointed day".

17A. In section (*War crimes: abolition of transfer procedure*) for subsections (1) and (2) substitute—

"(1) Part II of the Schedule to the War Crimes Act 1991 and section 1(4) of that Act so far as relating thereto (transfer procedure in Northern Ireland in cases of war crimes) shall cease to have effect.

(2) In Article 29(2) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (free legal aid in Crown Court) sub–paragraph (d) (which relates to a notice of transfer under Part II of the Schedule to the War Crimes Act 1991) shall cease to have effect." '.

No. 21, in page 67, line 7, leave out

'Summons to witness to attend Crown Court'

and insert

'Issue of witness summons on application to Crown Court'.

No. 22, in page 67, line 22, after 'issued' insert 'under this section'.

No. 23, in page 67, line 22, leave out

'by a party to the case'.

No. 24, in page 67, line 42, at end insert—

'(aa) may, in such cases as the rules may specify, require an application to be made by a party to the case;'.

No. 25, in page 67, line 52, after 'hearing' insert

'of the application for the witness summons'.

No. 26, in page 68, line 21, after 'summons' insert

'which is issued under section 51A and'.

No. 27, in page 69, line 39, at end insert—

'Issue of witness summons of Crown Court's own motion

51DA. For the purpose of any criminal proceedings before it, the Crown Court may of its own motion issue a summons (a witness summons) directed to a person and requiring him to—

(a) attend before the court at the time and place stated in the summons; and

(b) give evidence or produce any document or thing specified in the summons.

Application to make summons ineffective

51DB.—(1) If a witness summons issued under section 51DA is directed to a person who—

(a) applies to the Crown Court, and

(b) satisfies the court that he cannot give any evidence likely to be material evidence or, as the case may be, produce any document or thing likely to be material evidence,

the court may direct that the summons shall be of no effect.

(2) The Crown Court may refuse to make a direction under this section if any requirement relating to the application under this section is not fulfilled.

(3) An application under this section must be made in accordance with Crown Court rules; and different provision may be made for different cases or descriptions of case.

(4) Crown Court rules may, in such cases as the rules may specify, require that where—

(a) a person applying under this section can produce a particular document or thing, but

(b) he seeks to satisfy the court that the document or thing is not likely to be material evidence,

he must arrange for the document or thing to be available at the hearing of the application.'

No. 28, in page 70, line 46, at end insert—

'26A. In section 64(1) for "section 9 of the Criminal Justice Act 1967" substitute "section 1 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968" and for "subsection (3)(a)" substitute "subsection (4)(a)".'

No. 29, in page 75, line 38, leave out from beginning to end of line 44 and insert—

'1. WAR CRIMES

Chapter or Number	Short title	Extent of repeal
1981 NI 18	The Legal Aid, Advice and Assistance (Northern Ireland) Order 1981.	In Article 29(2), sub-paragraph (d) and the word "or" immediately before it.
1991 c.13	The War Crimes Act 1991.	Section 1(4), so far as relating to Part II of the Schedule. Section 3(3). Part II of the Schedule.'

—[Mr. Maclean.]

Schedule 4

REPEALS

Amendments made: No. 58, in page 77, line 10, column 3, leave out from beginning to end of line 12 and insert—

'In Schedule 11, the entries mentioned in note 1 below.'

No. 59, in page 77, line 12, at end insert—

'1. The entries in Schedule 11 to the 1994 Act are those relating to the following—

(a) sections 13(3) and 49(2) of the Criminal Justice Act 1925;

(b) section 1 of the Criminal Procedure (Attendance of Witnesses) Act 1965;

(c) section 7 of the Criminal Justice Act 1967 and in section 36(1) of that Act the definition of "committal proceedings";

(d) in paragraph 1 of Schedule 2 to the Criminal Appeal Act 1968 the words from "section 13(3)" to "but";

(e) in section 46(1) of the Criminal Justice Act 1972 the words "Section 102 of the Magistrates' Courts Act 1980 and", "which respectively allow", "committal proceedings and in other", "and section 106 of the said Act of 1980", "which punish the making of", "102 or" and ", as the case may be", and section 46(2) of that Act;

(f) in section 32(1)(b) of the Powers of Criminal Courts Act 1973 the words "tried or";

(g) in Schedule 1 to the Interpretation Act 1978, paragraph (a) of the definition of "Committed for trial";

(h) in section 97(1) of the Magistrates' Courts Act 1980 the words from "at an inquiry" to "be) or", sections 102, 103, 105, 106 and 145(1)(e) of that Act, in section 150(1) of that Act the definition of "committal proceedings", and paragraph 2 of Schedule 5 to that Act;

(i) in section 2(2)(g) of the Criminal Attempts Act 1981 the words "or committed for trial";

(j) in section 1(2) of the Criminal Justice Act 1982 the words "trial or";

(k) paragraphs 10 and 11 of Schedule 2 to the Criminal Justice Act 1987;

(l) in section 20(4)(a) of the Legal Aid Act 1988 the words "trial or", and section 20(4)(bb) and (5) of that Act;

(m) in section 1(4) of the War Crimes Act 1991 the words "England, Wales or", and Part I of the Schedule to that Act.'

No. 60, in page 77, line 13, leave out 'These repeals' and insert

'2. The repeals under this paragraph (reinstatement of certain provisions)'.

No. 61, in page 77, line 13, at end insert—

'1A. WAR CRIMES

Chapter	Short title	Extent of repeal
1988 c.34.	Legal Aid Act 1988.	Section 20(4)(bb).
1991 c.13.	War Crimes Act 1991.	In section 1(4) the words "England, Wales or". Section 3(2). Part I of the Schedule.'

No. 62, in page 78, line 4, at end insert—

'4A. WITNESS ORDERS

Chapter	Short title	Extent of repeal
1965 c.69.	Criminal Procedure (Attendance of Witnesses) Act 1965.	Section 1. In section 3(1) the words "witness order or". In section 4(1) the words "witness order or" and (where they next occur) "order or". In the proviso to section 4(1) the words from "in the case" (where they first occur) to "witness summons". In section 4(2) the words "a witness order or" and (where they next occur) "order or".
1971 c.23.	Courts Act 1971.	In Schedule 8, paragraph 45(1).
1980 c.43.	Magistrates' Courts Act 1980.	Section 145(1)(e).

These repeals have effect in accordance with provision made by the Secretary of State by order under section (*Abolition of witness orders*) of this Act.'

No. 63, in page 79, line 13, at end insert—

'1867 c. 35.	Criminal Law Amendment Act 1867.	Section 6. Section 7.
1972 c.71.	Criminal Justice Act 1972.	In section 46(1) the following words— "Section 102 of the Magistrates' Courts Act 1980 and"; "which respectively allow"; "committal proceedings and in other"; "and section 106 of the said Act of 1980"; "which punish the making of"; "102 or"; ", as the case may be". Section 46(2).'

No. 64, in page 79, column 3, leave out lines 14 and 15.

No. 65, in page 79, leave out line 25.

No. 66, in page 79, line 25, column 3, at end insert—

'In Schedule 7, paragraph 2.'

No. 67, in page 79, line 30, column 3, at end insert—

'In Schedule 15, paragraph 68.'

No. 68, in page 79, line 32, at end insert—

'8A. STATEMENTS AND DEPOSITIONS

Chapter	Short title	Extent of repeal
1925 c.86.	Criminal Justice Act 1925.	Section 13(3).
1965 c.69.	Criminal Procedure (Attendance of Witnesses) Act 1965.	In Part I of Schedule 2, the entry relating to the Criminal Justice Act 1925.
1967 c.80.	Criminal Justice Act 1967.	Section 7.
1980 c.43.	Magistrates' Courts Act 1980.	In Schedule 7, paragraph 63.

These repeals have effect in accordance with provision made by the Secretary of State by order under Schedule (*Statements and depositions*) to this Act.'—*[Mr. Maclean.]*

Main Question put forthwith, pursuant to Standing Order No. 60 (Amendment on Second or Third Reading), and agreed to.

Bill accordingly read the Third Time, and passed.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation).

European Communities (Treaties)

That the draft European Communities (Definition of Treaties) (The Energy Charter Treaty) Order 1996, which was laid before this House on 20th May, be approved.—*[Mr. Burns.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation).

Gun Barrel Proving

That the draft Deregulation (Gun Barrel Proving) Order 1996, which was laid before this House on 29th April, be approved.—*[Mr. Burns.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 102(9) (European Standing Committees).

Driving Licences

That this House takes note of European Community Document No. 5414/96 relating to driving licences, and endorses the Government's proposed approach to negotiations on the proposal in the Council.—*[Mr. Burns.]*

Question agreed to.

273 Squadron (Badge)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

8.11 pm

Mr. Nigel Waterson (Eastbourne): We have all heard about the forgotten army in Burma, a memorable phrase coined by the late Earl Mountbatten. The debate tonight is about the forgotten squadron—a group of brave men who have fought for more than 50 years ago to have their squadron properly recognised.

No. 273 Fighter Squadron was originally formed during the first world war, and was disbanded at the end of hostilities. The squadron was reformed on 1 August 1939 in Ceylon, where it withstood the most ferocious Japanese attack. The squadron went on to be one of the most forward squadrons during the Burma campaign, as it was based just 260 miles south of Japanese lines. It was the first squadron into Rangoon and into Saigon. Its pilots flew sortie after sortie from airstrips cut from the jungle or from dried-up rice fields.

Conditions were far from ideal, and 14 pilots were killed. Since the days of the last war, others have died from natural causes, but the spirit of 273 Squadron has lived on, in the survivors and in the families of those who have not survived.

The campaign, spanning more than 50 years, has sought to give the squadron the recognition it so richly deserves by means of a squadron badge. I was wholly unaware of the history of 273 squadron until I received a letter from a constituent, Mr. Miles Bayly, known affectionately as Bill. He wrote to me on 6 March and told me that he had served as pilot in Burma with 273 Squadron, and also told me of the attempts to obtain a squadron badge since November 1944.

As he put it:

"many members of the squadron who came from the UK, Canada, Australia and New Zealand are now all well into their seventies with the likelihood of a limited remaining life expectancy. Thus it would seem fitting and most appropriate if this question could be resolved now before they, and the squadron, sink into oblivion—'unwept, unhonoured and unsung'."

I was touched by that appeal, and immediately raised the matter in correspondence with the Ministry of Defence. I asked for the debate tonight because the MOD is still putting forward what are, in my opinion, inadequate reasons for not honouring the squadron. To grant it its badge would be a relatively small thing for the Ministry, but it would mean so much for the survivors of 273 Squadron, their families and the families of those who did not survive.

The squadron is, I am told, the only active service Fighter Command squadron that fought in any the theatre of war in the second world war, and suffered significant losses, and yet was not granted its own badge. You may ask, Madam Deputy Speaker, why that has presented a problem. Over the years, the MOD has put forward a number of different reasons or excuses.

It is said by Ministers, and most recently by the Parliamentary Under-Secretary of State for Defence, Earl Howe, that badges are not approved for disbanded units. That can hardly be of any real relevance, because the original application for the 273 Squadron badge was submitted from Ceylon in 1943. The request was received in Whitehall, after some delay, in November 1944, before the squadron was disbanded for the second time.

I take the view, not unreasonably, that any delay after the application was made is a matter for the MOD, and not the fault of the squadron. After all, it was certainly not within its control when it was disbanded at the end of the war.

The actual design for the badge comprises the ancient Asian fylfot or cross Gamadian on a castellated fess, symbolising peace and good will. Superimposed on that is the black widow spider, with the motto "Toujours Prêt". It is said that the cost of granting badges in such circumstances would be "prohibitive", apparently because each design submitted must be approved by the College of Arms and Her Majesty the Queen. I would like the Minister to tell us what sort of costs we are talking about. I cannot imagine that they come even close to outweighing the sacrifices made by those who did not survive—or, indeed, by those who did.

Amazingly, the Parliamentary Under-Secretary of State, who wrote to me on 21 May, said that, apart from the cost of granting badges in such circumstances being "prohibitive", it

"would immediately be non-effective".

Well, that may be strictly true in terms of a squadron that no longer exists, but that is far from the case when one considers the feelings of those involved. A squadron does not cease to exist in the hearts of its men merely because it is disbanded. It is important to note that the squadron was disbanded once, and re-formed, and then disbanded a second time. Heaven forbid, there is always the possibility that it may be re-formed in the future.

Another reason for not granting the badge that has been given in the past, and in the Under-Secretary's letter most recently, is that the design originally submitted by the unit incorporated a fylfot, which is synonymous with the swastika. While there may be some similarity between the fylfot and the swastika, the former, which in Asia symbolises peace and good will, is considerably older than the swastika, and was recognised, and in general use, thousands of years before it was hijacked by the Nazi party.

It would indeed be the height of absurdity if that Royal Air Force squadron were to be denied its badge design of choice because of the modern pretensions of the Nazis, one of the very enemies against whom it was fighting. Be that as it may, it has been put to me that, if this still appears to be an insurmountable objection to the granting of the badge, the survivors are prepared to consider a change in design. I think that is only fair, and I hope that it will provoke a dialogue with the MOD and with the College of Arms.

A further objection is that parts of the design and the motto have been incorporated into the badges of other units. I am told that there is no formal objection to the use of a motto more than once. Indeed, King George VI granted 617 Squadron the motto "Apres Moi Le Deluge", which was already in use. I have explained that the survivors are willing to consider a change in the design if it is thought appropriate.

Incidentally, I have received a letter from another constituent, Mr. Reg Baldwin, who pointed out that, during the 1914-18 war, the British National War Savings Committee used an emblem very similar to the swastika.

Another reason that is put forward from time to time is that the granting of 273 Squadron's request would open the floodgates for other units. In addition, there is a rule that a squadron should exist for five years before and after receiving recognition of its badge. Only one other squadron has been mentioned as being in a similar position to 273 Squadron. I very much doubt whether there would be a queue of other units seeking recognition after all these years.

I am told that there are a number of squadrons that did not come within the five-year rule, but they still received badges—including Squadrons 272, 274, 353, 617 and 684. For example, 177 Squadron existed for only two years and seven months, and it was granted a badge after it was disbanded. I have already made the point that 273 Squadron had no control over its disbanding, but that it certainly made its application for a badge before that date. Moreover, it can trace its history back to the great war.

As if this were not enough, there is also a regulation saying that those who made conspicuous contributions are exempt from the normal requirements. I am afraid that I must part company with the Minister, who said in a letter to me:

"The lack of a badge should not detract from the very great contribution made by those who served in 273 squadron."

However, the letter fails to recognise that those who suffered the privations of the Burma campaign and who put their lives on the line on a daily basis feel that their recognition is incomplete without the badge being approved. It means that their badge cannot appear in the RAF church, St. Clement Danes, or in the RAF club in Piccadilly or in the RAF museum in Hendon. That is the issue here, and that is why I urge my hon. Friend to apply a fresh mind to it.

I shall quote from a moving letter that I received from John Taylor MC, from Dorset, who had read of the efforts of 273 Squadron to obtain recognition. He wrote a letter to the editor of *The Times* and spoke about the involvement of the squadron in his activities when he was attached to the 5th Indian division near Rangoon. He talked about the Gurkhas being cut off on the banks of the Sittang river and about 273 Squadron coming on to the scene.

He stated:

"First, they bombed a machine gun post occupied by the Japs, which fired straight down the railway line for the Jap railway. Armed with 500lb bombs they dived in sequence, in spite of Jap efforts to discourage them. Finally, a lucky strike got a bomb to enter the post via an opening. Watching, I saw the roof lift about a foot. After that, the machine gun was silent"—

adding, in a masterpiece of understatement—

"and crossing the line from one side of our perimeter to the other became much easier."

"Secondly, two nights later, the Japs had succeeded in getting 150 men and 75mm guns into caves on the cliff of the Sittang River . . . I counted 142 shells which landed in our area within half an hour. I took bearings of the gun flashes".

The information was then passed on to 273 Squadron.

He continued:

"it was later reported that three or more of the guns had been knocked out by bombs."

He concluded:

"For these two actions 273 Squadron have surely earned the right to be treated in exactly the same way as all other Squadrons of the Royal Air Force, who were so helpful to us on the ground."

With respect, Mr. Taylor is in a far better position to judge the true contribution of 273 Squadron than any civil servant in Whitehall. The men of 273 Squadron risked their lives flying Spitfires in the heat of battle, alongside the forgotten army. Many paid the supreme sacrifice, and now—50 years later—there are only 90 survivors. They seek the recognition that they and their fallen comrades so richly deserve.

8.15 pm

The Minister of State for the Armed Forces (Mr. Nicholas Soames): I congratulate my hon. Friend the Member for Eastbourne (Mr. Waterson) on securing this important debate tonight, and I am delighted to have the opportunity to reply to it. My hon. Friend deserves great credit for bringing this matter to the attention of the House.

Many hon. Members have made representations to my Department on this important matter. I pay a warm tribute to the efforts of my hon. Friend's constituent, Mr. Bill Bayly. I also pay a warm tribute to the dedication of Miss Jane Pelling, who has worked tirelessly with veterans and their dependants to enlist the support of hon. Members in bringing an important and interesting matter before the House.

I have listened with great care and interest to the points made by my hon. Friend. I share with him—he knows that I mean this—the sentiments that he has expressed about the contribution that the men in 273 Squadron made to the heroic struggle in the far east. They were dark days, and we all owe an immense debt of gratitude to those gallant Royal Air Force men who fought so well against the Japanese. They performed a valuable service. I am reminded of the words of Field Marshal Lord Slim, who, in speaking of the RAF's part in victory, said:

"I do not think that such devotion has been surpassed in any air force, and I doubt that it has been equalled."

The 273 Squadron made a particularly noteworthy contribution, first in resolutely defending Ceylon, and then, once the tide had turned, in speeding the retreat of the enemy's forces by constantly harassing their ground positions. As my hon. Friend said, their efforts were not made without supreme sacrifice—and a number of valiant squadron members sadly lost their lives on other occasions during the campaign.

I want hon. Members to understand how deeply I share in the wish of all those who are keen—rightly and admirably—to keep alive, green and fresh, the cherished memory of those fine young men of 273 Squadron and its significant contribution to winning the war in the far east. We should and do remember their efforts. We should do so as a tribute to those who sadly died. Succeeding generations should look back with pride and in wonder at the achievements of their forebears.

I deeply wish that it need not have been necessary for my hon. Friend to bring this matter before the House today. I wish also that it could have been possible to accede to the request of Miss Pelling and fellow supporters of the 273 Squadron and to award a badge to the squadron. However, as the many hon. Members who have made representations to me are aware, the award of a badge results from a detailed process, to which are rightly attached long-standing rules that have been applied faithfully and consistently over the years for very good reasons.

[Mr. Nicholas Soames]

Indeed, it is precisely the ancient traditions, rules and conventions of heraldry that make an officially approved badge so special—and they are the rules that prevent my Department from responding positively to this request.

I therefore hope that the House will forgive me if I pause a moment to explain a little about the significance of squadron badges. I will also touch on the process by which those badges are awarded. That is important in understanding why my Department has been unable to agree to the award of a unit badge to No. 273 Squadron.

The control of heraldry, and therefore of unit badges, squadron standards and the Queen's colours in the Royal Air Force, is entrusted to officers of the College of Arms, who are appointed by the sovereign for that purpose. The granting of new arms is the prerogative of the sovereign, as she is the Fountain of Honour. That prerogative is delegated by letters patent under the Great Seal to the Kings of Arms-Garter, Clarenceux, Norroy and Ulster in England and Northern Ireland, and Lyon in Scotland.

My hon. Friends may be aware that heraldry first appeared in this country about the middle of the 12th century. Its object was twofold: on the one hand there was a need to identify one person from another in battle, when mediaeval armour completely covered the wearer and made him indistinguishable save by the banner, shield and surcoat of his arms; and on the other there was a requirement to identify him when conducting business. In a time when writing was not commonly practised, documents were "signed" by affixing to them the seals of their arms.

Heraldic insignia consists of arms, crests and badges. Arms are borne on a shield, and crests on a helmet, corresponding to their original uses. Badges are a separate category. They are devices which stand alone, and were used—as they are today—to mark and to identify property. They are possibly the oldest form of heraldic insignia.

Before the 18th century, Army regiments tended to be raised and supported by the officers who commanded them. The commanding officer thus placed his arms on colours and uniforms in order to signify his control of the unit. From that time on, however, a royal warrant laid down that no regiment might bear on its colours the arms or crest of its colonel, thereby asserting the prerogative of the Crown to raise armies.

Regiments were henceforth the King's regiments, and therefore any badges borne on their colours must be royal badges or badges approved by the sovereign. That rule against displaying arms and crests of individuals and corporations has since been generally enforced. When badges were instituted for Royal Air Force units, a similar rule was laid down.

Badges, not crests, are used by all three services. The various devices are heraldic in nature, and are controlled by heraldic officers—the newly appointed inspector of Royal Air Force badges is Garter, Principal King of Arms. Royal Air Force badges are designed to bear some allusion to the services or associations of the units to which they are assigned. All unique badges receive the approval of Her Majesty the Queen before they are issued and recorded.

Badges are approved, I stress, as a means of displaying to the world the unit's pride in its service to the sovereign. Therefore, giving the badge a memorial significance—while in many ways a wholly admirable sentiment—plays no part in its essential nature, which is simply as a unique unit identification. It is the standard of the fighting unit that is more appropriately identified as a memorial, bearing as it does the battle honours of the unit. My hon. Friend and I have been privileged to see many regimental and unit standards of the three services displayed with great reverence in churches and cathedrals throughout the length and breadth of this land.

The procedures for obtaining a badge include a requirement that the unit should have been in existence for a least five years or, exceptionally, have made some conspicuous and meritorious contribution to the good name of the Royal Air Force—clearly No. 273 Squadron did that. It must have at least five years further service available to it. Furthermore, the design of the badge and motto must be in a form acceptable to the service chain of command who will recommend the design to the College of Arms for endorsement.

The College of Arms must also be satisfied that the proposed design is unique and heraldically correct. In the case of Royal Air Force unit badges, the heraldic decision is made by the Inspector of Air Force Badges. Finally, if the criteria are met, the badge is submitted to the sovereign for Her Majesty's personal approval.

I hope that that general explanation of the award of unit badges will help my hon. Friend to understand—as I know he does—the great difficulty that I have in responding positively to the request for a unit badge for No. 273 Squadron. A badge design was first submitted by 273 Squadron for approval in November 1944. That design, which we are told was being used by the squadron throughout the Burma campaign, was rejected by the Air Command South East Asia, by the Allied Air Commander-in-Chief, by the Air Ministry and by the College of Arms.

As a consequence, the squadron was requested to submit an alternative design. It did so, but regretfully that also was rejected, as it duplicated both a design and a motto already in use. The squadron was accordingly invited to submit a further alternative design. In March 1946, on the instructions of the then Air Command South East Asia, no further action was taken on the resubmission of an alternative unit badge. Under the rules then current, such a resubmission on behalf of a disbanded unit would not have been allowed—neither, I should add, would such a submission be acceptable today.

No. 273 Squadron is not alone in not having a unit badge. Indeed, there are some 80 former Royal Air Force flying squadrons for whom no badge was approved for a large number of reasons. Some, like 273 Squadron, were disbanded before a design could be agreed, and there were those who simply failed to apply.

I know that, over the past 30 years, a number of requests for the award of a badge have been rejected. I know—and wholly appreciate—that those decisions have been met with great disappointment and sadness by those who have advocated the award of a badge for 273 Squadron. They rightly point out that, without a unit badge, there can be no representation of the squadron alongside the replica slate badges in the floor of the Royal Air Force church of St Clement Danes in the Strand, or at the Royal Air Force museum at Hendon.

As I hope my hon. Friend will appreciate, I share fully in the sadness of those who regret that it is not possible for an official badge to be accepted. However, I am truly

at a loss to see how the House can be asked to change an event in history: put simply, the squadron was disbanded before a badge could be awarded. Nor am I able to seek the approval of Her Majesty the Queen regarding the award of a badge that is not required to identify equipment in the service of the Crown. That would amount to the reversal of a policy approved by previous sovereigns, which has stood the test of time over the past 200 years.

That said, I believe that there are a number of steps that might assist those hon Members who believe, as I do, that the squadron deserves better recognition. I believe that there could be no more fitting memorial to that heroic squadron than if the group who have campaigned so splendidly were to form into an official squadron association. My hon. Friend may not know that Garter, King of Arms may, by letters patent, grant an heraldic insignia to squadron associations. In the absence of an official badge, that may enable the veterans of 273 Squadron to gain, in part, what they desire.

Furthermore, it would potentially facilitate the provision of a permanent memorial to 273 Squadron. I am pleased to say that, following discussions that I have had via the relevant command, the trustees of St Clement Danes would be prepared in principle to give sympathetic consideration to a request from the supporters of 273 Squadron for a memorial of an approved design to take its place in the body of the church along with those of other squadrons. My Department will of course be delighted to assist in bringing that to fruition if it is the wish of a newly formed squadron association.

We all agree that we owe a huge debt to those who fought so valiantly, and who sacrificed so much, in order that subsequent generations should enjoy freedom. That debt can never be fully repaid. I hope that the House will understand and accept my explanations of why it has not been possible to accede to the request for the award of a unit badge to the disbanded 273 Squadron.

I hope that my hon. Friends will agree that the lack of a badge in no way diminishes the fine record of 273 Squadron. The men of that squadron are neither unwept, unhonoured nor unsung. Nor does it deny the squadron its rightful place in history among all the other units which gave so much in the cause of freedom. As I have said, many other squadrons for one reason or another have, like 273 Squadron, not been awarded a unit badge.

I hope that the House is encouraged by my remarks about the possibility of placing a memorial in St Clement Danes. I commend that course to those who have tonight brought the record of 273 Squadron so admirably to the attention of the House. I warmly congratulate my hon. Friend the Member for Eastbourne on his measured, persuasive and elegant presentation tonight.

Question put and agreed to.

Adjourned accordingly at twenty minutes to Nine o'clock.

House of Commons

Thursday 13 June 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

ALLIED IRISH BANKS BILL

Considered; to be read the Third time.

KING'S COLLEGE LONDON BILL *[Lords] (By Order)*

Order for Second Reading read.

To be read a Second time upon Thursday 20 June.

Oral Answers to Questions

NORTHERN IRELAND

Housing Legislation

1. **Mr. William O'Brien:** To ask the Secretary of State for Northern Ireland what plans he has to introduce the provisions of the Housing Grants, Construction and Regeneration Bill to Northern Ireland; and if he will make a statement. [30922]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Malcolm Moss): I propose to make provision, through an Order in Council, for Northern Ireland to move from the present mandatory grants scheme to the broadly discretionary scheme provided for in the Bill.

I also propose to make provision for construction contracts along the lines of part II of the Bill by means of an Order in Council under the negative resolution procedure, while the Bill already provides for the provisions of part III on the registration of architects to extend to Northern Ireland.

Mr. O'Brien: I thank the Minister for that reply and his encouraging response to extend the provisions of the Housing Grants, Construction and Regeneration Bill to Northern Ireland. However, he missed one item. We are advised by Ministers in Committee about the involvement of local government in the administration of a great number of those initiatives. Will the Minister take action to involve local government in Northern Ireland with some of the administration of the Bill, as that would encourage local people to be closer to the people and decision making?

Mr. Moss: There is already machinery for negotiation and discussion with local authorities on many aspects of Northern Ireland legislation. The hon. Gentleman might be referring to an item in the Bill on home energy. That will become the responsibility of the Department of Economic Development, which will take charge of the Northern Ireland energy efficiency scheme. However, there will be close liaison with local authorities on that and other matters.

Mr. A. Cecil Walker: Is there any point in introducing further grant legislation when there are inordinate delays in processing those grants?

Mr. Moss: I accept the hon. Gentleman's point that we are experiencing some delay at the moment, but we are taking steps on repair grants to make sure that there are no delays in future. I would point out that we have steadily increased spending on private sector housing grants in Northern Ireland from £32 million in 1993-94 to £47 million in the coming financial year.

Inward Investment

2. **Mr. Ian Bruce:** To ask the Secretary of State for Northern Ireland what are the latest figures on inward investment to Northern Ireland. [30923]

The Minister of State, Northern Ireland Office (Mr. Michael Ancram): During the year ended 31 March 1996, Northern Ireland secured 35 inward investment projects, offering 4,869 jobs and representing a total investment of £432 million. It was our best ever year for inward investment.

Mr. Bruce: I thank my right hon. Friend for that excellent reply and for the good news about inward investment in Northern Ireland. Does he agree that one of the hidden bonuses of an IRA ceasefire would be the creation of even more inward investment and more jobs, which would help the people whom the IRA keeps saying it is trying to help—those in Republican areas who are currently out of work? That would be an extra boost to the economy of the area and the future of Northern Ireland and the island of Ireland.

Mr. Ancram: My hon. Friend is absolutely right. The best incentive to inward investment would be political stability and a firm and lasting peace. Certainly, everybody who is involved in politics in Northern Ireland must take every opportunity to remind those who pursue violence as a means of pursuing their political purposes that they do a disservice to their community, as my hon. Friend has set out. Peace can bring jobs, jobs can bring prosperity, and prosperity is what the people of Northern Ireland want.

Sir James Molyneaux: Given the excellent record of the Industrial Development Board in attracting investment from many parts of the world, would not those efforts be greatly enhanced by the establishment of an all-party economic committee based in both Houses of Parliament?

Mr. Ancram: I am grateful to the right hon. Gentleman for his question. I know that the matter has been of interest to him for some time. I also know that my noble Friend Lady Denton regards the assistance of Members of both Houses in promoting the economy and economic development in Northern Ireland as very valuable. I am sure that she will look for further support in that direction.

On the subject of using committees to promote the values of investing in Northern Ireland, the right hon. Gentleman should not overlook the Northern Ireland Grand Committee, which can be used for that purpose.

Mr. McGrady: I join the Minister in welcoming the good news which he has articulated this afternoon, especially that of the past week, with the announcement of 1,800 jobs in west Belfast, Cookstown, Newtownabbey and Larne out of the total of 4,800 that he mentioned. Great praise is due to the Industrial Development Board and the Department for that achievement.

In no way detracting from that praise and credibility, may I draw the Minister's attention to the fact that, yet again, the statistics for 1995-96, which I received in a written answer, show that there is no new inward investment in the entire area of the districts of Newry and Mourn, Down and Banbridge? Of the total number of visits either by potential investors or by industrialists, less than 5 per cent. and 0 per cent. respectively were made to those areas. Will the Minister make an effort to ensure that would-be investment is directed to areas where there is high, consistent and endemic unemployment, as well as areas that are benefiting from worthwhile endeavours?

Mr. Ancram: I am grateful to the hon. Gentleman for his comments and his congratulations on the performance of the Northern Ireland economy over the past year. It is interesting to note that the London-Belfast air route is now the second busiest in Europe, which says something for Northern Ireland's prospects. Industry and investment cannot be directed to places; they can be encouraged. Obviously, my noble Friend Lady Denton does what she can to ensure that businesses that go to Northern Ireland are spread as effectively as possible.

I have noticed that, in the hon. Gentleman's constituency, Stewarts Supermarkets Ltd. has been granted planning approval to develop a supermarket on the site of the old Albion clothing factory in Newcastle and Cottage Catering at Donaghcloney was recently awarded a FEOGA grant towards its expansion; so there is also development in his constituency.

Decommissioning

3. **Mrs. Bridget Prentice:** To ask the Secretary of State for Northern Ireland what progress is being made on the issue of decommissioning paramilitary arms. [30924]

The Minister of State, Northern Ireland Office (Sir John Wheeler): Her Majesty's Government and the Irish Government are co-operating closely in drawing up legislation designed to underpin any decommissioning scheme emerging from the talks process.

Mrs. Prentice: Does the Minister agree that, given the appalling history of paramilitary violence in Northern Ireland, it is essential to address decommissioning? Given that the whole House wants a lasting peace in Northern Ireland, it is essential that we have all-party talks. Will he tell us the precise criteria by which he would be prepared to admit Sinn Fein to those talks?

Sir John Wheeler: The criteria for the admission of Sinn Fein to the talks process are well established. First, there must be an unequivocal ceasefire; then Sinn Fein will gain entry to the talks process. But it must agree to the Mitchell principles. All the parties attending the talks process so far have so agreed. There is no excuse for the continuing violence in Northern Ireland or in the Republic of Ireland. The sooner those who talk about a commitment to democracy choose to honour that commitment, the greater will be the progress towards peace and prosperity in Northern Ireland and in the island of Ireland as a whole.

Mr. Hume: Does the Minister agree that the real task facing us now is to take the gun for ever out of our politics? In my own opinion and judging by my own experience, we now have the best opportunity ever to do so. Will the Minister reaffirm the fact that the real challenge that now faces us is that, although the talks process threatens no section of our people, it in effect challenges all of us to come up with the new thinking that will accommodate both our traditions and give us the lasting stability that all sections of our people are now screaming for?

Sir John Wheeler: I agree with the sentiment expressed by the hon. Gentleman; he is quite right. If there is to be progress, all our voices must be used to stop, for example, the petrol bomb attacks which occur regularly. There have been 62 such attacks in Northern Ireland since 1 January. There must also be an end to the appalling cycle of violence through punishment attacks, of which there have been no fewer than 407 since August 1994. So long as those events are taking place, there will not be the confidence within the community and among the democratic parties which foregather for the talks process that the terrorist groups genuinely seek to take the gun and the Semtex out of politics.

Mr. Maginnis: Is the Minister encouraged, as we are, by the fact that the loyalist paramilitaries have now been in ceasefire mode for 20 months, which is longer than any other ceasefire during the past 25 or 26 years? Is he aware that the elected representatives associated with the loyalist paramilitaries have given their assent to the Mitchell principles? Does the right hon. Gentleman recognise the difficulty that those people will face when they agree in principle to abide in every way by the Mitchell principles, but feel unable to put that into tangible effect because there is no pro rata agreement or arrangement by the republican paramilitaries? Does he agree that we must all try to establish the confidence-building measures that will encourage progress in that respect?

Sir John Wheeler: The hon. Gentleman is right to emphasise confidence-building measures. Of course people can sign up to the six Mitchell principles, but that means that they must use their influence, they must condemn and, so far as they can, they must ensure that punishment attacks, petrol bombing and racketeering all end, so that, progressively, the people of Northern Ireland can enjoy a peaceful environment. It is extraordinary, for example, that Sinn Fein could not even condemn the murder of a detective constable in the Republic of Ireland last week.

Rev. William McCrea: Is it not true that, although there is much talk about the IRA-Sinn Fein wanting to come into the talks process at some time, at present, while the talks are going on, those people are actually regrouping, restocking and retraining with the weaponry of war? Is it not also true that a mere declaration for the Mitchell principles will not be acceptable, and that there must also be a surrender of weapons and of the teeth of war if we are to have peace?

Is it not strange that, as I read in the paper today, the Irish Republic has recruited 800 extra guards along the border to keep cattle from Northern Ireland out of the south—the most expensive security operation in 25 years, and indeed in the history of the island—yet it could not use those 800 troops to stop the terrorists coming from the Irish Republic into Northern Ireland?

Sir John Wheeler: The hon. Gentleman is quite right: the Provisional IRA has proved to be a formidably organised terrorist structure, and it is doing what he describes. If Sinn Fein is to be part of the talks process, an unequivocal ceasefire must be announced, followed by Sinn Fein signing up to the six Mitchell principles, which must then be honoured. During the weeks after that, a start to decommissioning will be made. Until those events occur, there will not be confidence among those seeking a democratic way forward for Northern Ireland.

Mr. Nicholas Winterton: I endorse 100 per cent. the views expressed by my right hon. Friend. Does he accept that the decommissioning of paramilitary weapons is the only key to the door of a genuine ceasefire and lasting peace? Does he accept that the overwhelming majority in Northern Ireland—on both sides of the religious divide—believe that weapons should be handed in? Would it not be a betrayal of the trust of the ordinary men and women in Northern Ireland—whether nationalist or Unionist—if the Government allowed terrorists to retain their weapons?

Sir John Wheeler: My hon. Friend is right, but there are many keys on the key ring, including that of talks and negotiations. The most important key of all is the commitment to decommissioning that is part of the six Mitchell principles. Once made, it must be honoured. Once decommissioning starts, people will believe that the process will gain momentum. The horror of the murder of the Garda constable in the Republic of Ireland last week has struck home widely in the island of Ireland. My hon. Friend is right to say that, overwhelmingly, the people want to see the start of decommissioning and a total end to violence.

Elections

4. **Mr. Robathan:** To ask the Secretary of State for Northern Ireland what assessment he has made of the motivation of Sinn Fein in taking part in the Northern Ireland elections. [30925]

The Secretary of State for Northern Ireland (Sir Patrick Mayhew): None, Madam Speaker. It may be supposed that Sinn Fein wished to qualify itself to participate in all-party negotiations. But it is excluding itself from these, because both Governments have stipulated that there must first be an unequivocal restoration by the IRA of the 1994 ceasefire.

Mr. Robathan: Further to the answer by the Minister of State, my right hon. Friend the Member for Westminster, North (Sir J. Wheeler), does my right hon. and learned Friend agree that the IRA and Sinn Fein are playing cynical games with the peace process and with the lives of people in Northern Ireland? Are they not using a ceasefire as a bargaining counter, dangling it as a lure in front of the noses of the Government and both communities in Northern Ireland? Will my right hon. and learned Friend ensure that Sinn Fein is not allowed near peace negotiations unless a total, genuine and permanent commitment to peace is made?

Sir Patrick Mayhew: That is certainly required by the people of Northern Ireland, and far more widely. The Irish and British Governments are at one in stipulating that, before Sinn Fein can enter the negotiations, the IRA must restore unequivocally the 1994 ceasefire. It is wholly incompatible with a professed commitment to peaceful and democratic methods to be associated inextricably with an organisation that has used arms for nationalist purposes in the past and refuses to restore the 1994 ceasefire.

Mr. Trimble: In those elections, the people of Northern Ireland elected delegates to a forum, which will have its first meeting tomorrow. I am sure that the Secretary of State will want to join me in wishing it well, because it can and will make a significant contribution to dialogue and understanding in Northern Ireland. Does he agree that Sinn Fein can tomorrow have its mandate recognised by taking its places in the forum and that, if it fails to do so, we can conclude only that its commitment to democracy is as hypocritical as its commitment to peace?

Sir Patrick Mayhew: I very much agree with the hon. Gentleman. The purpose of the forum, as declared in the Northern Ireland (Entry to Negotiations, etc) Act 1996, is to promote dialogue and understanding in Northern Ireland. If Sinn Fein is not prepared to take its place in a body with such objectives, what conclusion should be drawn? The hon. Gentleman correctly reminds the House that Sinn Fein is entitled by virtue of its election successes alone to take its places in the forum. I believe that people in Northern Ireland, and much more widely, will look to see whether Sinn Fein is there and will draw their own conclusions if it is not.

Mr. Nigel Evans: Does my right hon. and learned Friend agree that part of the problem with the public having confidence in Sinn Fein-IRA saying that it has a total and permanent commitment to peaceful settlement of the problem is the fact that it retains its arms? If it retains its arms during negotiations, it could at any stage resort again to violence. For the public to have any confidence in its word, it needs to give up those arms.

Sir Patrick Mayhew: Of course my hon. Friend is right in associating the issue of arms and their decommissioning with confidence by everybody else that Sinn Fein is wholly committed to peaceful means, as both Governments have insisted all parties must be if they are

to participate in all-party negotiations. It is a question of confidence, and there can be no compatibility in a democracy with the retention of arms for the purpose of holding them illegally to secure political advantage.

The arms must begin to be decommissioned alongside the negotiations to which Sinn Fein has secured a mandate by way of the elective process on 30 May, but from which it is excluding itself because there is no restoration of the ceasefire. Once that happens, as my right hon. Friend the Minister has said, it must make the declaration which everyone else has made of commitment to the Mitchell principles and then it must, at the same stage, address decommissioning in the way that Mitchell's report, by way of a compromise, has recommended; that is, decommissioning begins alongside the negotiations—not at the end, not at the beginning, but during the negotiations.

Dr. Hendron: I know that the Secretary of State will agree that the vast majority of the people of Northern Ireland of both traditions want the IRA to call a ceasefire forthwith. They want an end to punishment beatings and to the daily intimidation in my constituency.

On Sinn Fein's motivation for fighting the recent election, hon. Members know that most parties in Northern Ireland participated in the election because it was imposed. It was an unnecessary election. Does the Secretary of State agree that it is important for all parties, including Sinn Fein, to participate right away? I appreciate his points on the ceasefire.

Sir Patrick Mayhew: Of course that is right. There would not have been all-party negotiations, as a matter of reality and practice, had there not been an elective process first. That was recognised several months ago and the process has now taken place. It is very necessary that those who have been elected should take their place at every stage of the negotiations if the full purpose that the House—among other bodies—required is to be achieved. Of course that is the case. That extends right across the board and it includes Sinn Fein, which received an elective mandate, principally, I believe, from people who wanted to see it demonstrating its commitment to peaceful methods. Let it end its self-imposed exclusion now.

Mr. Clifton-Brown: Further to what my right hon. and learned Friend said, does he believe that it ill behoved certain sections of the British press to show a photograph of Messrs. Adams and McGuinness that portrayed them as having been locked out of the talks, when they had locked themselves out? Is it not the height of cynicism for Sinn Fein to take part in democratic elections and then not fully uphold the principles of democracy?

Sir Patrick Mayhew: I agree warmly with both parts of my hon. Friend's question. I have made my views known about the second part, but let me say a few words about what he said at the beginning. Those photographs dutifully and predictably appearing in the newspapers of Mr. Adams and Mr. McGuinness peering through the bars were deeply misleading. Why was the reality not shown of a gateway open to them, through which they passed in order to have explained to them within the talks building why they were not entitled to take part in the negotiations? Newspaper after newspaper played straight into their hands by showing misleading pictures which suggested quite the opposite of the reality.

Ms Mowlam: Does the Secretary of State accept our acknowledgement and welcome of the progress that has been made this week while at the same time we add our condolences to those of the Minister of State to the family of Garda McCabe? Does he agree that, whatever the individual motivations may be, the persistence of a culture of blaming and finger pointing will be inimical to the talks process? Does he agree that the talks process will be greatly helped by the presence of Senator Mitchell and his team? It is unfortunate that the failure of the constitutional parties to reach agreement has turned attention away from the crucial fact that the absence of a ceasefire is keeping Sinn Fein away from the talks and that we would like that ceasefire to occur as soon as possible.

Sir Patrick Mayhew: I am grateful for that assurance, which comes as no surprise, and also for what the hon. Lady said at the beginning.

As for the central part of the hon. Lady's question, it is perhaps best to concentrate on the outcome of the first two days of difficult discussions. It was inevitable that they would be difficult, but leadership and courage have been shown and an outcome has been reached, which resulted yesterday in the process beginning, with Senator Mitchell in the chair and the other two chairmen appointed. Progress was made and I believe that we shall move on constructively from that beneficial process.

Peace Programme Funding

5. **Mrs. Helen Jackson:** To ask the Secretary of State for Northern Ireland what progress has been made in the disbursement of the European peace programme grant aid to Northern Ireland. [30926]

Sir John Wheeler: A total of £5.53 million has been paid out to approved projects and funding bodies. This consists of £4.147 million from the European Commission and £1.383 million of matching funding.

Mrs. Jackson: What external monitoring procedures has the Minister put in place to monitor progress and to have a view to applying for an extension to the funding regime beyond 1998? Will he give assurances that he sees the grant aid programme both now and in the future as additional to existing Northern Ireland funding regimes?

Sir John Wheeler: It will be possible for the funding to continue—we hope beyond the period that has already been approved. There is a substantial arrangement for measuring accountability. Not only has a novel delivery structure been established but the House of Commons, through the Select Committee on Northern Ireland Affairs, will be able to monitor because part of the additional funding which is provided comes from the Northern Ireland block. In addition, the European Parliament has its own arrangements for monitoring expenditure. So there are many and considerable arrangements for monitoring and scrutiny.

Rev. Martin Smyth: Does the Minister agree that, despite his confidence that the monitoring arrangements are right, the European Parliament does not have a great record in monitoring European fraud and that the novel arrangements for distributing the money leave many gates open for misappropriation? Can we have an assurance that, when the funds run out, councils and councillors will not be left with extra expenses when community bodies and business men run away from their commitments because they do not have their hands on public money?

Sir John Wheeler: No Finance Minister can give a copper-bottomed guarantee about what will happen in the future when funds may no longer be available. There will be a review of priorities and financial needs at that time. The monitoring programme and the monitoring committee, which is local in Northern Ireland, will be well seized of the points that the hon. Gentleman has made. There will not be dependency on European Parliament structures alone—local arrangements and the responsibilities that the House has in monitoring the use of public money will also be taken into account.

Mr. Dowd: What action is the Minister pursuing to ensure that all such expenditure is directed to produce the most beneficial and enduring long-term effects? What steps is he taking to dissuade the Northern Ireland Office from its disproportionate concentration on grand capital schemes, rather than seeking to make progress with the agreement of the other social partners and organisations in Northern Ireland?

Sir John Wheeler: The bodies that approve the expenditure decide who the beneficiaries of the funding will be. That is inevitably the case. It is essential that as much of the money as possible provides schemes that are of lasting benefit to the people of Northern Ireland and are not superficial. It is the objective of the Northern Ireland department responsible for these matters to ensure that that happens.

Information Super-highway

6. **Mr. Nigel Jones:** To ask the Secretary of State for Northern Ireland if he will make a statement on progress in constructing the information super-highway in Northern Ireland. [30927]

Sir John Wheeler: Significant progress has been made in developing an information super-highway in Northern Ireland. In early 1994, a major project was initiated by the business development service on behalf of Northern Ireland departments, their agencies and the wider public sector. In February 1996, the information society initiative was launched by my noble Friend Baroness Denton.

Mr. Jones: What plans does the Minister have to ensure that every citizen of Northern Ireland has access to the information super-highway? What help is he giving schools to ensure that they can plug in to the information super-highway? What steps is he taking to ensure that terrorists do not abuse the information super-highway for their own purposes?

Sir John Wheeler: The business development service, in conjunction with consultants, is carrying out a telecommunications strategy study to ensure that the very best communications infrastructure is available to Government Departments well into the 21st century. In Northern Ireland, Cable Tel is in the process of establishing a broad-band infrastructure, which it is hoped will meet the hon. Gentleman's needs. My right hon. Friend the Minister of State is considering the implications for the education sector. The use of these facilities by terrorists is a matter that has to be pursued on a case-by-case basis. I am sure that the hon. Gentleman understands the difficulty of constraint.

Mr. David Shaw: Will my right hon. Friend tell me how Sinn Fein-IRA is able to have a world wide web address? The cause of nationalism has been promoted using the world wide web. Can we ensure that the cause of peace is given an equal opportunity to be promoted on the world wide web? Will the Government ensure that the British Government's point of view, and that of the Unionists, are also put out on the world wide web?

Sir John Wheeler: I assure my hon. Friend that the Northern Ireland Office is making use of the facility to get across information across about the achievements of Northern Ireland. Political parties will have to judge their use of the facilities. I appreciate the points made by my hon. Friend.

Drinking Water

7. **Mr. Clifford Forsythe:** To ask the Secretary of State for Northern Ireland what assessment he has made of the operation of the drinking water supply system in Northern Ireland. [30929]

Mr. Moss: The Department of the Environment's water service assesses the drinking water supply system on a continuous operational basis. A water resource strategy has recently been completed and reviewed in the light of experience of the 1995 drought.

Mr. Forsythe: As the vast majority of Northern Ireland's local councils oppose the fluoridation of drinking water in Northern Ireland, will the Minister assure the House that the will of the people and of elected representatives will prevail in this matter, rather than that of unelected and unrepresentative board members?

Mr. Moss: Boards must take into consideration district councils' views, but they must also consider their duty to improve the health and social well-being of their populations. Until I have considered the requests from health and social services boards in detail, it would not be appropriate for me to comment on the consultation exercise, but it is vital for them to demonstrate appropriate and thorough consultation.

Bovine Spongiform Encephalopathy

8. **Mr. Gordon Prentice:** To ask the Secretary of State for Northern Ireland what is the incidence of BSE in the Northern Ireland herd for the most recent year for which figures are available. [30930]

Sir Patrick Mayhew: In 1995, there were 170 cases of BSE in Northern Ireland.

Mr. Prentice: Mercifully, Northern Ireland is largely free of BSE, but what steps have been taken in the framework document to ensure that herds in Northern Ireland can be certified BSE-free? While I am on my feet, may I ask the Minister to comment on the revelations in the science magazine *Nature*, published today, that Britain's exports of contaminated feed doubled after that contaminated feed had been banned in this country? Was that not criminally irresponsible?

Sir Patrick Mayhew: I do not believe in commenting on texts that I have not read. It is in the interests of Northern Ireland producers that we have an electronic system of tracing beasts back to the farm of their birth. We can identify the life history of every animal, including whether it has ever been associated with a herd infected with BSE. That is a great advantage, which I trust will serve the interests of Northern Ireland producers quickly in terms of having the ban lifted.

Mr. Beggs: Does the Secretary of State appreciate our dependence on beef exports in Northern Ireland, and that we cannot survive this blanket ban much longer, especially not until other regions of the UK catch up with our traceability records? What does the European Union expect from us in Northern Ireland? What is its criterion? What assurances does it need? Will he seek to enable Northern Ireland to meet those assurances as soon as possible?

Sir Patrick Mayhew: I am grateful to the hon. Gentleman, and know how greatly he is concerned about these matters. Seventy per cent. of all Northern Ireland-produced beef is exported, not just over the water, but outside the UK. It is a matter of enormous importance to Northern Ireland. It has been accepted reluctantly that Northern Ireland must take its place with the whole of the UK in getting the ban lifted, but there are considerable advantages, which I have just alluded to, that Northern Ireland can pray in aid. The European Union has never given clear criteria to the lifting of the ban, but it is clear that it expects more extensive culling to take place. The Government believe—indeed, they know—that there is no scientific justification for the ban and they have presented their eradication plan to the Commission. I am confident that Northern Ireland will be well placed to meet any criteria that may eventually be defined. They should be defined straight away. All farmers throughout the UK receive the same compensation for 30-month and above stock that is compulsorily slaughtered.

Mr. Illsley: Is the Secretary of State aware that there is some optimism among Ulster Farmers Union members that the framework document for BSE's eradication will be accepted by the European Union? That will be of advantage to Northern Ireland farmers, because 90 per cent. of their herds are grass fed, there is a low incidence of BSE, and the tracing system is in place. If the framework document is accepted, and if herds in Northern Ireland meet the conditions in that document, will the Secretary of State support the lifting of the ban in Northern Ireland before other regions of the United Kingdom?

Sir Patrick Mayhew: If the framework document for eradication is met, it will be applicable to the whole of the United Kingdom—although not every region may benefit at the same time. As I have said, it seems as though Northern Ireland will be able to benefit much sooner. I look forward to that occurring, as Northern Ireland is very well placed.

Primary School Budgets

10. **Mr. John D. Taylor:** To ask the Secretary of State for Northern Ireland if he will make a statement on the state of primary school budgets. [30932]

Mr. Ancram: The total funding available for delegation to primary schools, including resources for the primary 1 initiative in 1996-97, is estimated at £275 million. That represents an increase of 4.55 per cent. from 1995-96.

Mr. Taylor: I have visited some 20 primary schools in Strangford in the past three months. Is the Minister aware that there is a decline in morale in primary schools, that many schools are operating on deficit budgets, that primary school teachers are being made redundant this year, that pupil-teacher ratios are worsening, that management committee members are considering resigning and that teachers face an increasing administration burden? Will the Minister, therefore, urgently reappraise the financing of primary school education in Northern Ireland? Will he redirect some of the existing funding within his Department and the education area boards to our primary schools?

Mr. Ancram: While I do not for a moment deny that schools in Northern Ireland suffer the same difficulties as schools elsewhere, I think that the right hon. Gentleman paints a very black picture. I remind him that, in the past four years, the capital per capita allocations to primary schools in Northern Ireland have risen by 14 per cent. That is demonstrated by an improving parent-teacher ratio in the primary sector from 23.2:1 in the late 1980s to 21.6:1 in 1993-94. The provisional figures for 1994-95 show a further improvement in the pupil-teacher ratio to 20.8:1. That proves that conditions in Northern Ireland primary schools are improving.

PRIME MINISTER

Engagements

Q1. **Mr. Jacques Arnold:** To ask the Prime Minister if he will list his official engagements for Thursday 13 June. [30952]

The Prime Minister (Mr. John Major): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Arnold: Is it not increasingly clear that the Government's firm and resolute management of the British economy has created the best performing economy in Europe? Would it not be a crying tragedy if that were thrown away by tying up British industry in red tape and by transferring our monetary policy—and, indeed, our

gold reserves—to Frankfurt, which is what would follow a Labour Government's subscription to the social chapter and a single currency?

The Prime Minister: The economy is doing very well. I agree entirely with my hon. Friend's analysis of the impact of the Labour party's alternative policies. In the past few days, we have had two separate illustrations of how well the economy is doing: first, the excellent news about jobs; secondly, the excellent news about inflation. We are now in the fifth year of steady growth, and that is what will deliver continuing prosperity.

Mr. Blair: Will the Prime Minister confirm the following? Is it true that two of his Back Benchers gave the Government an ultimatum on Monday that, unless they received firm assurances that the accident and emergency department at Edgware hospital would be replaced by a full emergency unit, they would withdraw support from the Government; secondly, that the ultimatum was to expire last night; thirdly, that they then met the Health Secretary; and, fourthly, that they now say that they have been given those assurances and have withdrawn the ultimatum? Is that substantially true? If it is, is it not a disreputable way in which to run a Government?

The Prime Minister: No, it is not substantially true, and I have to say that there is no possibility of the Government responding to approaches of that sort from any hon. Member. We do not respond to such activities and we will not respond to such activities. I hope that the right hon. Gentleman is reassured.

Mr. Blair: No, Madam Speaker, I am not reassured. Which of the facts that I have just listed does the right hon. Gentleman dispute? We know that the ultimatum was given. That is a matter of record. We know that the ultimatum was withdrawn, and the two Conservative Members concerned say that they have been given the assurance that the full emergency unit will now be given. What are we to make of this? Was it one of life's happy coincidences?

I would like to ask the Prime Minister, specifically, were those Conservative Members given the assurance that they say they were given by the Secretary of State for Health—that the accident and emergency department would be replaced with full emergency cover, details to be announced later? Were they given that assurance by the Secretary of State for Health or not?

The Prime Minister: The right hon. Gentleman is distorting and misunderstanding, and I shall try to explain it to him. A lot of people have made representations about Edgware—local medical people, local churches, my hon. Friends and many others. My right hon. Friend the Secretary of State has listened carefully, but he has made it clear that we will not retain the accident and emergency department at Edgware hospital. We will not retain it, and it is the gravamen of the charge that that is what he was asked to do. The policy that we are following is the policy that we have been pursuing for some time.

Mr. Mackinlay: Closing hospitals.

The Prime Minister: Not closing hospitals; providing better facilities—*[Interruption.]*

Madam Speaker: Order. The hon. Member for Thurrock (Mr. Mackinlay) must come to order.

The Prime Minister:—for hospitals in London and elsewhere; facilities utterly run down when the Government took power in 1979.

Mr. Blair: The Prime Minister has not answered the question about whether such an assurance has been given. *[Interruption.]* He has not answered it. When he gets to his feet again, let him say, yes or no, whether such an assurance was given. *[Interruption.]* Have Conservative Members any idea of the anger that people feel at the way in which decisions are taken when such closures are happening all round the country? *[Interruption.]*

Madam Speaker: Order. The hon. Member for Gravesham (Mr. Arnold), along with other hon. Members, must come to order. *[Interruption.]* The hon. Member for Ealing, North (Mr. Greenway) must also come to order.

Mr. Harry Greenway: What about the hon. Member for Thurrock (Mr. Mackinlay)?

Madam Speaker: Order. I have just called the hon. Member for Thurrock to order.

Mr. Blair: I think that most people know that the way to save the health service is not to have Back-Bench Tory Members of Parliament pressuring a weak Government, but the election of a Government committed to the NHS.

I repeat: will the Prime Minister answer that question? Is he aware of the contempt that people feel for a Government whose policies now seem to be determined solely by the imprint of the last person who sat on him? Will not they conclude that this is a Government with no thought for the national interest and no purpose but survival?

The Prime Minister: The right hon. Gentleman's cheap insults do not provide arguments or enlightenment. I answered the question earlier. The problem for the right hon. Gentleman is that he did not get the answer that he wanted.

My right hon. Friend the Secretary of State for Health announced as long ago as last December that he was discussing the nature of the casualty service. He has not given an assurance to retain the accident and emergency department at Edgware and the right hon. Gentleman knows that.

The Government's spending on the national health service is at a record level—£116 million every day, £5 million every hour, £81,000 every minute. That is a commitment of which to be proud, and it will be retained by this Government in this Parliament—and in the next.

Q2. **Mrs. Peacock:** To ask the Prime Minister if he will list his official engagements for Thursday 13 June. [30953]

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mrs. Peacock: In view of the disturbing and increasing number of child abuse cases, will my right hon. Friend assure the House that he will do all within his power to get to the root of the problem, thereby to prevent such tragedies from happening in future?

The Prime Minister: I can give that assurance. I am personally horrified by some of the events that have been reported. Children in residential care are self-evidently among the most vulnerable members of our society. We discussed the matter this morning at some length. My right hon. Friends the Secretaries of State for Wales and for Health have been considering what action to take, and we agreed their proposals this morning in Cabinet. My right hon. Friend the Secretary of State for Wales is finalising arrangements for an inquiry to address what happened in north Wales, under the Tribunals of Inquiry (Evidence) Act 1921. In addition, my right hon. Friend the Secretary of State for Health is to invite Sir William Utting to assess whether the safeguards now in place, which have been much tightened in recent years, are adequate to protect children and are being properly enforced. My right hon. Friends will set out their detailed proposals, the terms of reference, the name of the judge and other matters in a full statement to the House early next week. I feel that the House would wish to know the direction in which the Government propose to take this matter.

Mr. Ashdown: That answer, at least, will be very welcome.

In what way is what the hon. Members for Hendon, North (Sir J. Gorst) and for Harrow, East (Mr. Dykes) tried to do any different from what the Euro-rebels have been allowed to do—get the Prime Minister in an armlock and get their way? Surely they should not be criticised for trying that, but the Prime Minister should be for encouraging it. Is not it perfectly clear that we have a Government whose party has been suborned by a foreign millionaire, whose decisions are daily subjected to blackmail by any passing Back Bencher, whose Prime Minister is now cooking up a fudge to cover a surrender for a European policy that has failed, and that it is an Administration that has no further purpose except to ensure, by whatever means and at whatever cost, their own limping and miserable survival?

The Prime Minister: It would be a lengthy business to refute all the nonsense that the right hon. Gentleman just uttered. I shall use just one illustration. If the Referendum Bill was designed solely as the right hon. Gentleman suggested, why did one of his hon. Friends vote for it—[HON. MEMBERS: "Two!"] Two. That is a dangerous split in a party of that size.

The tactic, by anyone, of threatening to withhold support generally in response to a specific demand will not work. It is not acceptable. It has not worked, and it will not work now or at any stage in future. No Minister would respond to such an approach.

Sir John Gorst: Will my right hon. Friend allow me to support what he said in answer to the Leader of the Opposition? Will he confirm that the agreement that the Secretary of State for Health made between me and my hon. Friend the Member for Harrow, East (Mr. Dykes) was not the retention of an accident and emergency department in its fullest extent, but an alternative that the Secretary of State has been discussing with us for the past six months with regard to a casualty unit, which instead of having nurses would have qualified doctors 24 hours a day, and that when patients were in a stable condition they might have to be moved?

The Prime Minister *rose—*

Hon. Members: More.

Madam Speaker: Order.

The Prime Minister: What my right hon. Friend the Secretary of State for Health has said is that the matter has been discussed with him—and, I have to say, with a large number of other groups. It has been under consideration for many months, as my right hon. Friend has made clear on a number of occasions. The demands that it is said were made were not met by the Government and would not be met by them, either in this instance or in any instance in the future. I hope that that is entirely clear to the leader of the Labour party and everyone else.

Q3. **Mr. MacShane:** To ask the Prime Minister if he will list his official engagements for Thursday 13 June. [30954]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. MacShane: Does the Prime Minister recall that, on Tuesday, he saw no problem with the financing of the anti-European campaign of the hon. Member for Stafford (Mr. Cash) by Sir James Goldsmith, but yesterday—Wednesday—he and the Chief Whip ordered the hon. Member for Stafford to confess the error of his ways and stop taking the money? What caused the Prime Minister to change his mind?

The Prime Minister: I think that the hon. Gentleman should see exactly what was said. It was clearly unacceptable for my hon. Friend the Member for Stafford (Mr. Cash) to accept funds from the principal figure behind a list of candidates likely to stand against the Conservative party in the general election. My hon. Friend has made it clear that he will not receive any funding from that source, and I congratulate him on his decision.

Mr. King: Is my right hon. Friend aware that, last month, the British-Irish Inter-parliamentary Body met in the village of Adair in County Limerick, and that I was accompanied throughout the visit by a Garda officer,

Gerry McCabe? Is he aware that, last week, in that same beautiful village, that outstanding officer was gunned down by an IRA gang? Will he join me in sending our deepest sympathy to the widow and family of Gerry McCabe, and to Commissioner Culligan and all his colleagues in the Garda Siochana?

Does this not underline the fact that violence is an evil that threatens everyone throughout the island of Ireland and throughout these islands? Should not we reaffirm our support for all who are now bravely seeking to resolve difficult issues by democratic and peaceful means?

The Prime Minister: I am sure that the whole House will wish to echo my right hon. Friend's words about Mr. McCabe and his brutal murder. That murder, and the murder of another Garda officer—which, I understand, Sinn Fein has yet again refused to condemn—only demonstrates even more clearly precisely why Sinn Fein cannot join in the talks that are currently taking place until such time as there is a clear-cut and unequivocal ceasefire, and we can be confident that it is going to be maintained. That is the British Government's position and the Irish Government's position, and it will not change.

Competitiveness White Paper

3.32 pm

The Deputy Prime Minister (Mr. Michael Heseltine): With permission, Madam Speaker, I should like to make a statement about the Government's third competitiveness White Paper.

The Government's objective is simply put. It is to make this country the enterprise centre of Europe, which will lead to improved living standards and a better quality of life for all. The White Paper reports on progress towards that objective, and on further actions in hand and in prospect.

As the 1996 survey of the United Kingdom by the Organisation for Economic Co-operation and Development recently reaffirmed, progress has been highly impressive. Over the last economic cycle, gross domestic product in the UK grew faster than in any other G7 country except Japan. The International Monetary Fund expects the United Kingdom to grow faster than the G7 average in both 1996 and 1997.

Since 1979, UK business investment has risen by over a third and has accounted for a higher proportion of GDP than in France, Germany, Italy and the United States.

As we heard this morning, inflation has now been below 4 per cent. for 44 consecutive months—the best performance for almost 50 years. That has allowed the Chancellor to cut interest rates four times since December, without jeopardising the Government's inflation target.

As we heard again yesterday, unemployment continues to fall. It is more than 800,000 lower than in December 1992. The unemployment rate is lower than in all other major European Union countries. We have combined that continuing fall in unemployment with a significant closing of the productivity gap, the best industrial relations performance for a century and one of Europe's highest levels of employment, while our refusal to embrace the social chapter means that our indirect wage costs remain competitive—indeed, the lowest among the G7 countries.

Exports, too, are growing strongly. They are up by 9 per cent. by volume in 1995.

The most visible demonstration of our success in making the British economy the most enterprising in Europe is that we have the highest level of inward investment as a proportion of GDP of any developed country. We attract more than a third of all inward investment into Europe, and that is the biggest vote of confidence that we could have. Those huge investment decisions are freely taken by world-class companies from the United States, Japan and Korea—but also from countries within the European Union, led by Germany and France. Siemens, Samsung, QVC, Ford and many others have invested billions of pounds over the past 12 months alone.

White Papers are a focus for our determination to improve performance year by year, in all the key areas that contribute to our competitiveness. They provide objective analysis and, where necessary, set out the action needed to bring this country's performance up to the standards of the best.

I draw the House's attention particularly to three matters. Last year, the Government promised to audit skill levels in the United Kingdom against international standards and to publish the results. The full skills audit report is published today and covers France, Germany, Singapore, the United States and the UK. It shows that the UK is strong in the areas of higher education, lifetime learning and young people's information technology skills.

Mr. Stuart Bell (Middlesbrough): In relation to whom?

The Deputy Prime Minister: In relation to all the countries compared, self-evidently.

The audit report shows that more of our work force have higher-level qualifications than any of the audit comparator countries except the United States. It also shows that we are doing better than in the past, but that we need to continue to improve our performance, particularly in basic literacy, numeracy and key skills.

Yesterday, my right hon. Friend the Secretary of State for Education and Employment announced far-reaching proposals to reform teacher training and to promote self-improvement in schools. She announced that the Government would publish a White Paper on schools, focusing on extending self-government, choice and diversity, and that we would legislate in the autumn to bolster schools' authority to deal with discipline problems.

The competitiveness White Paper sets out the action being taken to continue the transformation of this country's education and training system, building on the extensive programme of improvements on which the Government embarked in the mid-1980s.

The Government are also committed to build on our regional diversity. Over the next few weeks, each Government office in the English regions outside London will publish a document, on behalf of local partners, describing the contribution that their region makes to the UK's competitiveness and setting out actions to improve that contribution.

Moreover, my right hon. Friend the Secretary of State for Wales is today publishing a competitiveness report on Wales.

The Government have concentrated particularly on the creation and growth of small businesses. Today there are over 1 million more businesses in Britain than there were in 1979. Those firms are at the heart of our national competitiveness. We have created the most comprehensive support system we have ever had for such companies.

Ninety-three per cent. of small and medium-sized firms in England are within easy reach of a local business link outlet. There are now nearly 230 such outlets. Nearly 700 specialist advisers are in place and 90 per cent. of the personal business advisers have managed a small business. At the last count, more than 617,000 businesses were registered on business link databases and around 6,000 businesses a week have been using business link. The Government will continue to give the highest priority to developing the business link network, so that it can realise its massive potential for helping our smaller firms.

Over the past year, the Government have undertaken a series of formal consultations with the people running smaller businesses in this country. We have listened carefully to what they have told us. The deregulation initiative has swept away a whole raft of outdated, unnecessary and over-burdensome rules. We are reviewing the working of the system of uniform business

rates and the rates burden on small firms. We are also looking at the possibility of raising the threshold of the statutory audit requirement, and we shall consult on industrial tribunal claims and procedures. Tax administration is being simplified. We have consulted particularly assiduously on the proposal for a statutory right to interest on late payments.

Eight of the nine small firms' organisations support the Government's view that legislation in that area would not be appropriate. We intend, however, shortly to publish a consultation document on whether public limited companies and large subsidiaries should be required to publish their payment performance, and tough new targets for Government Departments have been published today.

A further strong message was that the Government's support for business was over-complicated, with too many schemes with confusing objectives run by too many Departments. We are therefore launching a major consultative exercise todayon how best to target and simplify our support in order to meet business needs, building on the success of training and enterprise councils and business links.

We propose that Government support for small and medium-sized enterprises will be brought together into a £200 million local competitiveness budget, up to 25 per cent. of which will be made available on a challenge basis. We propose also that sectoral support across Government be combined as a new sector challenge budget, building up to £40 million a year. Trade associations and other sector bodies will be asked to design programmes to improve the competitiveness of their industry.

This White Paper bears testimony to the vigour of our economy and provides a clear basis for further improvement of the skills infrastructure, managerial ability and entrepreneurial drive that are enabling this country to win. It sets out clearly why and how this country, incontestably, is becoming the enterprise centre of Europe. I commend it to the House.

Mr. John Prescott (Kingston upon Hull, East): I welcome the latest White Paper on competitiveness—the third in a row—especially if it does anything to improve the prosperity of our country and its people. It is certainly bigger than before and fatter than before; it has more pictures than before and there is more than a whiff of the forthcoming general election about it. Of course, hon. Members will require some time to digest the detail. Can the Deputy Prime Minister tell us when the House will have an opportunity to debate it, as I assume it will?

This is the third such White Paper. The title of the first in 1994 was "Helping Business to Win". The second was called "Forging Ahead". They are positive titles, but what have they achieved?

Mr. Jacques Arnold (Gravesham): The best economy in Europe.

Mr. Prescott: I think that the hon. Gentleman has been reading the White Papers, but we cannot rely entirely on what they say.

Does the Deputy Prime Minister accept that it is hard to judge what has been achieved, when it is so difficult to trust the Government's own statistics? We are told that unemployment is falling—something that the House would welcome—but can he confirm that the official unemployment figures measure not the full extent of unemployment, but only the number of people seeking work and receiving benefit? Will he confirm that recorded unemployment has risen by more than 1 million since 1979 on the present fiddled figures, our work force having fallen by more than 1 million since 1990?

Is it not true that the Government have tried to condition us by accepting some of those shortcomings? The Deputy Prime Minister told the Japanese chamber of commerce on Tuesday:

"There is plenty of good news, but in some areas we are still behind".

That is quite an understatement. The House has a better idea of what he means.

Has not the Deputy Prime Minister published his third White Paper in the 18th year of a Tory Government, during which the United Kingdom has slipped from 13th to 18th in the prosperity league? The House will have noticed that the right hon. Gentleman relies a great deal on the OECD country survey of the United Kingdom, but what really matters are the comparisons with our major competitors. International comparisons show that we are down in education, competitiveness, skills and qualifications.

Every time the Deputy Prime Minister publishes a White Paper, the United Kingdom seems to slip further down the international league tables. Is he aware that we fell from 15th to 19th in the International Institute for Management world competitiveness league? Even the World Economic Forum's global league table—which is more favourable to the Government and which they quote—puts us in 15th place. In respect of gross domestic investment, we are 48th out of 49 countries. For the supply of skilled labour, we are 34th out of 48 and in education standards, we come 35th.

I know that the right hon. Gentleman hopes—and it is the aim of his policy—that Britain will become the enterprise centre of Europe, but on that analysis, we are light years away from ever achieving it.

We welcome the skills audit—an idea that I proposed several years ago. Clearly, the Deputy Prime Minister has been reading my documentation. We also welcome his intention to utilise the private finance initiative, as I advocated in the House well before the Government, although they still have not managed to implement it properly. I know that imitation is the sincerest form of flattery, but why do they keep making a mess of good Labour ideas?

The skills audit report published today confirms that the United Kingdom has fewer entrants and a smaller proportion of the total population qualified to level 2 and above than France and Germany. The figures for new entrants are 58 per cent. for the United Kingdom, 65 per cent. for France and 70 per cent. for Germany. Those are international comparisons—the figures that really matter.

Can the Deputy Prime Minister confirm that a recent internal Treasury paper admitted that things were going from bad to worse and forecast that, on present trends, within five years we shall be out of the premier league altogether and vying with Thailand for our place? There are lies, damned lies and Heseltine statistics.

[Mr. Prescott]

The thrust of the White Paper relates to the skills audit, and we welcome that. It also demonstrates the Government's conversion to the idea that regions can play a major part in developing economic prosperity—another idea that Labour set out in considerable detail.

Although the Deputy Prime Minister promises small businesses a great deal, more than 200,000 were made bankrupt last year. Does he accept that many small businesses will be listening once again to his recommendations of more deregulation, help with tribunals, a review of value added tax and so on—which he has promised year after year after year? What he has said today is not a conclusion, as there is to be a further review. Small businesses play an important part in the development of the British economy. They will get no comfort from what he has said today, which will not help them to contribute to making the United Kingdom the enterprise centre of Europe—the target of the White Paper.

The White Paper is the work of a Government trying to make a virtue out of managing decline and manipulating propaganda. We need investment in manufacturing, skills and education and proper support for industry. This is the third and last White Paper from the present Government. What the country really needs is not the last in a series of White Papers, but a change of Government.

The Deputy Prime Minister: May I say how much I appreciate the generosity of the right hon. Gentleman's tribute to the White Paper? He was fulsome in his welcome. It is an interesting contrast with what his hon. Friend the Member for Livingston (Mr. Cook) said three years ago when we introduced the concept. He dismissed the whole thing as a coffee-table document.

It is, of course, no small measure of the degree of cultural conversion achieved by the competitiveness agenda that there has been an internecine war in the shadow Cabinet for the privilege to respond to this White Paper. The shadow Secretary of State for Trade and Industry, the shadow Chancellor and the deputy leader of the Labour party have all been hoping to have the chance to take this issue on as theirs. At least I have achieved something: I have got the members of the shadow Cabinet talking to each other—even if it is at the top of their voices in a bar-room brawl.

I should like to help the right hon. Member for Kingston upon Hull, East (Mr. Prescott). I was intrigued by some of the statistics that he quoted. He was talking, for example, about the skills audit, which is arguably one of the most important things that we have done. We have said to ourselves as the Government that we shall analyse on a peer-group basis British education, which everyone knows has been a source of concern since the end of the 19th century, with a determination to drive up our standards to the best. That is what we have set out to do.

Every change that we have introduced in the education system since 1986 to drive up standards has been resisted by the Labour party—every single one. If Labour Members have the first idea how to drive up standards in our schools, and as they now control most of those schools, why do they not do it? Before anyone talks about undermining confidence, they should consider that the person who has done more to undermine confidence in the local education system is the right hon. Member for Sedgefield (Mr. Blair), who moved his child out of Islington because he thought that standards were quite inadequate. The hon. Member for Peckham (Ms Harman) moved her child from Southwark to Bromley because she knew that, under the Labour party, schools would never be properly run—*[Interruption.]*

Madam Speaker: Order.

Mr. Gerald Bermingham (St. Helens, South): On a point of order, Madam Speaker. I know that it is the season of the mad cow, but could the Deputy Prime Minister please explain what children's schooling has to do with efficiency, bureaucracy and time-saving? I thought that we were here to debate serious matters, not to have a knockabout, silly-billy session.

Madam Speaker: Although I doubt that that is a point of order, I think that we should keep our discussion within the context of the White Paper. I have already made a statement this month about how Ministers might handle questions and deal with such matters.

The Deputy Prime Minister: The deputy Leader of the Opposition referred extensively to the White Paper on the skills audit, which is published today. I am making a statement about that White Paper's central, new initiative. The idea that the competitiveness of our education and training is not the most vital ingredient after the macro-economic condition displays a degree of naivety that would terrify any observer of the scene.

I shall deal with what I regard as the most deplorable part of the Labour party's tactics in response to the White Paper. It has today put out a statement, to which the right hon. Gentleman referred, that we have slipped from 13th to 18th in the prosperity league table while the Government have been in office. It has done that with the backing of the OECD and the Library of the House of Commons. In order to make the position worse, Labour has included Hong Kong and Singapore in the statistics, which of course are not members of the OECD. [HON. MEMBERS: "You did last year."] They are not members. In order to make the position look as bad as possible, Opposition Members choose an arbitrary position so as to put those two countries into the chart, in which, as they are not members of OECD, they are not entitled to appear. The Opposition have decided to fiddle the figures.

Indeed, the Opposition have done worse than that. I have a certain sympathy with the right hon. Gentleman, because his difficulty is that the latest figures from the OECD do not include 1979. The document that I have here contains the latest figures. So the Opposition have had to rely on another document. The difficulty for the right hon. Member for Kingston upon Hull, East is that that other document was revised by the OECD.

Far from being 13th in 1979, we were 15th, so according to the OECD's analysis, our relative position has moved from 15th to 16th.

Mr. Prescott: Forging ahead.

The Deputy Prime Minister: Let me help the right hon. Gentleman, who patently has not read the OECD report.

Why was the economy deteriorating in the 1979 period? What do we read in the OECD report about that time? First, we read that

"by the end of 1978 British external competitiveness was at its worst level since 1966".

That was another Labour record, the record that we inherited, and we have had to address the issues. The difference today is that whereas we inherited a persistent decline in Britain's rating, we are now seeing an improvement in that rating. We went down from 15th to 19th and now we have recovered to 16th. That is the fundamental difference. Under the structural changes that we have brought about, this country is now improving its relative performance.

The OECD report dated 1996 says:

"UK economic performance remained good in 1995 following the previous year's strong results.

In the longer term, the economic outlook is good".

Mr. Prescott: A Treasury forecast.

The Deputy Prime Minister: That is the OECD paper, referring to the prospects for the British economy. It continues:

"International cost competitiveness remains sound."

After the structural changes of the past 17 years, we have now reached the position in which all independent analysis outside this country agrees that we are attracting 40 per cent. of all the inward investment coming into the European Union.

That is not the judgment of the Labour party or of the trade unions, but the judgment of the men and women who have to invest their money in the best economic circumstances to earn profits and to make a return. According to their judgment, we are the best country to choose. That is why we believe that we are the enterprise centre of Europe.

Mr. John Redwood (Wokingham): Will my right hon. Friend write to all the poor-performing education authorities in the country drawing attention to the problems of numeracy and literacy? Will he ask them to introduce more whole-class teaching, better methods of teaching reading and writing, and more learning of tables and other traditional methods that work elsewhere, yet are being denied to the children in those authorities' schools? As new Labour is finding it so difficult to get its message across to its own supporters, perhaps my right hon. Friend will invite the Leader of the Opposition to co-sign the letter.

The Deputy Prime Minister: We know what the Leader of the Opposition would do: he would opt out of the process. That is exactly what he does. I wholly agree with my right hon. Friend, and if the Labour party knew what to do, it could do it now. The Labour party controls most of the schools in this country. But the fact of the matter is that Labour has neither the will nor the ideas to take on the unions in those educational establishments and to take the necessary action to drive up standards. That is why my right hon. Friend the Secretary of State for Education and Employment is so much to be admired. With her predecessors, she has reversed the decline in our education standards to a point at which we can look forward to closing those gaps.

Mr. Nick Harvey (North Devon): The Deputy Prime Minister presented an upbeat picture this afternoon, but what would he say to the 250,000 people who lost their jobs in the first quarter of this year, the highest number since the winter of 1992-93? Will they enjoy the better quality of life for all that he has talked about? Was he not nearer the mark when trailing the White Paper in yesterday's *Financial Times*? He said:

"We must now further raise the quality of our education system, training, innovation and a host of other factors if the UK's performance is to match the rest of the world."

After 17 years of Tory government and a raft of education measures, is not the right hon. Gentleman acknowledging that the triumph that he has proclaimed this afternoon is a long way from reality?

The Deputy Prime Minister: I would say that unemployment has fallen by 800,000 in the past three and a half years and that we have the highest proportion of our population at work. If one wants to prejudice that, the surest way to do so is to impose social costs or to raise income taxes, which both Opposition parties stand for.

Mr. Andrew Rowe (Mid–Kent): My right hon. Friend is right to draw attention to the extraordinary increase in the number of prosperous small businesses in this country. Will he spare a thought for very small village pubs, which are an essential part of the framework of our society? Will he consider including among the imaginative ideas that the Government have canvassed, for rate relief for post offices, a similar measure for small village pubs?

The Deputy Prime Minister: My hon. Friend knows that we take extremely seriously the representations that have been made to us, and we are considering them. We have taken steps regarding small businesses in rural areas, and they will be considered carefully.

Mr. Dennis Skinner (Bolsover): Is the Deputy Prime Minister aware that his statement is an insult to the people out there in Britain, including the 4 million who do not have a job? That is the total—never mind his fiddled figures. The public sector borrowing requirement has increased by £10 billion, by the Government's own calculations, in the past 12 months. The Government are privatising British Rail and handing over £850 million a year to subsidise it, and they are stuffing nuclear power with another £1 billion a year. He talks about competitiveness, but he closed the last 31 pits, all of them in north Derbyshire. A survey in my constituency found that unemployment stands at more than 60 per cent. in three of those pit villages. That is the reality of 17 years of Tory government, and it is high time somebody else blackmailed them. We could then get rid of them and make a fresh start.

The Deputy Prime Minister: It is precisely because the hon. Gentleman and so many of his hon. Friends talked such nonsense in the post-war world that the coal industry was destroyed. They sold the miners down the river. If the miners had achieved the productivity under Labour that they are achieving today, there would be more profitable pits exporting coal, and everyone knows that.

Before the hon. Gentleman gives his customary diatribe, he might bear it in mind that he was content to support a Labour Government in 1979, when only a quarter stayed on at school—the figure is now up by 60 per cent.—and when only one in eight went into higher

[Mr. Dennis Skinner]

education. The figure is now one in three. He talks loudly about helping people, but his views, philosophy and negative attitude are wholly destructive of their interests and of those of this country.

Sir Michael Grylls (North–West Surrey): Will my right hon. Friend take encouragement from the figures that he announced this afternoon, showing that 1 million new firms have been created during the past 17 years? That is in no small measure due to the enormous number of changes that we have made in legislation, to encourage small and medium-sized firms. Will he continue that work? Will he also ensure that large public companies state how many days they take to pay their bills, so that people can look in their accounts and see what they are doing? Will he examine the statutory audit? I know that he mentioned that earlier, but it is important that the exemption limit is raised, because if it is not, we shall still be at a disadvantage compared with most of our main competitors.

The Deputy Prime Minister: I very much agree with my hon. Friend, who has done so much to argue the cause of deregulation and lightening the load on small businesses. It is right that one of the most successful aspects of the rejuvenation of our economy is the fact that there are now more than 1 million more small businesses and that their number is rising as we lead Europe out of recession.

To start a small business, money must be retained in the hands of society at large. It is interesting to compare the tax situation in the OECD report of 1979 with that in the recent one. The 1979 report states:

"Amendments to the Finance Bill in Parliament"—

led by the Opposition, who were then the Conservatives—

"led to a reduction in the basic rate of income tax from 34 to 33 per cent."

That is an example of how then we were trying to force the Labour Government to reduce the basic rate of tax from 34p to 33p. Today, we are looking at a chance to move the basic rate from 24p to 20p. That is a fundamental ingredient of a situation in which small businesses are worth starting, and in which, when they start, they can keep enough money to expand.

Mr. Geoffrey Robinson (Coventry, North–West): The right hon. Gentleman has a justifiably high reputation as a successful business man. What would he say to a manager running one of his businesses who started with a struggling company placed 15th in the sales league and whose 17-year performance took it down to 19th and then back up to 16th, one place below where he started? Would he not have sacked that manager long ago and does not that fate—with justification, for having just such a record—await the Government?

The Deputy Prime Minister: But if the alternative managers had been responsible for creating the conditions that nearly destroyed this country's economy and if every time they had been elected, they had devalued the currency in a crisis, forced up taxes and inflation and put the unions in power, one would not spend 30 seconds making a choice about leaving the Government in power. The hon. Gentleman should join us, because he knows as well as I do that there is only one party with any understanding of the challenges and opportunities of running a capitalist society. We are that party and the Opposition had better remain glued to their Benches.

Mr. John Butcher (Coventry, South–West): Taking the company analogy further, does my right hon. Friend agree that a company that seeks to remain competitive in world terms has to be honest in the appraisal of its weaknesses and must always have its door open to new ideas, which is precisely what the White Paper does? I congratulate him on his approach in it. Does he agree that we can learn two things from Germany? It is folly to load on-costs on to the costs of employing people—to the extent that, in April, Germany laid off 180,000 workers. We can learn also from Germany's great advantage in what management trainers call the mastery of detail in their middle managers. The management of detail through their meister and techniker classes is something that we could perhaps mirror and improve on. I urge him to put his full weight behind the national vocational qualification programme and modern apprenticeships, because it is in that middle area that we have some catching up to do.

The Deputy Prime Minister: I wholly agree with my hon. Friend and I appreciate his view, which I think is the mature political view, that starting the process of catching up in areas where the comparisons are not satisfactory requires frank analysis. That is what we have done. We have great strengths, but there are some areas that need improvement.

The easiest way to destroy our competitiveness is to increase the on-costs of employing people. That is one of the issues that divides the two sides of the House starkly and absolutely. We will not accept the social chapter. The truth is that we shall be proved right, as we have been on so many other occasions, because the Europeans know that they are going to have to make adjustments to the structure of their social funding to lighten the load. They know perfectly well that German, French and Dutch firms are moving to Britain because of the relative costs. To undo the advantage, as the Labour party would do, would severely prejudice the British national self-interest.

Mr. Prescott: So why is all the capital flowing out?

The Deputy Prime Minister: Because we live in an open society. Here we have a fascinating example of the narrow-minded view of the Labour party. Labour Members cannot understand that if we invest overseas, earnings are repatriated to this country. The obsession of the Labour party is not with the British economy, but with the 20 per cent. of the economy that the manufacturing economy represents, where Labour's trade union paymasters are the strongest.

Let us take the most obvious example. We have a trade deficit with Japan, but we have a balance of payments surplus with it because repatriation of earnings through tourism and other invisible earnings more than make up for the trade deficit. The Labour party has to come to terms with the fact that this is a global world. The Labour party talks about protectionism and stopping the ex-flow of capital. Is the Labour party going to do that?

Mr. Richard Caborn (Sheffield, Central): No.

Madam Speaker: Order. I am now weary of comments from a sedentary position from the Opposition Front

Bench. *[Interruption.]* Order. A number of Members are impatient to put their questions and I am impatient to call them. At this rate, they will not all be called.

The Deputy Prime Minister: I simply make the observation that there is an in-built hostility to British investment overseas. Labour Members do not understand the nature of the global world in which we operate.

Mr. Gerald Bermingham (St. Helens, South): Perhaps the Deputy Prime Minister will answer me three straight questions without a tirade. First, why is it that, with the reduction in safety measures that has resulted from the removal of red tape and bureaucracy, there are more accidents? Why is it that, with the removal of many safeguards, abattoirs have not been able to cope with bovine spongiform encephalopathy, simply because we no longer have the right regulations for rendering plants and abattoirs? Thirdly—here I declare a professional interest on behalf of many professional men—why are the Government the slowest payer of any body with which we deal?

The Deputy Prime Minister: The hon. Gentleman will, of course, find it easy to make such allegations. If he can show me scientific advice to the Government in respect of BSE that the Government have not meticulously followed, I should like to see it. If he can show me safety measures that the Health and Safety Executive—a tripartite body representing the trade unions as well as the employers—has urged the Government to introduce and which we are not introducing, I should be interested to see them. The fact is that he cannot. All that he can do is indulge in the worst sort of scare tactics and unsubstantiated allegations, without any regard to the damage that they do to the national interest, presumably in order to make some cheap publicity and in the hope that the harm that it does is forgotten the day after. It is a deplorable abuse of the House that an hon. Member is prepared to make allegations of that sort about safety without backing them up.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): My right hon. Friend said in his opening remarks that we had the greatest growth in the economic cycle of any country in Europe, but does he agree that the important fact is not only that, but that our growth has been greater than inflation for the first time in many decades, so we are making real strides in improving our economy?

The Deputy Prime Minister: My hon. Friend is right. There are numerous examples of the strength of the British economy. It is today looking forward to one of the most exciting prolonged periods of expansion that any of us can remember.

Mr. Barry Sheerman (Huddersfield): Many of us came here to have a serious discussion on the White Paper that the Deputy Prime Minister has introduced. We have had three White Papers on competitiveness, because our economy is in a very serious situation. There is no doubt that some of the White Papers have tried to remedy the situation. But the fact is that we have the White Papers—they are a symptom of something deeply wrong with our economy and with the management of it for the past 17 years.

Does not the Deputy Prime Minister have to accept the fact that, if one wants to destroy an economy, one fails to invest and one fails to educate and train the population to a sufficiently high level? That is the accusation against the Government. The right hon. Gentleman reduced the tone of the debate this afternoon when he referred to the education of the children of my right hon. Friend the Member for Sedgefield (Mr. Blair). *[Interruption.]* Yes, he did—and the tone of the debate dropped. The Deputy Prime Minister and his Cabinet colleagues have never supported public education. We have failed to educate and to train the ordinary children of this country sufficiently well.

The Deputy Prime Minister: If the hon. Gentleman thinks that it is not of political significance when the Leader of the Opposition takes his child out of a Labour borough's education system and if he thinks that that is not a reflection of the quality of education in Labour authorities, I do not know what is. *[Interruption.]* Of course he is entitled to do so—and I suppose that it is his responsibility, as a member of the Opposition, to put forward the most gloomy view. I have to ask myself a different question. The OECD, in surveying the British economy, said:

> "UK economic performance remained good in 1995 following the previous year's strong results.
>
> In the longer term, the economic outlook is good".

Do I believe the OECD or the Labour party? That is not a difficult question for me to answer.

Mr. Richard Tracey (Surbiton): My right hon. Friend will realise that competitiveness and enterprise are most particularly driven in detail at local level. He said a good deal about education now being stultified by local education authorities that are controlled by the Opposition parties. Does he agree that, at the local level, the Opposition parties that are in control of councils produce far too much bureaucracy and far too many petty officials, and constantly come forward with silly ideas for regional authorities, such as a reborn GLC?

The Deputy Prime Minister: I agree with everything that my hon. Friend said. I have another criticism: in too many Labour authorities, there is no real awareness of the need to drive up standards. They are preoccupied with spending money—they are on the side of the producer, not the consumer. The essence of the Government's competitive thrust is to be preoccupied with what the market will require and with what the customer expects on an international and national basis. That is the only way to succeed.

Mr. Peter L. Pike (Burnley): I accept what the Deputy Prime Minister said about the importance of business links. He indicated that 7 per cent. of small and medium-sized enterprises are not in easy contact with a business link. East Lancashire still does not have a business link. Whose fault is that? Is it the Government's fault? Is it the East Lancashire training and enterprise council's fault? Will he give a kick, where necessary, to ensure that we have a business link as soon as possible?

The Deputy Prime Minister: That is a serious question, and I shall deal with it seriously. Quite frankly, the disputes locally have not been resolved, and I regret

[The Deputy Prime Minister]

that—it is of ill service to the local industrial and commercial communities. I believe that the arguments are not valid. They are born of rivalries—perhaps they are historic or personal. It is apparent that we have put a business link chain more or less throughout England, to the immense benefit of small businesses: 6,000 of them use it every week. It is regrettable that there is not a business link in east Lancashire because they have not been able to get their act together.

Mr. Patrick Thompson (Norwich, North): I congratulate my right hon. Friend and his colleagues on reaffirming the vital importance of education and the basics to industrial competitiveness. Is it not a fact that the announcement by the Secretary of State for Education and Employment yesterday, about the reform of teacher training colleges and a close examination of what happens in those colleges, is of vital importance to the policy that he has put forward this afternoon? Will he confirm that that will be a root-and-branch look at those colleges, to drive forward the policy that he has so ably put forward this afternoon?

The Deputy Prime Minister: My hon. Friend has deep personal experience of the education world, and I appreciate that. The Prime Minister made it clear—I repeat it on his behalf—that nothing is more important than to drive up this country's education standards. It is of fundamental importance to our competitiveness agenda. That will happen only if we apply a range of policies throughout the education world. In 1986, the ground of opportunity was laid by my right hon. Friend the Member for Mole Valley (Mr. Baker). From that moment on, in the teeth of resistance, we have introduced the necessary reforms. The benefits are now beginning to flow, but we have not yet closed all the gaps, particularly at the lower level of some skill requirements. We must do so and we shall put our whole endeavours into achieving it.

Mr. Roy Beggs (East Antrim): Does the Deputy Prime Minister recognise that yesterday's investment of £113 million by Emersons and Caterpillar in F. G. Wilson in Larne in my constituency, which will create nearly 2,000 jobs in Larne, Monkstown and west Belfast, is a vote of confidence in the UK economy and in the education and training provided in Northern Ireland? In today's statement, he referred to this country and to England and Wales. Will he assure me that the policies being pursued will be brought to the attention of the Secretaries of State for Scotland and for Northern Ireland, so that all of us in the UK can benefit?

The Deputy Prime Minister: I am grateful to the hon. Gentleman for giving me the opportunity to reaffirm that. The competitiveness agenda is, in the main, dealt with in England, Wales, Scotland and Northern Ireland. The other day, I had the privilege of visiting Northern Ireland. It was one of my most exciting visits, and that is sincerely meant. I saw some of the most exciting companies that I have come across. Recently, I took 270 companies on my visit to China. Some of the most forceful were from Northern Ireland. They enjoyed their visit as much as we enjoyed having them.

Mr. Nicholas Winterton (Macclesfield): The UK economy is prospering and the White Paper's measures will further assist in advancing our economy's interests, but does my right hon. Friend agree that manufacturing is a vital sector of our economy? We need to encourage more investment, albeit that investment has increased recently, but from a fairly low level. Has he any plans to seek to improve the investment level? There is undoubtedly a problem in respect of capital spending reductions in higher education, and the private finance initiative has not yet taken off. Will he consider that matter, to find out whether he can, through his Department, assist in ensuring that capital expenditure reductions in higher education do not prejudice the tremendous success of higher education, which is vital to our economy?

The Deputy Prime Minister: My hon. Friend is absolutely right about the tremendous success and tremendous expansion of higher education. We consider carefully—we shall do so again in the forthcoming public expenditure round—the requirements of the higher education sector, indeed, the whole education sector. The extent to which the private finance initiative is beginning to become adopted in that sector, which has great benefits, and the degree of partnership that is being established between academia and the British industrial and commercial base, are encouraging. Manufacturing industry is, of course, a critical part of our economy. One cannot preserve sectors simply because they are historically excellent, but investment is flowing into some of the more advanced technologies in manufacturing today, which is extremely exciting.

My right hon. Friend the President of the Board of Trade has in place about as effective a means of support and sponsorship of the sectors for which he is responsible as there has ever been. One of the things that we have introduced in this year's competitiveness White Paper is a list of sponsorship responsibilities for each sector of industry, Department by Department, to focus attention clearly on where companies can turn for the support that the Government now give. We do not subsidise them or have cosy relationships with them, but we work together to try to increase their opportunities.

Mr. Andrew Mackinlay (Thurrock): Will the Deputy Prime Minister address himself to section 6 of the White Paper, relating to competition in transport? Why does it mention all modes of transport except aviation and airports? There is a clear lack of competition in that field, as the British Airports Authority has a monopoly vested in the three principal London airports and British Airways recently announced its intention to join American Airlines—a move that is being challenged by a number of people in the market who believe that it represents unfair competition. Therefore, is there not a case for making a statement or producing a supplement to the White Paper, in order to address—via legislation in this place and references to the Monopolies and Mergers Commission—the question of the monopoly in London's airports and the threat to competition posed by British Airways' tie-up with American Airlines?

The Deputy Prime Minister: Nobody would support the hon. Gentleman more than me, in paying tribute to the remarkable achievements of the civil aerospace and aviation industry in this country. It has been a great triumph since it was privatised. *[Interruption.]* There is

no comparison between the scale of the British aviation industry or the British Airports Authority, their national and international roles and effectiveness as major players now, and their positions before privatisation. I know that, because I was the Minister who sponsored them in the mid-1970s.

The hon. Gentleman raised some competition policy issues. There are several controversial matters on the tapis at the moment, so he will understand if I am not drawn into discussing them. He knows that there are regulatory authorities, and it is not for me to double-guess them.

Mr. Bernard Jenkin (Colchester, North): I ask my right hon. Friend to look again at the Davos World Economic Forum global competitiveness league, to which the right hon. Member for Kingston upon Hull, East (Mr. Prescott) referred rather selectively. Does it not show that Britain has been promoted from 18th to 15th place, while Germany and France have been relegated to 22nd and 23rd places? That means that Britain is No. 3 in Europe, and demonstrates that we are becoming the enterprise centre of Europe.

The Deputy Prime Minister: I am most grateful to my hon. Friend. We look very carefully at the World Economic Forum reports. Their analysis is often conducted on the basis of surveys of industrialists—which is a very interesting means of analysis. We think that the forum tends to be rather more selective in its sampling and more subjective in its judgments than the analysis that we have tried to introduce into our White Paper. If I had sought to put a gloss upon the improvement in Britain's competitiveness, I could have easily switched the basis of calculation and chosen the most favourable existing surveys—I assure the House that there are more favourable surveys than the ones that we have produced. As to the integrity of the competitiveness agenda, the vital factor is that we do not change the basis of comparisons year by year.

Business of the House

4.27 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): With permission, I would like to make a statement about the business for next week.

MONDAY 17 JUNE—Remaining stages of the Family Law Bill *[Lords]*.

TUESDAY 18 JUNE—Opposition Day [15th Allotted Day]. Until about 7 o'clock, there will be a debate on the fight against fraud in the benefit system. Followed by a debate on the privatisation of the nuclear industry. Both debates will arise on Opposition motions.

WEDNESDAY 19 JUNE—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

Until about 7 o'clock there will be a debate on sentencing policy on a Government motion.

Motion on the Northern Ireland Act 1974 (Interim Period Extension) Order.

THURSDAY 20 JUNE—Debate on the European Union on a motion for the Adjournment of the House. Details of the relevant documents will be given in the *Official Report*.

FRIDAY 21 JUNE—Debate on the strategy against drugs on a motion for the Adjournment of the House.

The provisional business for the following week will be as follows:

MONDAY 24 JUNE—Remaining stages of the Defamation Bill *[Lords]*. The Chairman of Ways and Means is expected to name opposed private business for consideration at 7 o'clock.

TUESDAY 25 JUNE—Opposition Day [16th Allotted Day].

There will be a debate on a motion in the name of the Liberal Democrats. Subject to be announced.

WEDNESDAY 26 JUNE—In the morning, until 12.30 pm, there will be a debate on the second report from the Employment Committee on the right to work/workfare followed by a debate on the sixth report from the Treasury Committee on the private finance initiative. Those debates on Select Committee reports will be followed by debates on the motion for the Adjournment of the House.

In the afternoon, the 17th Opposition Day, there will be a debate on an Opposition motion, the subject of which is to be announced.

THURSDAY 27 JUNE—Until 7 o'clock, motions on the structural and boundary change orders; that is, local government reorganisation. Details will be given in the *Official Report*.

FRIDAY 28 JUNE—The House will not be sitting.

The House will also wish to know that on Wednesday 19 June, there will be a debate on the administration and control of CAP compensatory aid in European Standing Committee A, and that on Wednesday 26 June there will be a debate on small and medium enterprises in European Standing Committee B. Details of the relevant documents will be given in the *Official Report*.

[Wednesday 19 June:

European Standing Committee A—Relevant European Community document: 7181/96 relating to CAP compensatory aid: administration and control. Relevant European Legislation Committee Reports: HC 51-xxii (1995-96) and HC 51-xx (1995-96).

Wednesday 26 June:

European Standing Committee B—Relevant European Community documents: (a) 6141/96 relating to small and medium sized enterprises; (b) 6929/96 relating to loans to small and medium sized enterprises. Relevant European Legislation Committee Reports: (a) HC 51-xix (1995-96) and (b) HC 51-xxii (1995-96).

Thursday 20 June:

Debate on the European Union on a motion for the Adjournment of the House. The following documents are relevant:

The White Paper on Developments in the European Union July to December 1995 (Cm 3250); First Annual Report on Progress in Implementing the Action Plan for the Introduction of Advanced Television Services in Europe 8567/95; The Commission's Recommendation for the Broad Guidelines of the Economic Policies of the Member States and the Community (11/207/96-EN REV 1); The Minutes of Evidence taken by the Foreign Affairs Committee on 12 June (House of Commons Paper No. 306 ii).

Thursday 27 June:

Motions on the structural and boundary change orders. The relevant orders are as follows:

The Cambridgeshire (City of Peterborough) (Structural, Boundary and Electoral Changes) Order 1996; the Lancashire (Boroughs of Blackburn and Blackpool) (Structural Change) Order 1996; the Nottinghamshire (City of Nottingham) (Structural Change) Order 1996; the Cheshire (Boroughs of Halton and Warrington) (Structural Change) Order 1996; the Devon (City of Plymouth and Borough of Torbay) (Structural Change) Order 1996; the Essex (Boroughs of Colchester, Southend-on-Sea and Thurrock and District of Tendring) (Structural, Boundary and Electoral Changes) Order 1996; the Hereford and Worcester (Structural, Boundary and Electoral Changes) Order 1996; the Kent (Borough of Gillingham and City of Rochester upon Medway) (Structural Change) Order 1996; the Shropshire (District of the Wrekin) (Structural Change) Order 1996.]

Finally, I am glad to say that I am now in a position—the hon. Member for Dewsbury (Mrs. Taylor) will say "at last"—to answer a question that the hon. Lady has asked me on a number of occasions by telling her that the summer economic debate, as it is known—the debate on the economy—will take place on Wednesday 17 July.

I am also in a position to tell the hon. Lady something that I do not think that she has yet asked about, but no doubt soon would, which is the date of the Budget. My right hon. and learned Friend the Chancellor of the Exchequer intends to introduce his Budget statement on Tuesday 26 November.

Mrs. Ann Taylor (Dewsbury): I thank the Leader of the House for that information. As he has said, on several occasions recently I have asked him about various matters, including the date of the summer economic debate, and I am grateful that he has been able to give us some notice of when that debate will take place. Will the right hon. Gentleman also confirm that the summer economic forecast will be available on 9 July, which I understand is the provisional date for publication?

The right hon. Gentleman has been sympathetic recently to a request that I made for a debate on the situation in Hong Kong. He said from the Dispatch Box that he saw good reason for having another debate in the near future and I wonder if he can now tell us whether it is likely that that debate will take place before the summer recess.

The right hon. Gentleman has also expressed sympathy throughout the parliamentary year to my request for a debate on further reform of parliamentary procedures. In view of his general sympathy to discussing such matters, is there any realistic chance of such a debate before the summer recess?

The right hon. Gentleman has not announced a date for the next meeting of the Welsh Grand Committee. He will be aware that my hon. Friends from Wales have made repeated requests for a meeting of the Welsh Grand Committee so that they can have a full-scale debate on the BSE crisis and its impact in Wales. Does he accept that the need for such a debate in that setting is now extremely urgent and will he take steps to try to ensure that that can happen as soon as possible?

On an entirely different issue, the right hon. Gentleman may have read about the distressing experience of passengers booked on a flight from Orlando to Manchester at the weekend. As the passengers on that flight, including a family from my constituency, had genuine reason to be concerned, and as they believe that their consumer rights were inadequate and that they were given less than helpful advice by the British consulate in Orlando, will the right hon. Gentleman ensure that there is ministerial co-operation to investigate the incident and that, following such an investigation, Ministers report to the House on any changes that might be necessary to deal with such a situation in the future?

Finally, one date that the right hon. Gentleman did not mention but about which there has been a great deal of speculation, is the date of the summer recess. Can the Leader of the House throw any light on that particular matter, even if it is only to remind the House of the dates of the royal garden parties so that we can make some informed judgment as to how far into July the House is likely to be sitting?

Mr. Newton: May I first express my gratitude to the hon. Member for Dewsbury (Mrs. Taylor) for her words of thanks about the date of the summer economic debate, and in return respond by saying that it is my understanding that the summer economic forecast is expected to be published on Tuesday 9 July? One reason for having the debate on 17 July is to allow a little time for study after its publication but also to allow time for the Treasury Select Committee to take evidence from Treasury officials and, indeed, the Chancellor before the debate takes place. I hope that what I have announced will be for the general convenience of everybody concerned.

I remain sympathetic to the hon. Lady's request for debates on Hong Kong and procedure, but I am not in a position to translate sympathy into an announcement at the moment. There is quite a lot of pressure of business between now and the summer recess, but I shall do my best.

On the hon. Lady's question about the Welsh Grand Committee and the debate that her hon. Friends wish to have on bovine spongiform encephalopathy, I am aware

that there has been discussion and correspondence between my right hon. Friend and her hon. Friend about the overall organisation of this particular meeting of the Welsh Grand Committee. It is more appropriate for me to leave the discussion to continue between the usual channels than to intervene on the Floor of the House, but I take note of her remarks.

I admire the ingenious way in which the hon. Lady managed to weave a constituency case into business questions, for perfectly good and understandable reasons that I respect. She will understand that I am not in a position to comment in detail, but I shall certainly ensure that her remarks and request are brought to the attention of my appropriate right hon. Friends.

Lastly—to be honest I cannot remember the dates of all the royal garden parties—the hon. Lady asked about the date of the summer recess, in which I suspect that there is widespread interest. I have already announced some business for 17 July, and it is only fair that I should tell the House that, although I am not yet in a position to give dates for the recess, I anticipate that the House is likely to sit well into the second half of July.

Sir Patrick Cormack (South Staffordshire): May I ask my right hon. Friend to reconsider the time that he has allotted for the Defamation Bill? Does he accept that the clause on the bill of rights—if I may put it that way—is probably the most important parliamentary matter that we will have had to discuss this Parliament and arguably for many years? Does he seriously think that a debate that terminates at 7 o'clock with opposed private business is enough? I know that the debate can resume later, but would it not be better to have an uninterrupted day on that particular subject?

Mr. Newton: I note my hon. Friend's thoughts. He will have heard it said from a sedentary position—albeit not by me—that it is possible for debate to be interrupted rather than terminated by private business, and there are many examples of such a resumption. Indeed, if I remember rightly, I think that it happened when we last debated the Defamation Bill. I note my hon. Friend's points. Much of the Bill appears to be pretty non-controversial, so there should be quite a significant opportunity for debate on the point about which he is concerned.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): May I support the question that was asked by the hon. Member for Dewsbury (Mrs. Taylor) about the need for a debate on procedural reform? The official Opposition have come up with some fairly new and interesting ideas, and the Liberal Democrats are in the process of doing the same.

May I say in passing that it is useful that the House has been given details of two weeks' business, because it allows me an opportunity to say that I am slightly concerned that up to nine orders will have to be considered in a three-hour debate on Thursday 27 June. Perhaps other parties were consulted through the usual channels about this, but I am nervous about the number of structural and boundary orders that will have to be considered during that debate.

Mr. Newton: I note the hon. Gentleman's support for what the hon. Member for Dewsbury (Mrs. Taylor) said about a debate on procedures, but I cannot add to what I said to her. As for the business for Thursday 27 June, the hon. Gentleman is right in thinking that my proposal seemed to be for the general convenience of the House in the light of discussion between the usual channels; but, as in a sense he is also a "usual channel", I will take that as a representation, and will at least give it what consideration I can.

Mr. John Sykes (Scarborough): May we have a debate about the future of the Crown Prosecution Service at some stage? I ask because yesterday a 16-year-old thug appeared in Scarborough magistrates court charged with vicious assault on a 40-year-old gentleman. It was all caught on camera, but when the youth pleaded not guilty the CPS dropped the charges immediately, without consulting the police as it is bound to do. Is it not high time that we sent the CPS packing and handed responsibility for prosecutions back to the police, where it belongs?

Mr. Newton: My hon. Friend would not expect me to comment on such a case off the cuff. As he will understand, I feel that the appropriate course is for me to bring his remarks to the attention of my right hon. and learned Friend the Attorney-General, who has responsibility for the CPS.

Mrs. Alice Mahon (Halifax): Will the Leader of the House make time for a debate on the closure of hospitals and accident and emergency departments? He will know that, along with my constituents, I have been fighting the closure of Northowram hospital. My constituents and I are dismayed that the Edgware accident and emergency department is apparently to be kept open in some form because of blackmailing by two local Members of Parliament.

While he is at it, could the right hon. Gentleman please give us the Government's definitions of an accident and emergency department and a casualty department?

Mr. Newton: I am not in a position to add to what my right hon. Friend the Prime Minister said not so long ago when he made it clear that he did not accept the line of argument to which the hon. Lady has returned.

Clearly, the difference between a full-scale accident and emergency department and a casualty service of the kind that exists at one hospital in my constituency is largely one of scale. The degree to which all kinds of modern equipment are available is another factor.

Mr. Barry Field (Isle of Wight): When may we have a debate on the competitiveness White Paper that was announced today? I am sure that my right hon. Friend will be surprised to learn that, when the Deputy Prime Minister was President of the Board of Trade, he was instrumental in securing regional assistance and a business link for the Isle of Wight—as well as the regional office, which has been very helpful under Gillian Ashworth. Despite all that assistance, we have the lowest percentage of higher-rate taxpayers in the country, and we still have one of the highest levels of seasonal unemployment. We hear all the grizzling and grumps from Opposition Members, but their economies have been transformed with the Government's assistance. I hope that my right

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hon. Friend the Deputy Prime Minister will be able to bring his entrepreneurial skills to bear on the island's economy, and crack the problems.

Mr. Newton: I thank my hon. Friend for acknowledging the importance of the policies that the Government have been pursuing, whose further development was set out by my right hon. Friend the Deputy Prime Minister this afternoon. My hon. Friend will realise that his request for a debate is the third that I have received so far this afternoon, against a background of some anxiety about the date of the summer recess. He will appreciate that I may be trying to put a quart into a pint pot unless the House actually wishes to sit well into August.

Rev. Martin Smyth (Belfast, South): The Leader of the House has been very helpful when I have pressed for a meeting of the Northern Ireland Grand Committee. Will he encourage the Secretary of State for Northern Ireland to convene the Committee in the near future—before the recess—so that it can consider the report of the examiner's statutory rules for the past two or three years? I have been speaking to the parties from Northern Ireland that are represented here today, and they are sympathetic to that request.

Mr. Newton: As the hon. Gentleman is well aware, my right hon. and learned Friend the Secretary of State has quite a lot on his mind, and indeed his plate, at present. Much of it will have been vented earlier in Northern Ireland questions. I will, however, remind him of the pressure that the hon. Gentleman is exerting.

Mr. Michael Stephen (Shoreham): My right hon. Friend will be aware that, on an earlier occasion, I raised in the House the practice of granting legal aid out of public funds to persons who are not ordinarily resident in this country. Can he find time for a debate on that important subject? As I am sure he will know, our constituents consider it entirely wrong that they should be denied legal aid on the ground that there is not enough money in the fund, although they have paid taxes all their lives, while there seems to be enough money to grant legal aid to foreign persons.

Mr. Newton: That is request for debate No. 4. In the event of future requests, I shall want a signed piece of paper offering me an undertaking that the hon. Member concerned will be here in August. Meanwhile, I can tell my hon. Friend—perhaps more helpfully, although my first remark was also intended in a friendly spirit—that the Lord Chancellor intends to issue a White Paper on the future of legal aid before the summer recess, although whether there will be time for it to be debated before the summer recess is a more questionable proposition.

Mr. Kevin Hughes (Doncaster, North): Has the Leader of the House seen my early-day motion 972?

[*That this house is concerned about the recent change of legal interpretation of regulations by Television Licensing, whereby it was previously accepted that, providing there was no simultaneous use, a television licence for the main home would also cover the use of a television at a second home (including static caravans); observes that this change of interpretation now means that even where it is proven that there is no simultaneous use of a television a second licence will need to be purchased; recognises that many retired people have static caravans and could not afford two television licences; and urges the Government to change the Consolidated Television Licence Fee Regulations 1991 in order that Television Licensing can reinstate its original interpretation in particular for retired people.*]

The motion concerns people who are forced to buy two television licences, although there is no simultaneous viewing. The situation has been caused not by any change of regulations by the Government, but by a change in legal interpretation. Will the Leader of the House ask the Secretary of State for National Heritage to make a statement in the House about how she intends to redress the position? It is clearly unfair: people cannot be in two places at once, so why should they be charged twice for one service?

Mr. Newton: I will certainly bring that point to the attention of my right hon. Friend.

Mr. Jacques Arnold (Gravesham): May we have a debate next week on early-day motion 981?

[*That this House notes the statement of the honourable Member for Falkirk West, when referring to the Leader of the Opposition, that it ill becomes the product of an elitist school who has rejected the local education authority system for his own offspring to pontificate on teaching methods in comprehensives; admires his courage in defying the party spin-doctors; and finds his comments revealing in highlighting the real opinions of Labour backbenchers.*]

My right hon. Friend will recall that the motion highlights a particularly vicious attack on the Leader of the Opposition by a senior Labour Back Bencher. Such a debate would allow that hon. Member, and a long string others who have indulged in similar practices, to defy the spin doctors and come to the House to articulate their views on the leader of their own party.

Mr. Newton: My hon. Friend rightly draws attention to the scale and extent of divisions in the Labour party on education policy, which were no doubt also visible during the debate earlier this week. If I can find further opportunities to make them even more visible, I shall of course do my best.

Mr. Andrew Mackinlay (Thurrock): The Leader of the House will be pleased to know that he can count on my support for the structural order relating to Essex. I ask him, however, to consider the point made by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood). If so many orders are to be debated in only two or three hours, 80 or 90 hon. Members may legitimately wish to have their say. I feel that we need more parliamentary time to discuss such a long list of orders.

May we have a statement about lindane getting into the food chain? A number of hon. Members on both sides of the House are deeply concerned about that. One of your distinguished deputies, Madam Speaker, before being elevated, initiated a powerful Adjournment debate about it some time ago. We do not want to encounter the same

problems that we have encountered in relation to other aspects of the food chain. The matter requires urgent consideration and debate, and a statement from a Minister.

Mr. Newton: I will bring that last request to the attention of my right hon. Friend the Secretary of State for the Environment. As for the hon. Gentleman's first point, it was not actually a request for another debate, but it was close to being one, which would make it No. 5. I take note of it—in addition to the points raised by one or two hon. Members—but some judgment really must be made about how long the House wants to go on sitting.

Mr. Peter Thurnham (Bolton, North-East): Will my hon. Friend bear in mind the need for a debate on adoption? The Government have published a draft Bill on the subject, and the end of the consultation period in relation to it is 28 June. It would be very helpful if we could have a debate, if not before that date, very shortly after it.

Mr. Newton: That is request No. 6. The list grows by the minute—but once again, in my usual spirit of friendly co-operation, I will add it to what I have come to call my little list.

Mr. Barry Field: On a point of order, Mr. Deputy Speaker. When you and Madam Speaker—who is the guardian of Back Benchers' rights in the House—are privy to the recess dates for the summer recess, if we are likely to be sitting into August, may I ask that you put in a kind word on behalf of the Member of Parliament for the Isle of Wight? The royal yacht will be visiting Cowes week in the first week of August—for the very last time, because it will be going off to Hong Kong—and I am sure that all my constituents will wish me to be there, as I have fought so valiantly to retain it. It will be a very historic occasion.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Being a kind man, I have noted what the hon. Gentleman said.

Orders of the Day

Northern Ireland (Emergency Provisions) Bill

Lords amendments considered.

Clause 52

CODES OF PRACTICE: POLICE POWERS

Lords amendment: No. 1, in page 34, line 17, at end insert—

("( ) The Secretary of State may make codes of practice in connection with—

(a) the exercise by police officers of any power conferred by Part II of this Act or by that Act; and

(b) the seizure and retention of property found by police officers when exercising powers of search conferred by any provision of this Act or that Act.

( ) The Secretary of State may make codes of practice in connection with the exercise by members of Her Majesty's forces of any of their powers under Part II of this Act.

( ) In this section "police officer" means a member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve.")

4.49 pm

The Minister of State, Northern Ireland Office (Sir John Wheeler): I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss Lords amendment No. 2.

Sir John Wheeler: Clauses 52 and 54 re-enact in part section 61 of the current Act. They place a duty on the Secretary of State to make codes of practice in connection with the detention, treatment, questioning and identification of persons who are detained under the terrorism provisions. However, the Bill was drafted against the backdrop of a prevailing ceasefire situation, and it omits that part of the existing provision that confers on the Secretary of State a discretionary power to make codes of practice in connection with the police and Army's powers of arrest, search and seizure known as "part II powers".

No such codes were made during the lifetime of the current Act, and the ceasefires had seen a significant downturn in the use of the part II powers. In those circumstances, it was decided that the provision could lapse.

The Bill has been overshadowed by the provisional IRA's decision to end its ceasefire. We have seen a return to violence in the form of the bombings in London, and we cannot rule out the possibility that the security forces' part II powers will be needed for some time to come.

It seems sensible, therefore, to re-enact the power to create as necessary that type of additional safeguard, which codes of practice would provide.

Mr. Tony Worthington (Clydebank and Milngavie): We welcome these amendments. Memory tells me that, during discussion of the Bill in Committee, we urged the Government not to drop this provision. It is regrettable

[Mr. Tony Worthington]

that the Government have felt it necessary to bring back the provision, because that is a reflection of the deteriorating position. There was a ceasefire when the Bill was introduced, and that ceasefire has ended.

It would be interesting to hear from the Government whether there is a firm intention to introduce such a code. We already had a power to introduce a code, but it was never used. I should be grateful if the Government will tell us whether they will prepare a code.

These matters are being considered by the Lloyd review. The Government recently assured us that the Lloyd review—which affects this amendment and every other provision in the Bill—would be delivered by October. As a matter of clarification, will the Lloyd review be published in October, or will it be delivered only to the Government, for private consideration, for some months before the Opposition and the public can see it? It would be useful to know whether we will be able to have public discussion of the review in October or whether it will be some months after that.

Sir John Wheeler: I shall reply very briefly to the hon. Member for Clydebank and Milngavie (Mr. Worthington) and tell him this about the codes. No decision has yet been made to commence work on codes of practice in respect of the part II powers. As he will know, those powers have been used much less frequently than when terrorist activity was at its height.

If, however, the security situation deteriorates and the use of the powers increases significantly, the Government would give careful consideration to the drawing up of such codes of practice as an additional safeguard for the public and for members of the security forces.

As I have said elsewhere, the Lloyd review will be published in October and will be available for scrutiny by the hon. Member for Clydebank and Milngavie and by all others with an interest in this matter.

Lords amendment agreed to.

Lords amendment No. 2 agreed to.

Clause 62

COMMENCEMENT, DURATION, EXPIRY AND REVIVAL OF PROVISIONS OF THIS ACT

Lords amendment: No. 3, in page 39, line 27, after ("it") insert

(", or a corresponding earlier enactment,")

Sir John Wheeler: I beg to move, That this House doth agree with the Lords in the said amendment.

The amendment seeks to address a gap in the Bill as drafted. Clause 15 restricts the remission granted under prison rules in respect of those convicted of scheduled offences and sentenced to a term of imprisonment of five years or more; in such cases, remission is restricted to one third of the sentence. Clause 16 requires the court to order that a person imprisoned for a scheduled offence during a period of remission must serve the unexpired portion of the sentence for his previous offence in addition to the sentence for the subsequent offence.

These two provisions are temporary. Clause 62 provides that in the event of the expiry—or cesser—of either provision, its operational effect shall continue in relation to an offence committed while the provision was in force. However, in the event of the expiry or cesser of clause 15 or 16, the intention would be that the expiry or cesser should affect only offences committed after that event. In other words, offences committed before the expiry or cesser of clause 15 or 16 should continue to be subject to those provisions. The clause does not quite achieve that result because it omits a reference to offences committed before the enactment of the provision—in other words, offences committed during the lifetime of a predecessor provision.

The current wording of clause 62 omits any reference to predecessor provisions. The amendment corrects that.

Dr. Joe Hendron (Belfast, West): I should like to speak to the Lords amendments on clause 52 and clause 54. My original intention was—

Mr. Deputy Speaker: Order. This Lords amendment deals with clause 62; we have already discussed Lords amendments to clause 52 and clause 54. The hon. Gentleman must confine his remarks to the Lords amendments to clause 62.

Lords amendment agreed to.

Clause 63

SAVINGS, AMENDMENTS AND REPEALS

Lords amendment: No. 4, in page 39, line 46, at end insert—

("( ) Schedule *(Scheduled offences: transitional provisions)* (which makes transitional provisions in relation to scheduled offences) shall have effect.")

Sir John Wheeler: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this, it will be convenient to discuss Lords amendment No. 5.

Sir John Wheeler: Because the Bill has the effect of removing certain offences from the current list of scheduled offences—that is, offences that merit special treatment under the emergency legislation—it is necessary to spell out precisely how cases involving such offences, whether committed or alleged to have been committed at the time of the Bill's enactment, should continue to be dealt with after that date.

The amendments would add a new schedule to the Bill which would set out the transitional arrangements for each case, taking into account its individual stage in the criminal justice process at the time of the Bill's enactment.

Lords amendment agreed to.

Lords amendment No. 5 agreed to.

Appropriation (Northern Ireland)

4.59 pm

The Minister of State, Northern Ireland Office (Sir John Wheeler): I beg to move,

That the draft Appropriation (No. 2) (Northern Ireland) Order 1996, which was laid before this House on 5th June, be approved.

The draft order, which covers the main estimates for Northern Ireland departments, authorises expenditure of £3,617 million for the current financial year. Taken together with the sum voted on account in February, this brings total estimates provision for Northern Ireland departments to £6,438 million, an increase of 6.2 per cent. on 1995-96 provisional outturn. The sums sought for individual services are set out in the estimates booklet, which is, as usual, available from the Vote Office. I remind the House that the estimates for the Northern Ireland Office covering law and order services are not covered by the order before us.

As is customary on these occasions, I shall highlight the main items in the estimates, starting with the Department of Agriculture. The net provision in the two agriculture votes amounts to some £164 million. In vote 1, net provision of some £20 million is to fund European Union and national agriculture and fishery support measures which apply throughout the United Kingdom.

The net provision covers the various pre-funded market support measures under the common agricultural policy, which total £135 million. The vote includes some £6 million to assist structural improvements, by way of various capital, environmental and other grants. Some £14 million is to provide support for farming in special areas by means of headage payments on hill cattle and sheep, while £6 million is in respect of processing, marketing and fishing projects, which are wholly funded by the European Union.

In vote 2, some £140 million is for on-going regional services and support measures. This includes £60 million for the development of the agriculture and agricultural products industries and for scientific and veterinary services. Some £27 million is for farm support, enhancement of the countryside and fisheries and forestry services; £24 million is for central administration, including information technology and specialist accommodation services; and £5 million is for the rural development programme. Some £18.4 million is for watercourse management, which is due to become a next steps agency with effect from 1 October 1996.

This vote also contains net provision of £9.3 million in respect of the EU peace and reconciliation programme which incorporates agricultural, rural and water-based projects.

In the Department of Economic Development's vote 1, some £134 million is required for the Industrial Development Board. This will enable the board to continue to attract and support industrial development in Northern Ireland, mainly through the provision of factory buildings and selective financial assistance to both new and existing companies. In 1995-96, the board supported some 35 inward investment projects offering 4,869 jobs.

In vote 2, some £115 million is required. Thirty-two million pounds is for the local enterprise development unit, Northern Ireland's small business agency. This will allow the agency to maintain its excellent record in developing, strengthening and improving the competitiveness of the important small firms sector in Northern Ireland.

Rev. William McCrea (Mid–Ulster): I am sure that the Minister will join me in welcoming the excellent news that 300 new jobs are coming to Cookstown in my constituency. I wish to put on record our appreciation for all the efforts made by the Industrial Development Board and for Baroness Denton's help in getting those jobs for Mid-Ulster.

Northern Ireland's major industry is agriculture. Does the Minister accept that, as we have heard this afternoon, Northern Ireland is practically bovine spongiform encephalopathy free? Will he encourage the Secretary of State, the Cabinet and the Minister for Agriculture, Fisheries and Food to try to get the European ban lifted and allow Northern Ireland to lead the United Kingdom out of the present awful situation, bearing in mind the quality of our produce, which is respected across the world?

Sir John Wheeler: I am grateful to the hon. Gentleman for his opening remarks in which he thanked my noble Friend for her enthusiastic and sterling work on behalf of his constituency and the whole of Northern Ireland. She will be much sustained and encouraged by his observations. I know that the hon. Gentleman works unceasingly to support his constituents by sustaining the business environment and he is aware that he is appreciated for doing so.

As for the BSE problem, it is simply not acceptable that the UK should have been placed in the present position. It is the Government's policy that the ban should be lifted not only for Northern Ireland but for the UK as a whole. The hon. Gentleman's specific remarks about Northern Ireland's excellent record are, of course, well understood and will undoubtedly form part of the Government's case in Europe to see that the ban is lifted as soon as possible. I am grateful to the hon. Gentleman for his remarks.

I was giving the House some financial information. A total of £15.5 million is for the industrial research and technology unit, primarily to promote the competitiveness of local companies by encouraging innovation, industrially relevant research and development and by technology transfer. This underlines the importance that the Government attach to helping Northern Ireland industry to grasp the technological opportunities that underpin successful economic development.

Finally in this vote, £14.6 million is for the Northern Ireland tourist board to support the tourist industry in Northern Ireland. This coming year will be an important challenge for tourism in Northern Ireland. In 1995 we saw the seventh consecutive rise in visitor numbers: a record number of almost 1.6 million people came to Northern Ireland, a 20 per cent. increase on 1994. Investment in tourism remains healthy with a number of major development projects announced in recent months.

In vote 3, £212 million is for the Training and Employment Agency. This will enable the agency to continue to provide a range of comprehensive training and support measures, and includes £73 million to fund 16,000 training places under the jobskills training programme. Some £45.6 million is for the action for community employment and community work

[Sir John Wheeler]

programmes, which will provide some 8,000 places for long-term unemployed adults in projects of community benefit. Furthermore, £23.7 million is to assist companies to improve their competitiveness by developing the skills of their work force and to provide training for those intending to pursue management careers in industry.

I deal now with the Department of the Environment. In vote 1, £180 million is for roads, transport and ports. This includes some £147 million for the development, operation and maintenance of Northern Ireland's public road system.

Mr. Roy Beggs (East Antrim): May I put it to the right hon. Gentleman that the share of funding allocated to DOE roads in Northern Ireland is totally inadequate for current needs? We were disappointed in East Antrim that both the A8 and A2 projects were removed from the major works scheme. We would like them to be reinstated. Yesterday's announcement of major investment by Emerson Electric and Caterpillar in F. G. Wilson will increase substantially the number of heavy goods vehicles travelling between the new plants in Newtownabbey and west Belfast to and from Larne. I would ask that consideration be given at the earliest possible date to increasing the amount of money both for new projects and for road maintenance throughout Northern Ireland.

Sir John Wheeler: The hon. Gentleman is a doughty champion of the road to Larne and all adjacent roads and he argues his case with conviction. The roads programme is assessed on an annual basis and has to take into account circumstances, time, financial priorities and other objectives. However, the hon. Gentleman will be glad to know that my hon. Friend the Under–Secretary of State for Northern Ireland with responsibility for roads will be replying to the debate and I have every confidence that he will wish to respond to the hon. Gentleman's remarks, and possibly to other comments about roads which may be made during the debate.

To continue, maintenance of the road system remains a priority with some £72 million being spent this year. The maintenance programme is complemented by new road construction, minor road improvement and safety schemes. This year, some £3.4 million has been made available for phase 2 of the cross-harbour bridge scheme, with completion of the M3 Lagan Bridge to the Sydenham bypass scheduled for October 1997.

Vote 2 covers housing, where some £210 million will provide assistance mainly to the Northern Ireland Housing Executive and the voluntary housing movement. That is an increase of some £4 million on 1995-96. When net borrowing and the housing executive's rents and capital receipts are taken into account, the total resources available for housing this year will be some £607 million. That is an increase of some £5 million over 1995-96 and will support the continued improvement of housing conditions enabling the housing executive to start some 900 new houses and housing associations to start some 1,250 new dwellings.

Vote 3 covers expenditure by the new Water Service Agency covering water and sewerage services where gross expenditure is estimated at £181 million. Some £75 million is for capital expenditure and some £106 million is for operational and maintenance purposes and administration costs.

In vote 4, about £200 million is for environmental and other services. That includes provision for the environment and heritage service, the planning service, the construction service and land registers of Northern Ireland, all of which achieved agency status in April 1996. Some £37 million is for urban regeneration measures that continue to be targeted at areas of social, economic and environmental need. Those measures provide the catalyst for higher overall investment through partnerships with the private sector. Some £25 million has also been made available under the European Union peace and reconciliation programme, of which some £18.5 million is being funded from EU receipts.

The estimates for the Department of Education seek a total of £1,422 million, an increase of 2.5 per cent. over last year's provision. Vote 1, which now incorporates the provision previously provided in vote 2, includes £877 million for recurrent expenditure by education and library boards—an increase of £34 million over 1995-96. It includes £829 million for schools and colleges of further education.

Vote 1 also provides some £48 million for libraries, youth services and administration, £39 million for boards' capital projects, some £35 million for capital projects in voluntary and integrated schools and £134 million for recurrent expenditure by voluntary and integrated schools. Those amounts include some £24 million for integrated schools—an increase of £9 million over 1995-96.

Also in vote 1, £116 million is provided for local universities to enable them to maintain parity of provision with comparable universities in the rest of the United Kingdom and £125 million is for mandatory student support, including grants and student loans. The vote also covers expenditure on a range of youth, sport, community and cultural activities, including some £17 million for arts and museums and some £3 million for community relations. About £11.5 million has also been made available under the EU peace and reconciliation programme, some £8.6 million of which is being funded from EU receipts.

The next set of votes relates to the Department of Health and Social Services. Vote 1 provides £1,432 million for expenditure on hospital, community health, personal social services, health and social services trusts, family health services and certain other services. That represents an increase of 2.5 per cent. on last year's provision.

In vote 3, £26.5 million is for expenditure on certain miscellaneous health and personal social services costs. Costs of the services now borne on that vote were previously provided for in vote 3 administration and miscellaneous services. The provision sought reflects a 12.1 per cent. increase over last year's final net provision.

In vote 4, £150 million is for the Department's administration and other miscellaneous costs. It includes £99 million for the Social Security Agency, £7.5 million for the Northern Ireland Child Support Agency, £9 million for the Health and Social Services Executive and £4 million for the Health Estates Agency.

In vote 5, £1,628 million is for social security benefit expenditure administered by the Social Security Agency. That represents an increase of 9.2 per cent. on last year and covers not only the general uprating of benefits from April 1996, but an increasing number of beneficiaries.

In vote 6, £370 million is to cover expenditure on the independent living funds, housing benefits, the social fund and payments into the Northern Ireland national insurance fund.

Finally, I turn to the Department of Finance and Personnel, where, in vote 3, £5.8 million is sought for the community relations programme. In addition, some £3 million has also been made available through funding from EU receipts under the EU peace and reconciliation programme. It reflects the importance that the Government continue to attach to community relations in Northern Ireland.

In my opening remarks, I have drawn attention to the main provisions of the estimates. In replying to the debate, I know that my hon. Friend the Under–Secretary of State will wish to respond to points raised by hon. Members. I commend the order to the House.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Before I call the hon. Member for Barnsley, Central (Mr. Illsley), it may be helpful if I make clear that the debate on this order may cover all matters for which Northern Ireland departments, as distinct from the Northern Ireland Office, are responsible. Police and security, including the current peace talks, are the principal excluded subjects.

5.18 pm

Mr. Eric Illsley (Barnsley, Central): The order is wide ranging, and as you, Mr. Deputy Speaker, pointed out, it covers the votes to the various departments of the Northern Ireland Office. We welcome the order. I shall comment on a few areas covered by it and ask a few questions to which I hope the Under–Secretary will be able to respond this evening. If he is not, he will no doubt respond in writing to any points that remain unanswered.

The BSE crisis is having a devastating effect on the beef industry in Northern Ireland and on the Northern Ireland economy, despite the fact that the incidence of BSE in Northern Ireland is extremely low. As I have said in previous debates, the beef industry is extremely important to Northern Ireland. Agriculture is one of the largest sectors of the Northern Ireland economy—if not the largest—and the beef industry is very important to it. Eighty per cent. of Northern Ireland's beef is exported, much of it to Europe, so the ban is having a devastating effect on the more than 16,000 farms in Northern Ireland that rely to some extent on cattle for the beef industry.

The cull is also causing one or two problems in the Province due to the backlog and delays in dealing with animals. I should like to put one or two points to the Government. I understand that young bulls aged between 24 and 30 months, which were not part of the original cull scheme, have now been accepted. The rate of compensation for those animals will be 171p a kilo, which is about 20p below the intervention rate. Although farmers in Northern Ireland are grateful that the bulls have been accepted into the cull programme, I understand that they are disappointed that the compensation payments fall short of what those animals would have made on the open market. In overall terms, each animal is worth about £1,000 on the market, but farmers will receive about £750 in compensation.

There are also fears that this week's meeting of the beef management committee in Europe will recommend reductions in the compensation rates payable to farmers for the beef cull. One payment that is in line for a reduction is the 25p top-up payment, which is paid in compensation for steers and heifers reaching 30 months since 20 March 1996. I understand that there are different rates of compensation for an animal's live weight and its dead weight. The Government topped up the dead-weight payment by 25p, but there is a fear that that payment will disappear. Will the Minister reassure the House that the Government will press for those compensation payments to remain?

Compensation for a dead-weight animal is 171p a kilo, as opposed to 85p a kilo live weight. The difference is a factor of two. It is envisaged that it may be reduced to a factor of 1.6, which would reduce the 171p a kilo compensation payment to 140p a kilo. There is concern among farmers in Northern Ireland that they will lose out if such reductions are implemented. I urge the Minister to use whatever influence he has to mitigate any change in those payments proposed in European meetings. Northern Ireland farmers are asking the Government to ensure that farmers do not lose out as a result of the backlog in dealing with animals that will be part of the culling process.

The framework document that is before the European Union is likely—I hope—to be accepted. If it is, Northern Ireland will be in an advantageous position compared with the rest of the United Kingdom; 90 per cent. of herds in Northern Ireland are grass fed, there is a low incidence of BSE and a traceability system is in place. Will the Government take on board the possibility of the ban being lifted early in Northern Ireland if the framework document is accepted and the herds in Northern Ireland meet its criteria?

Fears have been flagged up in the press recently that a further 200 jobs might be lost at Shorts as a result of the collapse of Fokker. There is a great deal of uncertainty surrounding those jobs. I understand that there is a possibility that Shorts might undertake a contract to build 70 aircraft wings. I urge the Minister to do all that he can to try to mitigate the effects of the collapse of Fokker, to assist in securing that contract and to protect the jobs at Shorts.

Also under the heading of the vote for economic development is the assistance voted to the Northern Ireland electricity industry, which is a long-standing problem in the Province. The issue surrounding electricity prices is worsening by the day. It is estimated that the difference between average Great Britain prices and those in Northern Ireland is 20 per cent., but in some areas it is even greater. The annual bill for a consumer in the London Electricity area, whose prices are close to the Great Britain average, is £305.12, compared with an estimated annual bill in Northern Ireland of £366.95—a difference of 20 per cent.—but the relatively higher level of consumption of electricity in Northern Ireland means higher electricity bills. The average bill in the London area of £305.12 should, therefore, be compared with a bill in Northern Ireland of more than £400—a difference of 32 per cent.

For pre-payment meter bills, which are in use for the lower paid in Northern Ireland and the rest of the United Kingdom, an average annual bill in the London area is £317 compared with £430 in Northern Ireland—a difference of 36 per cent. The difference between prices in Northern Ireland and Great Britain is, therefore, anywhere between 20 and 36 per cent.

[Mr. Eric Illsley]

It is interesting that, this week, Northern Ireland Electricity announced that its profits have increased by just under 12 per cent. to £105.9 million. It is hardly surprising, therefore, that there are headlines in the press in Northern Ireland such as:

"Northern Ireland Electricity Upbeat About Economic Growth".

The Government provided £15 million this year to keep electricity prices in Northern Ireland lower than they would have been. The price increase was kept to 2.6 per cent. as a result of that money, which is part of a package of £60 million that the Government have made available. They must consider other ways in which to spend the rest of that money because, next year, Northern Ireland Electricity will require a grant of £30 million to maintain those price reductions. All that that £15 million is doing is delaying the price increase that will come about when the payments cease. We must consider other ways of using the remainder of the £60 million. I urge the Government again to consider providing money towards Northern Ireland Electricity's capital investment programme, which would have a direct effect in reducing prices, as part of the price review that is under way.

That review will have to address two major problems associated with Northern Ireland Electricity, which were caused by the way in which it was privatised. First, contracts with the generators allow the complete pass-through of Northern Ireland Electricity's costs in power purchase agreements. They allow for fuel costs, plus availability payments, to be passed through—despite the fact that there is overcapacity in electricity generation in Northern Ireland. The only good news for electricity consumers in Northern Ireland comes when the power stations break down, because then they are not required to make the availability payments. Any efficiency savings are kept by the generators as profit, and not passed through.

The Labour party proposed a windfall tax on utilities not only in Northern Ireland, but throughout the rest of the country, but the contracts for electricity generation in Northern Ireland allow any tax increase to be passed straight through to the consumer, so those profits cannot even be taxed by a future Government.

Northern Ireland paid a total of about £500 million for its electricity last year. NIE and the generators made about £150 million profit out of that. Last week, NIE announced profits of £104 million. Last year's profit was £87 million, achieved from a turnover of about £498 million. About half that turnover represents a straight pass-through of generating costs, so NIE made an £87 million profit on a turnover that is really nearer £250 million. That is an excessive rate of profit, and the Government should look at it long and hard.

This week, Warburgs said that NIE shares were still a good buy. That may be something of an understatement. The Office of Electricity Regulation Northern Ireland will produce a document later this month on the price review and a possible reference of the generating contracts in Northern Ireland to the Monopolies and Mergers Commission, but because of the problems in Northern Ireland I urge the Government to refer the whole situation to the MMC now rather than wait for the production of that document.

Under the votes for the Department of the Environment, I shall mention the fire services. I ask the Minister to confirm that a budget has now been set for the Northern Ireland fire brigade, which recently explained that it had particular problems because of the shortfall in funding for the service. I hope that the Minister will be able to reassure the Northern Ireland fire service that its budget problems will be resolved.

Under the heading of the Department of Health and Social Services, I refer the Minister to mounting concern about the provision of health services in Northern Ireland. It would appear that the Under–Secretary of State now acknowledges that efficiency savings in the health service are no longer available, and that cuts will be implemented.

There have been warnings of cuts in services at several hospital trusts, and the Under-Secretary is on record as having said at a recent conference that he had to "come clean" and tell those assembled that

"efficiency savings are just not possible . . . Therefore I acknowledge that there will be cuts in services",

although he did not like the fact. How can the Government keep referring to the 3 per cent. as efficiency savings, when there are no savings to be made? Surely the 3 per cent. now amounts to across-the-board cuts that will affect the level of health services provided in Northern Ireland.

I said that several hospital trusts in the Province had complained about the level of cuts being imposed on them by the so-called 3 per cent. efficiency requirement. At the conference the Under-Secretary also said that he did not think that any hospital closures would be envisaged in the near future. Perhaps he will reaffirm that when he replies.

I draw the Minister's attention to the widespread concern about the cuts that is being reported. The press in Northern Ireland is describing the efficiency savings as a "meltdown" in the health service. The Royal Victoria hospital will have to close its operating theatres for five weeks in the summer, which will mean the cancellation of hundreds of operations, and there are fears that people are being discharged too soon after surgery.

The South and East Belfast trust has made a cut of £1 million, involving a whole tier of management. I do not oppose that at all—I have long been an advocate of cuts in management, especially since Government reforms foist on the country a bill for more than £1 billion for extra health service management—but it would appear that the same trust is contemplating a reduction of a further £1 million. That will lead to the closure of wards and operating theatres, to longer waiting lists and to the closure of residential homes. Musgrave Park hospital describes "drastic" reductions, with more closures of operating theatres and wards.

We welcome the appropriation order and some of the votes that the Minister mentioned, especially those for tourism and training schemes. We welcome investment in Northern Ireland. None the less, we hope that the Government will take our suggestions on board and consider them closely.

5.35 pm

Sir James Molyneaux (Lagan Valley): Under the heading of the Department of Economic Development, vote 1, may I mention that, since I put my supplementary question at Question Time this afternoon to the Minister

of State, the right hon. Member for Devizes (Mr. Ancram), about the possibility and desirability of the establishment of an economic committee representing both Houses of Parliament, I have been asked by interested Members to explain what I have in mind.

I have explained that I have in mind a body established not by rigid legislation but by simple resolution, perhaps even for a trial period. At the time, the right hon. Gentleman wondered whether the need for such a committee could be met by the Northern Ireland Affairs Committee. That is a worthy body, but it suffers from having far too wide a remit. Only occasionally can it concentrate on matters connected with the economy, and its members cannot be expected to meet at short notice to discuss with people such as Baroness Denton matters that require urgent attention, to consult overseas investors or to support the Baroness at major international conferences.

I do not imply or suggest that the committee, when it is formed—I shall not say "if" it is formed—should go to such places as a whole body, but a balanced team representing the various parties in the House, not the Northern Ireland parties alone, would be able to do much to underpin what Ministers, especially Baroness Denton, do when they go abroad to those prestigious gatherings.

There have been some such gatherings in the recent past, and many have been fruitful. I dare to suggest that they could have been even more fruitful if such a back-up body had been in place. Such a body, consisting of people experienced in industry, business and technology, from both Houses of Parliament, would do much to co-ordinate and boost measures to expand Northern Ireland's economy, not on a temporary basis, but on a rock-solid permanent basis.

Under the heading of the Department of Education, vote 1, I make a special plea for funds for two school replacements, and I shall give two examples of pressing need.

One is Ballycarrickmaddy primary school. The Official Reporters will be relieved to note that I propose to give them the spelling of that name in block letters. It is a rather ancient and small building that forms the core of a school that consists almost entirely of portacabins connected by muddy paths. It is unprotected from the weather, which is of the type one would expect on a hilltop site. The South Eastern education and library board has approved plans for a replacement school, which have been forwarded to the Department of Education.

I ask the Minister of State and his colleague to transmit to the Minister responsible for education a plea to ensure that account is taken of the fact that several other schools have been closed in that locality, the pupils from which are being bussed into Ballycarrickmaddy school. The roll has rocketed to 135 pupils, and it will be further increased in September because of the recent construction of 50 new homes within the catchment area. It is fashionable to advocate new schools as status symbols, but I am making this request, which is driven by dire necessity, on behalf of the South Eastern education and library board, the governors, teachers and pupils.

Another worthy funding request comes from the governors, teachers, parents and pupils of Tonagh school in Lisburn for a relatively small extension to a fairly modern school, where the number of pupils is increasing. Funding for the project would be comparatively modest. The number of pupils is increasing partly because of the housing estate in which the school is situated, and partly because of the adjacent estates from which pupils are attracted by the high standards of teaching and discipline for which the school is noted. I visited the school recently, and I was shown the sketch plans at the site. Even to my inexperienced eye, the proposed extension represented no real structural problems within the curtilage of the site, as there is plenty of space. I hope that this modest requirement will be sympathetically considered for early action.

I apologise to Ministers for bouncing a matter on them unexpectedly, but I received correspondence on an urgent matter in this afternoon's post. I shall give the Minister of State copies so that he will be au fait with the details of a matter that must be dealt with by his colleague, the Minister with responsibility for education. The present chief executive of the South Eastern education and library board, Tom Nolan, is to retire. All of us who have had dealings with him will concede that he has been one of the most efficient education officers in Northern Ireland for a long time. His retirement will leave a big gap in the administration of education throughout Northern Ireland, and I hope that—as he is a comparatively young man—he will find another role. I say that as a 75-year-old.

The board wrote to the Department of Education on 5 March 1996 to inform it of the retirement of the chief executive, and asked for guidance from the Department on how to trigger the procedures necessary for the appointment of someone as important as a chief executive. The board is up against a timetable, as the new chief executive has to be in post by 1 January. The Minister will know that there is a staged sequence of events in such appointments, starting with advertising and followed by listing, short-listing and innumerable interviews and assessments. The effect is that the board now faces a deadline of no more than six or seven days.

I apologise for appearing to bounce the issue on Ministers, but I need a response. There may be a good reason why the Department failed to acknowledge the letter from the board of 5 March. Two reminders were sent, but neither was replied to. The board now needs advice on how to proceed. Without such advice, it would be quite illegal—given all the restrictions placed on such appointments—to proceed unless and until the board has the Department's permission. The Department must respond within the coming week to the responsible request from the board.

The vote on health was mentioned by the hon. Member for Barnsley, Central (Mr. Illsley). On 12 February 1996, the Minister said:

> "The resources are simply not available to meet all the demands placed upon health and social services"

and added that spending on existing services would have to be reduced by 3 per cent., or £30 million, throughout the Province.

The Down and Lisburn trust is based in my constituency and that of the hon. Member for South Down (Mr. McGrady), and it is calculated that it will lose £1.8 million in the current year, but the situation is far more serious than that. Because of the late notification of the reductions announced on 12 February, there was no time to make the necessary adjustments. As a result, there will be serious service reductions in what I would call non-emergency areas of the health service in the current year, 1996-97. In those areas, the cut will not be

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3 per cent., but about 30 per cent. We can imagine the effect of that in human terms—it will be disastrous. The missing services will distress patients and the general public, and it is forecast that additional reductions will be made in 1997-98. That will mean the disappearance of many facilities.

Since the Minister's statement on 12 February, the Chancellor of the Exchequer—as is his right—has been holding forth about the national finances. In a major speech recently, he indicated that education and the health service would be protected sectors and would not suffer when the Government made any cuts necessary to keep the national finances on course. The Chancellor implied that, if across-the-board cuts were forced upon the Government, they would not be applied to those protected areas. I regret that I do not have to hand the exact reference, but that was the broad sense of the Chancellor's statement and I have reason to believe that it is the broad sense of his views.

My plea to the Minister is this: in the short term, if extra funds can be found—as I believe they can—priority should be given to a booster injection in the current year to relieve the hardship that will undoubtedly result from the fact that the announcement was made comparatively near to the commencement of the current financial year.

Rev. Martin Smyth (Belfast, South): I always understood that appropriation debates dealt with money delivered to the Northern Ireland Office which did not include security funding. Surely the fact that there has been a security bonus should not result in money being deducted from the Northern Ireland appropriation fund, as we were told that these were different budgets.

Sir James Molyneaux: That has always been a puzzle. I can never understand where we benefited from the peace dividend and the savings on security and security-related measures. Perhaps the Minister will enlighten us. For one moment, I thought that my hon. Friend was going to ask what had happened to the billions of pounds that have accrued over the past five years from privatisations. It is not a piffling sum, but in the region of £87 billion. That little nest egg must be hidden away somewhere, too. Goldsmith does not have it all.

I mentioned my first priority, and I shall repeat it for good measure. If there are any lottery funds lying around, please devote them to a booster injection for the health service in the current financial year. My second priority is slightly longer term. In the 1996-97 expenditure round, I plead with the Minister to move heaven and earth to ensure that there will be no—repeat, no—further reductions in the Northern Ireland allocation for health for 1997-98 and beyond.

My party, under successive Treasury spokesmen, has supported the Government's monetary policies, which have now borne fruit. The battle against inflation is won; interest rates are steadily reducing; unemployment continues to drop. It is not outrageous to suggest that we, the Government's supporters, who have kept the faith through all those tough years, are entitled to a share in those achievements. That does not apply only to one sector of Northern Ireland, but I have highlighted those that need it most.

I hope that my words can be conveyed to the Chancellor of the Exchequer. Perhaps I ought to do it myself instead of inviting someone else to incur his wrath by suggesting that it is not time for pre-election tax cuts. The Chancellor made his position on that clear last night, which was the right and honourable thing to do. I gently remind him that our nation, which has suffered pretty badly over many years, is entitled to support the Chancellor in proclaiming his faith that the Government will protect health and education, irrespective of whatever further troublesome cuts may be required elsewhere.

5.52 pm

Mr. A. Cecil Walker (Belfast, North): The appropriation order debate gives us the opportunity to bring to the notice of the House various factors in relation to the provision of funds that are of special concern. It also allows us to express our views on matters that directly relate to our constituencies, under the terms of the order.

As I have stated on many previous occasions, north-west Belfast is an area of severe material deprivation. In addition, my constituency has suffered more murders and civil unrest than any other part of Northern Ireland over the past 27 years. It has a disproportionate number of elderly people, many of whom live in isolation, poverty and fear. They are honest, decent people who have contributed over the years to maintaining normality in their communities.

In supporting the remarks of the hon. Member for Barnsley, Central (Mr. Illsley), and of my right hon. Friend the Member for Lagan Valley (Sir J. Molyneaux), I must say that the health and social services available to my elderly constituents have declined steadily in recent years. This year, there has an overall 3 per cent. reduction in the health service budgets, a move that I and my colleagues deplore.

To add insult to injury, the Eastern health and social services board, the purchaser of services for my area, has devised a formula for funding services for the elderly that has reduced services to them across north and west Belfast by a further £2.5 million. On the basis of a half-completed study by Sheffield university, the board has decided, in the interests of so-called equity, to transfer £2.5 million out of the most socially and economically deprived part of Northern Ireland. It has done so on the basis of a formula that does not recognise that elderly people are affected by deprivation. That, in turn, affects their needs for health and social care.

In real terms, the cuts mean the closure of three elderly persons' homes in my constituency, an area where there is little private care; a 5,000 hour a week reduction in home help services, which are a lifeline to many elderly constituents; and the loss to the local community of 120 jobs. The difference between maintaining many elderly people in their own homes through a modest service and maintaining them elsewhere is reflected in misery, human suffering and neglect. The Government are supposed to be targeting social needs in north-west Belfast and providing additional programmes to give it a chance to catch up. The Industrial Development Board is striving, with some success, to bring jobs into my constituency and that of my colleague the hon. Member for Belfast, West (Dr. Hendron) .

What is the Eastern health and social services board playing at? How can it present the transfer of resources as equitable? How can it argue that social deprivation

does not affect the elderly and infirm? Why has it acted on the basis of a half-completed study, without bothering to wait for the final outcome, when the results are such a kick in the teeth to my constituenis, and fly in the face of the Government's policies, which aim to regenerate the most deprived areas of Belfast, Protestant and Catholic alike?

I pay tribute to the Minister for giving the hon. Member for Belfast, West and me a sympathetic hearing when we recently talked to him about our concerns for the elderly in our constituencies. However, I say with all respect, we need more than sympathy. We need a complete reappraisal of the conditions that affect the elderly in north and west Belfast. Research shows that people in disfranchised groups suffer more ill-health and die younger but are also less likely to receive, or benefit from, health and social care. For the elderly population, the dilemma is even more acute because the cost of health care services rises dramatically with age. Hence, the dominant factors in allocating services to this group have been the numbers of the elderly and their age distribution, which is normally broken into the age groups of 65 to 74, 75 to 84 and 85-plus.

However, the people of deprived areas are unlikely to live as long as the general population. The health status of the surviving elderly in such areas may be worse than that of their counterparts elsewhere. Thus, the health needs of the 65-to-74 age group in deprived areas may be similar to those of the 75-to-84 group in a more affluent area. That is the situation that pertains to north and west Belfast. We have more chronically ill elderly, across the age spectrum, than any other part of the Province. We need extra resources to cater for their needs, not fewer.

The Minister knows how concerned I am about the cuts in orthopaedic surgery. It is inconceivable that elderly people who have subscribed all their lives to their country should be sentenced to pain and suffering, some of them for the rest of their lives, because of monetary considerations. It is an indictment of the Government for them to say that, because joint replacement is not life-threatening, it should be the subject of major financial savings. It is envisaged that the reduction in orthopaedic surgery will mean ward and theatre closures and job cuts. That will be another traumatic blow for a long-suffering elderly population.

On housing, I am pleased that the Government have recognised the efforts of the Housing Executive in contributing to meeting the housing needs of the Province by strengthening its strategic role. The transfer of the Department of the Environment housing functions in relation to housing associations and the private rented sector will facilitate a more comprehensive approach across all types of housing tenure.

In north and west Belfast, some housing factors are different for different religious sections of the population. In general, Catholics suffer more from overcrowding whereas Protestants suffer more from older housing. For both communities, housing remains a significant factor for their regeneration. Issues such as expansion of housing capacity, upgrading of older housing and improving tenure mix remain most important for many residents.

I am extremely concerned about the difficulties and delays associated with the Housing Executive grants process. Delays of up to three years are just not acceptable, especially when applicants are living in unacceptable conditions. I should like to see more of the executive's budget directed to dealing with the backlog, in the interests of the whole housing stock.

Mr. Clifford Forsythe (South Antrim): Is my hon. Friend not also concerned that handicapped people for whom occupational therapists have recommended certain things are kept waiting, sometimes for years?

Mr. Walker: I am pleased that my colleague has brought that subject up. We are very much aware, particularly in north Belfast, but throughout the Province, of the terrible delays in providing for elderly people the facilities that they need to give them a meaningful life. I thank my colleague for bringing that to the notice of the Minister at this stage.

I am also critical of the Housing Executive's redevelopment programme. Decisions are taken to redevelop an area without adequate provision for those who are displaced, especially those who wish to live in the immediate area. I am also concerned about the criteria for valuing properties in redevelopment areas. The basic offer often does not reflect the true value of the property, when compared to other properties in the immediate area. I cite an area in Crumlin road—Rosewood, Yarrow and Albertville drive—where excellent three-storey brick houses have been incorporated into a redevelopment scheme. The houses are mostly owned by elderly occupiers who do not wish to leave their home, where they have lived for most of their lives. The houses have been vested. There is no public sector housing in the area suitable for them. They have been offered less than half of what it will take to purchase a house of less than half the size, where their furniture will just not fit. To top it all, the executive is taking up to £15 per week in rent to allow those elderly people to live in their own homes.

Quite a number of elderly people, some of whom are infirm, will not be able to cope with the trauma of moving home at their age. They will either have to stay in their houses, thereby holding up redevelopment, or move to residential care, where their assets, including their homes, will be required to keep them. There should be some discretion within housing management to cater for situations in which residents live in their own homes after vesting. They should not be subject to rent. The property should not come under executive ownership until the value of the house has been fixed and paid. Then, and only then, should rent be demanded.

I welcome the introduction of the order on industrial pollution control. North and west Belfast citizens suffered much in the past as a result of serious and life-shortening pollution emanating from a mill environment. There was a serious lack of attention to any form of pollution control in such circumstances. Health and safety factors were largely ignored in the continuing quest for increased production, to the detriment of the health of the community.

I pay tribute to the work of the Royal Society for the Protection of Birds and, in particular, Mr. Bob Brown and his staff. Our bird population in Northern Ireland has suffered much in recent years from human activities. It is noticeable just how many of our young people now take an interest in this important aspect of our environment, but unfortunately such dedication is not matched by Government action, which is often perceived to be

[Mr. Walker]

retrospective and sluggishly bureaucratic. How often have we watched helplessly as other species have become almost extinct, as another habitat falls to development pressure?

While I am fully aware of the global nature of the problem, I feel that each of us should act directly in respect of our local concerns. For that reason, I continue to campaign for an independent environmental watchdog in Northern Ireland. I want a body with power and purpose to protect and police the whole local environment without becoming embroiled in political wrangles. I believe that such a body is essential to match the enthusiasm of our young people and is the most important single step that can be taken to preserve what still exists for successive generations.

6.6 pm

Mr. Eddie McGrady (South Down): Thank you, Mr. Deputy Speaker, for the opportunity to speak in the appropriation debate. I should like to touch on one or two aspects of some of the headings of expenditure which are before us this evening, beginning with the Department of Agriculture. My first comment is a fairly modest one about the problems facing agriculture and fisheries. Will the Minister take on board the suggestion that what was known as the sub-programme for agriculture and rural development should be reinstated? The scheme was suspended in March 1995 because of over-subscription and insufficient finance, but that showed the very need to continue the programme, which has not been reinstated after more than 12 months. For the uninitiated, SPARD is a scheme to assist farmers to update and modernise the facilities on their farm. My request is modest, but reinstatement soon would be welcome assistance to the farming community of Northern Ireland.

Under the heading of agriculture, two major problems face Northern Ireland. One is the bovine spongiform encephalopathy crisis, which has been dealt with in considerable detail, and with eloquence, by my hon. Friend the Member for Barnsley, Central (Mr. Illsley) on the Front Bench. It would not be to the benefit of the House if I repeated all that he had to say. I simply underscore one or two points by way of brief sentences.

As my hon. Friend said, the problem is much more severe in Northern Ireland than it is in Great Britain because 70 per cent. of our production is exported, whereas only 10 per cent. of British production is exported. Recovery of home consumption, which I understand has progressed to 85 per cent. in Britain, does not touch the problem in Northern Ireland. It would not do so even if home consumption recovered 100 per cent., because of our export dependency. It is important that, in the negotiations that are now taking place, a decision be taken to treat Northern Ireland as a special case, in view of its special history, of the lack of prevalence of the disease and of the computerised tracing system, which can trace an animal from any beef, dairy or other herd right back to its source.

Such a tracing system is not available anywhere else. I do not think that it is even available in Europe. It gives us the facility to identify immediately that which is capable of eradication and the measures that will have to be applied if the present suggestions do not produce immediate success.

In the meantime, one or two issues, such as the storage of carcases between slaughter and rendering, must be addressed. The existing rendering facilities must be examined. I reaffirm what my hon. Friend the Member for Barnsley, Central said: there must be a continuation of the top-up supplement that is paid for steers and heifers—and it should be extended to beef bulls. If those matters were addressed on a day-to-day basis, it would help to alleviate some of the problems.

Another problem facing agriculture in Northern Ireland is the harvest from sea fishing. The recently published Lassen report gives a benchmark to the Northern Ireland fishing industry of minus 40 per cent. In other words, the European Commission is asking Northern Ireland to reduce its fishing fleet by 40 per cent., and it has already been reduced. I know that Baroness Denton has an active and productive interest in representing the interests of the fishermen. The latest suggestion is at variance with the requirements of the fishing industry in Northern Ireland—and it is contrary to scientific evidence.

All sides—the fishing industry, the processors, the Department of Agriculture and the scientific advisors to the Department—consider the Lassen report to be based on a false premise. The benchmark of 40 per cent. refers to nephrops, or prawns, and the other species that are caught incidental to them. It would be horrendous if the fishing industry were cut by 40 per cent.—it would kill the industry.

It is frustrating that the evidence in the report is contradictory. The report says that nephrops are not an endangered species, yet they are being used as the reason for the 40 per cent. reduction. I hope that the Department of Agriculture is represented in Brussels, as we speak this evening, and that it is putting the case for the fishing industry. The fishing industry and the farming industry in my constituency, and in many other constituencies, will be devastated economically.

Mr. William Ross (East Londonderry): Does the hon. Gentleman agree that, if we have anything like the cut in the fishing fleet that is demanded, the on-shore infrastructure will also disappear because it could not be supported by the smaller number of fishermen coming ashore? Does he further agree that there is an abundance of haddock in the Irish sea and that it will not be harvested if the cuts are implemented? Does not the Hague preference militate against the Northern Ireland fleet, but help the southern fleet—which cannot catch the quota that it already has?

Mr. McGrady: I agree 100 per cent. with the three points that the hon. Gentleman raised. With respect to the Hague preference, there is a non-Hague official swap between the Republic of Ireland and the Northern Ireland fishermen on the various catches. The downstream job creation from the fishing industry is fundamental to the economic welfare of my constituency and to other constituencies in Northern Ireland.

The people who hope to provide the infrastructure for tourism in Northern Ireland are frustrated. The Northern Ireland tourist board and the Department of Economic Development deal with tourism, but they do not have a cohesive policy. There was a huge upsurge in tourism to Northern Ireland during the ceasefire—and it has been sustained because of the de facto ceasefire. The immediate problem was the creation of bed accommodation for the tourist industry.

My constituency is a tourist-orientated and scenic part of the country—all hon. Members are welcome to visit it during the summer. Tourists were turned away and had to be sent to the Republic of Ireland for accommodation. The people who are now trying to provide the infrastructure, and who can do it quickly and efficiently, are not getting any assistance or encouragement because of the lack of policy of the Northern Ireland tourist board. That situation must be addressed quickly. I understand that there is a target development strategy and that the Northern Ireland tourist board has identified that, between 1995 and 2000—just four years from now—we shall need a 59 per cent. increase in bed accommodation.

Up to April 1996, the board's policy was to concentrate its entire budget and effort on three or four big hotel projects. However, tourists—as distinct from those attending conferences—want to stay in small, family-run hotels that are convenient to their places of pleasure. I mean that in the sense of amenities, seasides and mountains, rather than the city types of pleasures to which other hon. Members would be more accustomed than I. The tourists want small, well-run, high-class hotels and guest houses.

I know of two hotels in Warrenpoint, which is a tourist area, and of two in Newcastle, one of the biggest tourist centres in Northern Ireland. They could produce 50 beds within a matter of months, but they cannot get any assistance because of the absence of a policy. We need a policy to address the accommodation needs of our tourists.

I shall deal with job provision against the background of my constituency's inability to cash in on the tourist industry, of the terrible problems in the agricultural industry and of the problems faced by the fishing ports. During Northern Ireland Question Time, the Minister gave us some information about the economic upsurge in Northern Ireland. He said that 4,800 jobs have been created over the past three or four years. In the past week, 1,800 jobs have been created in West Belfast, Newtown Abbey, Larne and Cookstown.

I find it puzzling that, fiscal year after fiscal year, only 6 per cent. of first-time visitors to Northern Ireland, and only 5 per cent. of repeat visitors, come to an area that is covered by the three council districts of Banbridge, of Down and of Newry and Mourne, which includes all of my constituency and another constituency. Not one single inward investment job has been created.

That statistic is repeated year after year—and year after year, I ask the same question and I am assured that this is accidental. At some point, statistics have to be believed and someone has to say, "There is a flaw here; there is something wrong here." We are accessible: we are 10 miles from the harbour of Belfast in the northern half of Northern Ireland, and there is the relatively new Warrenpoint in the southern half. The problem spills over into industrial site provision. The Industrial Development Board was to close the Warrenpoint site. The acquisition of the Downpatrick site has gone for on six years without any sod being acquired by the board. I can no longer consider those matters to be entirely accidental.

Against that backcloth of economic difficulties in the fishing, farming and tourist industries, I ask again for a review of the siting of jobs because, as I have often said, if we are to have equity and justice, job location is just as important as job allocation.

An item in the programme of the Department of the Environment for Northern Ireland—a simple one involving the written test for driving licences—might seem a small matter to raise in such a lofty debate. People in the whole of Northern Ireland are being asked to go to six separate centres. In his reply to my letter on the subject, the Minister said:

> "While the theory test contract provides for fewer theory test centres than there are practical centres, this reflects both the differences between the 2 types of tests and the necessity to maintain the theory test fee at a reasonable level for all candidates . . . Adding additional centres to cope with only 30,000-40,000 theory tests a year would be an uneconomic proposition and would require a significant increase to the theory test fee for everyone."

I do not know how the Minister obtained that information because, as I understand it, the new agency is hiring new offices, new furnishings, new equipment and new everything else, although hundreds of education institutions are willing to provide this service for as little as £35 a test, however many people are in that test. Therefore, it has nothing to do with economics.

Primarily, teenagers will be taking the driving test. They are students, trainees and the unemployed and they will have to travel 50 or 40 miles to do a half-hour written test. It is a bit ludicrous. They will have to have a driver with them, to take a day off school, training or work, and to flake off to those places.

People cannot get from where I live to the nearest driving test by public transport. We do not have trains in my constituency and we have an infrequent bus service. The local institute of technology can say, "Here is our examination hall. We will charge you £35 a session all in." What more economy would the Government want than that? Therefore, I ask the Minister again to consider closely the provision of some more centres, which will be more economic.

I shall quickly move on to the Department of Health and Social Services, to echo what the right hon. Member for Lagan Valley (Sir J. Molyneaux) has said about Mr. Tom Nolan and the services that he has rendered to education. I urge the Department to give the authorities a direction as to whether they must fill the post of chief executive, which expires, I think, in August this year. It is ludicrous that they are not able to move one way or the other.

I echo what my colleagues have said regarding the Minister's statement of 12 February that there would be a 3 per cent. cut in funding. He announced a £54 million increase, but said that a 3 per cent. cut was required in efficiency. I give him one credit, and I have said this publicly before. He said that there would be a 1.5 per cent. cut in finance and a 1.5 per cent. cut in services. That was the first time I heard a Minister say, "Services will be cut." They certainly will be.

The community care budget of the Lisburn and Down trust has been cut by 30 per cent. in one go. That means 10,000 man hours. Remember what those man hours are. They are spent not in an assembly line or a shop, but with old, invalid and physically disabled people. A total of 1,200 visits have been cancelled in my constituency. That affects the most vulnerable and dependent parts of our communities. It is scandalous.

To be fair, I know that the Minister or the Department did not intend that to happen. Some of the gurus, whiz kids or whatever they are called nowadays—consultants

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perhaps—in the Department of Finance and Personnel got their sums wrong. As a consequence, people are suffering. If, as anticipated, there is a 3 per cent. cut in 1997-98 and in 1998-99, I assure the Minister and the House that the health service will totally collapse in Northern Ireland. That is not an alarmist statement, because we see what is happening in the service.

An anomaly is hidden within all this. The 3 per cent. cut is across the board in terms of hospitals, irrespective of whether people are efficient or a fat cow, as I say. My local hospital has been credited as being one of the most efficient and cost-effective. With due respect to my other colleagues, city hospitals seem not to have the same degree of cost-effectiveness, yet they will both be penalised in the same way.

I throw in a little minnow to find out whether I can catch anything. Is it true that hospitals that are not able to meet their budgets have been given some supplementary funding of £400,000, although others which have met their budgets have been squeezed further and further? There is a difference between cuts in Northern Ireland and cuts in Great Britain. Money from cuts in Great Britain is recirculated in the area in a different form and reapplied to the provision of service. In Northern Ireland, the 3 per cent. cuts in funding go to the Treasury and cannot be used to provide better additional services. That is another reason for the Minister to consider the matter carefully.

I seem to have taken up more than the allocation of time. I should like the Minister to respond—perhaps not this evening, but in writing through his colleagues—to some of my points because the matters that I raised in the appropriation debate on 19 February 1996 still await an answer.

6.27 pm

Rev. Martin Smyth (Belfast, South): I rise to follow the hon. Member for South Down (Mr. McGrady) and to note that, in an important debate that deals with everyday, bread-and-butter Northern Ireland issues such as the economy, it is left to the Social Democratic and Labour party to join us in the Ulster Unionist party to look after the interests of Northern Ireland's people. In that context, I trust that the hon. Member for South Down will not think that I am trespassing into his territory when I refer to the Department of Education vote 1 and welcome the introduction of the voucher scheme into Northern Ireland and the additional funds that will be arriving there.

I underscore the importance, about which some of us learnt this morning, of young people being introduced at an early age to reading. It has been recognised that in America that $1 spent in the pre-age teaching of reading will save $7 later. It might be worth bearing that in mind as we consider the whole concept of education.

I want to deal with a specific request to me from the Tyrella primary school, which I believe is in South Down. You, Mr. Deputy Speaker, will remember, and Ministers may have had time to read it in *Hansard*, a question put during Defence questions this week about the funding of the teaching of officers' children in boarding schools.

Many children from the base at Ballykinler attend the Tyrella primary school. As it is a mobile base with people coming and going, the school faces difficulties as the numbers ebb and flow. Many children who attend the school may have been to two or three other primary schools during their school life, so it is important that the school be retained. I understand that it has been threatened with the loss of another two teachers. I ask the Minister to discuss the matter with his colleagues and to consider whether we should give the support necessary to provide education for local children and for the children of those who serve in Northern Ireland as part of the mobile forces.

I draw the attention of the Minister to the Department of Health and Social Services vote 1. I reject the specious argument that is made time and again that Northern Ireland is funded at a higher per capita rate than the rest of the United Kingdom. It is no longer true that our funding is greater than that of Wales or Scotland and it is only greater than that of England by 14 per cent. or 11 per cent. per capita. It is ridiculous to compare per capita expenditure in a nation of 48 million with large conurbations—much of the money goes to those areas, particularly in the south-east and the midlands—with expenditure in a community of 1.5 million which is scattered throughout Northern Ireland. I ask the Minister to examine that question of funding.

I empathise with the hon. Member for Belfast, North (Mr. Walker) who referred to care for the aged. I often wonder whether the left hand knows what the right hand is doing. For example, a contract has been awarded to paint a social service establishment that is to be sold. If hon. Members intend to sell their houses they do not paint them first as it is unlikely that they will get a return on their money. The new buyer will be interested not in the decor but in whether the building has solid foundations. Decisions have been taken to paint rooms without consulting the office workers about the colour. They then request that the rooms be repainted a different colour, only to see them painted again in the original colour. That is a waste of money.

It is time that there was an in-depth examination of the administration of health and social services in Northern Ireland. While it is a rule of the military that one protects one's base, I am not convinced that it should be translated into providing luxurious accommodation for administrators while cutting expenditure at the coalface. Such issues are causing tremendous concern in Northern Ireland.

Unfortunately, I have not been successful in the Members' ballots so I have not spoken about health issues in Northern Ireland for some time. However, I have tried to probe the changes to the charter mark, particularly regarding waiting lists. Has the charter mark been set aside completely, irrespective of the fact that people have been on the orthopaedic waiting list for more than a year? Some of them have urgent conditions, but they are told that there is no money.

It is interesting to note that that money comes primarily from boards. I have examined the situation and I have discovered that trusts are prepared to do work for fundholders. I do not criticise them, but I think that they should provide similar services for the boards. The trusts currently provide services for boards at the end of the year when they may have more money. That results in a mad rush to complete contracts in a short time rather than steady work throughout the year.

I am not convinced that the closure of wards in July and August represents a sacrifice. I believe that it may simply be convenient for the institution's administration to close over the holidays. It is time that we faced that issue rather than blame the closure on a shortage of funds.

As I am not dealing only with local issues, I draw the Minister's attention to the Sperrin Lakeland trust in Fermanagh and West Tyrone, whose team attended the nursing awards. I congratulate the team members on their achievements, although I do not know the results of those awards as I had to leave before they were announced.

Home-start in West Tyrone was working with the Sperrin Lakeland trust, but the Western board has now decreed that it will not be possible to fund West Tyrone home-start because of the Department's requirement to reduce expenditure by 3 per cent. Its important work has now ceased. It is very difficult to motivate voluntary workers when their co-workers are suddenly dispensed with. That service to families in West Tyrone appears to be a casualty of the decisions and the mechanisms of boards and trusts. The Northern Ireland assistant director of Home-Start United Kingdom said:

"it is difficult to identify where responsibility lies and neither body would appear to be taking ultimate responsibility for this decision".

Nevertheless the staff have gone and the work has been impeded.

We are still in the midst of discussions about the amalgamation of hospitals in Northern Ireland, particularly those in Belfast. I must confess that I empathise with the work that is going on, but at times I cannot fully understand the rationale behind the decisions. Not much light is shed on the subject when we write asking for guidance and information. I follow in the tradition of John Robinson, who never refuses light from any quarter, but I have difficulty glimpsing any light when I write to administrators and others requesting information about why decisions have been taken.

For example, I may receive the bland response that every consultant in dermatology had been consulted. However, I then discover that that is not so. Some dermatologists may favour basing the service at the Belfast City hospital, but the Department recommends that it be provided at the Royal hospital. I do not know whether that is a juggling exercise, but the Belfast City hospital has been decentralising service provision for some time and it does not seem sensible to change that arrangement completely.

I come now, under vote 1 of the Department of Education, to the Sports Council. Is the Minister aware of at least a suggestion in a report which has been drawn to my attention that the Sports Council has named the Boys' Brigade and the Churches League—football leagues under the Football Association—as sectarian? As a Boys' Brigade officer in the past and a chaplain for a long time, I know that no one was denied membership of the Boys' Brigade as long as he was prepared to work within the brigade's rules. In a world where discipline is sadly lacking, the discipline of the Boys' Brigade is needed.

People from outside denominations and outside religious bodies have been members of the Boys' Brigade, and to speak of the Churches League as sectarian because it may be identified with particular churches is surely more fallacious than recognising the Gaelic Athletic Association as a bona fide body to receive grants. It is more sectarian than any other and is anti the security services of the Province. If that is the direction in which the Sports Council is going, it is time that it was brought back into line.

Many of our international footballers, some of whom have gone to high positions in football clubs in Great Britain, have begun by kicking a football in a Boys' Brigade team. It would be a tragedy if that development were impeded.

Mr. William Ross: Is my hon. Friend aware that a boy's football team in the Portrush-Port Stewart area was unsuccessful in its application for funding to visit Holland from the Department of Education because it did not have a 60:40 mix? There is no chance of getting such a mix in that area. Surely that means that the religious criteria that the Department is applying with regard to funding for cross-community purposes should be looked at carefully and grants should reflect the area in which children live.

Rev. Martin Smyth: I agree with my hon. Friend. If the Department continues down that road there will be a very cross community because it will result in biased decisions which impede development. All our communities are, to some extent or other, cross-communities. I happen to represent a constituency, compared with other constituencies, with a high proportion of ethnic communities, including Chinese and Indian. To what extent should people be told that they should be in the majority group when they may want to be in the minority group?

What about vote 1 and the Department of Economic Development? I have tabled a question to the President of the Board of Trade asking how many representations he has received concerning the Europe Tool Company investment in Northern Ireland. I was told that that was a matter for the Secretary of State for Northern Ireland. My information is that the President of the Board of Trade had received complaints from particular industries in Great Britain, saying that that was unfair competition which would damage some of their tool companies.

I have not yet had a reply from the Northern Ireland Office, but the reality is that some of the companies that are complaining are purchasing tools from Korea when they could be manufactured by British people in the United Kingdom, strengthening the United Kingdom economy and giving it another base in the world. Therefore, I question whether the Government are pressing ahead with that development under that vote.

I am sorry that the hon. Member for South Down has gone because he regularly pleads the case for South Down and Newry and Armagh. I want to make a simple plea for Belfast, South, which is fifth in the unemployment league in Northern Ireland out of 18 constituencies and has the highest number of female unemployed. I do not know whether that has something to do with changes in the textile industry, in addition to which now there is the possible move of the Ormeau bakery. We are not sure where it is going and I hope that it will remain in my constituency, but I cannot guarantee that until the final decision has been made. If not, we will have lost another considerable pool of employment in the constituency. I ask that consideration be given to that.

The media has said that the large vote for the women's coalition which came from South Belfast was because there were so many professional women there, but I urge journalists to consider the matter in greater depth. There are intelligent women who do not come from the professional classes who are trying to find their way.

[Rev. Martin Smyth]

Some of the most advanced work has been done in south Belfast by women and others who have sought to try to raise the standards for women in their community. I should like to think that we would find that redress in balance reflected in our unemployment figures.

Other things could be said, but we have opened up issues. We welcome the funds that are coming in, but we must constantly ask whether they are being used in the right way or whether attitudes have become entrenched and people have been able to use their positions to steer money in a particular direction. We must regularly ask ourselves whether we can do better with the available funds. I think that we can. At the moment, we are not necessarily doing the best for the people of Northern Ireland in our spending on health and education.

6.46 pm

Mr. William Ross (East Londonderry): I, too, listened with care to the hon. Member for South Down (Mr. McGrady) making a plea for his constituency. He and I and the hon. Member for Belfast, South (Rev. Martin Smyth) have the same problem, and it is one to which we shall no doubt return with increasing frequency during the coming months and years unless there is a considerable improvement in the distribution of investment from overseas in Northern Ireland. Many of us are not very happy when we find our constituencies and folk bypassed time after time. Often, as in my case, they are areas which have been completely peaceful for the past 25 years, and they do not think much of their reward for good behaviour.

I had not intended to start there, but rather with the question of my hon. Friend the Member for South Antrim (Mr. Forsythe) on fluoride during Northern Ireland questions today which, if I may say so, received a most unhelpful answer. I noticed that the Minister quietly skated around my hon. Friend's point, which was simply that such mass medication was not acceptable to the population at large or to the representatives of the people at large, and had nothing whatever to do with whether it was good for us. But we are told by the experts that what we think does not matter because they believe that it is good for us, so they will cram it down our throats anyway. Such an attitude is not acceptable in a democratic society.

I have talked to dentists and others and they have said they do not think that there is any harm in fluoridation, and that it is quite a sensible idea because it stops tooth decay and so on, but one lady said to me, not so very long ago, that while she herself did not believe that it did any harm, it was completely wrong for an unelected quango, appointed by the Ministry, to tell people what they should and should not drink. That is my principal objection to the fluoridation of water. It is mass medication whether people want it or not. For that to be said by a smiling Conservative Minister is strange, coming as it does from a party which demands freedom of choice.

As it is possible for anyone who wants fluoride to take it in tablet form, I should have thought that it would be much cheaper to make fluoride tablets freely available through chemist shops at much less cost than adding it to the water, and then folk could make up their own minds whether they wanted decaying teeth or fluoridated teeth. That is what I call freedom of choice, and it is a far step from mass medication. It is not the fluoridation of water that can cure the problem but rather a change of diet. If we can reduce our children's sugar intake, no doubt most of them would have much healthier teeth. I cannot say that I disliked sweets when I was young, but parents now take more interest and are constantly concerned about the amount of sugar that children consume in sweet drinks and so on. We need a fundamental change of attitude in the home between children and parents. That issue touches on the health and social services budget, which leads me to the next issue that was raised with me—the pay and conditions of service for employees of Foyle Health and Social Services trust.

I have to confess that my information is somewhat sketchy, because the matter arose only at the weekend, but my understanding is that doctors and dentists, and probably some others, received a 2 per cent. increase in salary this year, and that it was, as usual, staggered. I understand that it is a national pay award and that it has nothing to do with the trust as such. My understanding is that the increase should be paid by May, but it has not been paid as yet, and, it seems, it will not even be discussed by the trust until the June meeting.

I presume that, somewhere along the line, the money is available to the trust. I presume that it is sitting in the trust's bank account and that the trust is drawing down interest on it. If it is, that is quite unforgivable. It should be in the bank accounts of those who are entitled to it. I should also be grateful to know what pay increase has been agreed for nurses and industrial staff. Will they get anything on top of the national agreements? When will they get their increase, as cleaners and the other industrial staff are fairly poorly paid and need any increase that is available? No worker should be deprived of money for which they have laboured for any longer than is necessary.

I listened with considerable interest to the hon. Member for Barnsley, Central (Mr. Illsley), who quite properly asked about BSE. Only now are people throughout the country waking up to the size of the problem, which is one of vast proportions. As I do so often, I waited in vain for some lead from the hon. Gentleman as to how the Labour party would resolve the problem. The Labour party needs to say what policy it would follow, as the problem will be with us for some time. It is a difficult problem, and I had hoped that the hon. Gentleman would have said rather more than he did.

Having said that, I believe that responsibility still lies with Ministers on the Treasury Bench, so I shall make some points to which I hope to get sensible answers. First, I want an assurance that compensation for 30-month-plus animals will remain at its present levels until the huge backlog of cattle for slaughter has been dealt with. We cannot kill the animals quickly enough and the backlog will be with us for some time, especially in Northern Ireland, which exports so much of its stock. I believe that the figure is nearer 80 per cent. than 70 per cent. Indeed, 28 per cent. of all United Kingdom beef exports came from Northern Ireland. They went to Europe and South Africa—to all sorts of places—and some of those markets will start taking beef again if we can get the ban lifted. Until that happy situation arrives and the backlog of cattle has been dealt with the present compensation levels will remain.

We have an enormously difficult situation in that the beef market has collapsed and there is an urgent need of additional finance and support to prevent many farmers

from getting into severe financial difficulties and possibly going out of business, in the sense that they will not have the money to replace their present stock when they sell it. They will probably have to sell it for less than they paid for it. Farmers are small businesses. They do not have large bank accounts. They are dependent on a steady flow of money as their wages every year, and unless something more is done, the entire agriculture industry in Northern Ireland will be in a very depressed state. There is currently no market at all for young bulls under 24 months of age and those more than 420 kg deadweight, and therefore there is an urgent need for the 420 kg upper limit in intervention to be removed, or some other outlet for such cattle.

The reality is that farmers, as the hon. Member for Barnsley, Central said, are losing a lot of money. They are losing £250 to £300 a head, which is their entire profit plus part of the buying price of their cattle. They are being sold at a considerable loss. The farmer simply cannot open the door and let them out. He cannot walk away from them. He cannot stop them eating—unless they are slaughtered. There is a real problem with such stock. The Government must go a bit further than they have and deal with the problem. We must have an assurance that once the United Kingdom and the European Union agree the criteria for the removal of the export ban and it is up and running, the ban on Northern Ireland will be lifted immediately. I think that Northern Ireland can meet the agreed criteria, as we are further ahead than any other place, but we need some light at the end of the tunnel, and some confirmation that Northern Ireland will be free to export as soon as the agreement is reached.

The reality, however, is that the lifting of the ban is not the end of the problem. There is a tremendous marketing job to be done in the former markets and in new markets once the ban is lifted, and that will also need financial support. It is not only a Northern Ireland problem but a United Kingdom problem. I hope that the Government are taking that fact on board as well and that in a week or so cold storage will be available in Northern Ireland so that we can get rid of the existing backlog of cattle as soon as possible.

I draw the Minister's attention to two other difficulties. When a holding in Northern Ireland is flagged up as "BSE contact", it is the holding that is flagged up, not the animals on it. It is therefore conceivable that the farmer sells every animal, cuts his losses and gets out. Let us say that he has bought a lottery ticket so that he is able to replace his stock and that he has been very lucky. But that does not get rid of his problem. The holding is still flagged. He takes his cattle to the market six months or a year down the road. The computer will still show that these are flagged cattle and that the holding is "BSE contact". It is completely new stock. It has had no contact with BSE, but it is still flagged up and as a result is pretty well valueless.

What will the Government do to resolve that difficulty? How will they remove the flagging from the holding to the cattle? What will they do about the other problem that is sitting grinning at us like a death sentence three months down the road with regard to suckler herds? Suckler herd farmers cannot keep their calves over the winter. They have to be sold in September, October or November. There is no food for them. There is no way of keeping them. Quite a few flagged suckler herds in Northern Ireland are in that position. I know that the Ministry of Agriculture, Fisheries and Food was looking at the problem. What has been done about it in England, Scotland and Northern Ireland? Many people seem to be being caught because they bought an animal five or six years ago from a milk herd that had been in contact with BSE. There may be nothing wrong with their stock. That problem needs to be resolved quickly.

I shall say no more about BSE and the horrors associated with it, but turn to a problem that I have already discussed with the Minister: the new hospital at Coleraine, and, in particular, cancer services there. The Minister has already been given a copy of one of the several hundred letters that I have received from people in the Coleraine area. If he has not yet replied to me, I hope that he will do so soon. Coopers and Lybrand is currently conducting a review; consultants at the hospital tell me that if the hospital is not given a cancer unit, the effect will be considerable. The area really needs such a unit. If my office has not already asked the Minister for a meeting, it will do so no later than tomorrow. I want to take a delegation to discuss the problem with him.

Rev. Martin Smyth: I do not want to detract from my hon. Friend's argument in favour of cancer provision, although there may be other arguments to deploy. Does he share my concern, and that of many other people, about the fact that the boundary line and environmental works have been completed, but the hospital that is required first and foremost has not been built?

Mr. Ross: The laboratory has already been built, and the final reassessment has now taken place. That scares the living daylights out of the folk in the area, who feel that the place has been reassessed to death. They want to see contractors on site. A total of £47 million has been committed to that hospital. I have been told time and again that it is safe, but I want to hear the Minister tell me so yet again from the Dispatch Box. I hope that he will also tell me that he will meet the delegation that I want to take to see him. Those people want to know what is needed, and are prepared to argue their case. They do not want to be fobbed off with suggestions that they should go and see members of the trust or the board. The matter should be dealt with by the Minister, and I am becoming a little fed up with being told to talk to someone else.

Another problem—in which the hon. Member for South Down would no doubt have been interested had he cared to remain with us—relates to the use of asbestos cement pipes from Mourne to Belfast. The Minister and I have corresponded about that in the pages of *Hansard*. I asked a parliamentary question about it, and was told that the asbestos fibres were removed by coagulation and filtration, which removed the bulk of the suspended material. My question was carefully worded, as was the answer. That process does remove the bulk of the material, but it does not remove all of it. According to the Green Book published by the Department just after the contract was let, the use of asbestos cement pipes should be avoided. How does the Minister justify the continuing use of such pipes, which are made outside the country anyway?

At that time, the contract had not even begun. The Government laid down the rule that would avoid the use of asbestos cement—I do not suppose that they did that just because it is good for people—and then, all at once,

[Mr. Ross]

we were told that the use of asbestos would go ahead, but that the bulk could be removed by filtration. The filtration fount, however, is at the wrong end of the asbestos pipes. Documents published in the United States raise concerns in my mind, and I hope that the Minister will give the matter careful consideration.

The asbestos problem is probably a bit like BSE. It is pretty safe to eat British beef—I have never stopped doing so, because I do not think that there is any real danger—but there is the question of perception. The perception is that the use of asbestos should be avoided, and it could easily be avoided through the use of pipes made in Northern Ireland, or even steel pipes made in Great Britain. No doubt that would be very useful, if such pipes are still made here.

Finally, let me raise an interesting constituency case. If I do not receive a satisfactory answer from the Minister—or, rather, from his colleague the Minister of State, who is in charge of education—I may raise it in the House again. My constituent received the following communication from the Social Security Agency:

"Regarding your letter concerning your daughter's . . . claim for Income Support from September 1992 and October 1993. The Senior Adjudication Officer has informed us that the judgement in the Clarke and Faul case was not followed in Northern Ireland. The decisions of the Higher Courts in England and Scotland are not binding in Northern Ireland. The Adjudication Officer has looked at your daughter's case again and has decided that there was no error of law, and therefore there are no grounds for review in this case."

That is remarkable. The famous Clarke and Faul case was brought by the students union when two students in Great Britain were refused income support. The Library tells me that they fought their case all the way to the Court of Appeal, where three Lord Justices were divided on the issue. Two said that the students were entitled to income support, and dismissed the case. The students received their money. It appeared that any students who were refused income support would henceforth be entitled to it.

The Government, however, knew perfectly well that they had made a mistake in their original legislation. They then introduced regulations that reversed the Court of Appeal's decision by removing certain words from the legislation. The Government had a right to do that, but I feel that my young constituent—who has now left university, and whose parents had to support her during the year that she was out of university—had a perfectly sound case.

The Government may turn round and say that, because of a little loophole in the law, although income support is a United Kingdom benefit and although the person concerned lives in the United Kingdom, they will not grant it. The different jurisdictions of the United Kingdom must all have a case fought through—Scotland and Northern Ireland as well as England. If such a case came to court either of those jurisdictions, the lawyers would immediately call in aid the decision of the highest English court, and would invariably win.

It strikes me as incredibly petty of the Social Security Agency in Northern Ireland to say that, although the case was fought and won in England—and, presumably, many students in England benefited from it—they would not allow the same arrangement in Northern Ireland. It is scandalous. I think that the Minister should examine the position again, and should tell the senior adjudication officer and his officials to exercise a bit of common sense and apply what happened in England to the students in Northern Ireland. He should also advise his right hon. Friend the Secretary of State for Scotland, if he has been foolish enough to follow the Northern Ireland practice, to do the same. If we are one nation, we should treat all our young people in the same way in regard to income support and other social security benefits.

7.9 pm

Dr. Joe Hendron (Belfast, West): I listened very carefully to the speech of the hon. Member for East Londonderry (Mr. Ross). For years there was all-party support for building a hospital on a green-field site in Coleraine, and I know that he led that campaign. As the health spokesperson for my party, for years I was involved in many meetings, as were the spokespeople for the Ulster Democratic Unionist party and the Alliance party. I am absolutely surprised that the contractors have not yet even been on site.

I should like to start my speech on a happy note, by thanking the Minister at the Department responsible for economic development and the Industrial Development Board for the fact that, as mentioned earlier, 400 jobs are to come to my constituency. The headquarters of F. G. Wilson Emerson Electric—an international concern—will expand in Larne and will also come to my constituency. The fact that an international company with worldwide markets is coming to west Belfast is a vote of confidence in our available and well-educated work force.

The hon. Member for Belfast, South (Rev. Martin Smyth) and other hon. Members mentioned the deprivation and league tables in their constituencies. I understand why they do that, but, once again, I—with the hon. Member for Belfast, North (Mr. Walker)—must repeat that west Belfast and north Belfast contain the most deprived wards in Northern Ireland, and probably anywhere in these islands.

I certainly welcome the fact that F. G. Wilson Emerson Electric is coming to our area, and I fully appreciate that that was brought about by the good work and professionalism of the IDB, the Minister and the Department. Their work has also meant that Fujitsu and BCO Technology have recently come to us, and that there have been extensions to Mackeys International and to Deltaprint. Those developments are good news for West Belfast, a constituency in which the news, although about many other things—is not usually about jobs.

I should like to say one thing—this also concerns the hon. Member for Belfast, North—about the Department of the Environment. About three years ago, I was walking on the Shankill road with the Secretary of State. It was a very sunny afternoon, and he mentioned the beauty of the Belfast hills—which run around the periphery of north and west Belfast—to some of the local people. We have often approached the Department of the Environment, the Minister and his predecessors on the development of the hills. I believe that those at Making Belfast Work are considering the matter. Any development of the Belfast hills would be a tremendous asset to the city of Belfast and to the constituencies of west and north Belfast.

I should like to mention the LaSalle and St. Genevieve schools in my constituency. I fully appreciate that all hon. Members are concerned about their constituencies and their schools and about getting a proper financial

allocation, but the LaSalle school is one of the biggest secondary schools in the most deprived part of these islands. I shall not deal with the option that seems to have been accepted by the Government, but the difference between it and the option desired by the schools is £2.4 million. I appreciate that final decisions may not have been taken, and I again appeal to the Secretary of State and to Education Ministers to re-examine that matter.

I do not want to repeat what other hon. Members have said about the Department of Health and Social Services, but I am of course aware that health boards are suffering from a 3 per cent. reduction in their baseline funding. In the case of the Eastern health and social services board, the cut represents £13 million. That is a catastrophic cut, as it comes on top of reductions made in recent years because of capitation shifts. I appreciate that a new formula has been adopted and that the financial position of the board may improve.

In the meantime, however, I am very concerned about the long-term prospects for hospitals such as the Royal Victoria, which not only serves the city of Belfast—as do the City hospital and the Mater hospital—but is one of the main regional hospitals in the north of Ireland.

The time spent on waiting lists for hip-joint replacements at Musgrave Park is increasing. The hon. Member for Belfast, North and I have drawn the Minister's attention to that fact in the past few days.

I am deeply concerned that reduced funding for the North and West Belfast Health and Social Services trust will severely affect the most vulnerable group in our society—the elderly. I appreciate that the Minister has said that funding has increased, but what about the percentage of funding? In 1993, the trust received 27 per cent. of the Eastern health and social services board's allocation for services for the elderly. This year, the figure is 24 per cent., which is a difference of £2.5 million.

The immediate impact of that change in programme is a reduction in care and home help services of 1,450 hours per week. The Secretary of State has drawn attention time and again to targeting social need in the most deprived areas of Northern Ireland. West and north Belfast are at the top of that deprivation league. It does not make sense for the Secretary of State to State to refer continually to targeting social need when services for the elderly are being cut.

It is common knowledge in Belfast, although there has been no official announcement, that Shankill house, a home for the elderly, is under threat of closure. Grove Tree house, on the Falls road, is also under threat. That is just not good enough. There will be a loss of jobs, but what happens to those elderly people is a matter of even greater importance.

On the matter of trust funding, I drew the Minister's attention to how moneys were allocated by the Eastern health and social services board according to a formula, which meant that proper funding was not going to the North and West Belfast Health and Social Services trust. Elderly age distributions are broken down into 65 to 74, 75 to 84 and 85-plus. But populations in deprived areas are unlikely to live as long as those in better areas.

I have no doubt that people in Bangor, for example, live longer than those in north and west Belfast. Many people go to Bangor and similar places to retire, but they do not live as long as they do in other areas. Those who work out the formula do not seem to appreciate that people in the age group of 74 or 75 to 84 suffer much more ill health than do those in other groups. I draw the Minister's attention to that problem.

Rev. Martin Smyth: The hon. Gentleman has emphasised deprivation and the restrictions on resources in caring for the aged. Does he share my concern about problems in north and west Belfast in caring for children, because of cuts, not replacing staff and pressure on social workers who deal specifically with child abuse—of which there has been a high percentage in that area?

Dr. Hendron: I thank the hon. Gentleman for his comments and I agree with him wholeheartedly. He and I could talk for nearly a week on sexual abuse and deprivation, which are extremely important subjects.

I have already referred the subject of my next comments to the Minister. A report is to be issued in the next 10 days. About three years ago, the hon. Member for Belfast, North (Mr. Walker) and I approached the then Minister about deprivation in west and north Belfast. As a result, an economic working group was set up with the support of the Government. A report was commissioned by either the Industrial Development Board or Making Belfast Work. The report has been sitting on someone's desk for the past six months—I understand that it is not on the Minister's desk but somewhere at the IDB. Why has the report not been published? Perhaps there will be many red faces when the facts are known, because it will be appreciated just how minimal the funding or the allocation of resources for north and west Belfast is.

I have here a summary of the report. This is not the time to go into detail, but one of its recommendations is that there should be a strategy for north and west Belfast. A few months ago, I put to the Minister at the Department for Economic Development the case for some sort of strategy and co-ordination for the whole area. We have Making Belfast Work, the Local Enterprise Development Unit, the IDB and Phoenix, all of which are doing good work in their own way, but there is no co-ordination or overall strategy. I asked that someone be appointed as overall co-ordinator. I do not care who that person is or where he comes from as long as there is some co-ordination. I ask the Minister again to study the report carefully in the hope that some strategy can be worked out for west and north Belfast.

7.21 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Malcolm Moss): As usual on such occasions, we have had a wide-ranging debate. I shall try to answer as many questions as I can—it says here "in the time available", but I understand that some hon. Members are pressed for time and may have to leave. In the time-honoured tradition of junior Ministers when they wind up, I shall be writing to hon. Members about matters that I cannot answer directly now.

I begin with a few words on the general economic outlook in Northern Ireland. The latest figures show that the Northern Ireland economy has grown relatively faster than the national economy. Over the year to March 1996, the seasonally adjusted number of employees in employment in Northern Ireland rose by 1.6 per cent. to 576,010. Seasonally adjusted unemployment has fallen in

[Mr. Malcolm Moss]

eight of the past 12 months and, at May 1996 stood at 85,600, or 11.1 per cent. of the work force. However, that is a decrease of 2,700 on May 1995.

Public expenditure in Northern Ireland in the financial year 1996-97 will be in excess of £8 billion. That is equivalent to almost £5,000 for every man, woman and child. It is a clear indication of the Government's continuing commitment to the provision of a wide range of high-quality public services for the people of Northern Ireland and it includes an extra £25 million for industrial development.

The IDB has reported its best ever net jobs gain for a 12-month period since statistics have been recorded. Net employment in IDB client companies increased by more than 1,600. The underlying strong growth in client companies is further reflected in the fact that in the period April 1995 to March 1996, the IDB attracted record inward investment totalling £432 million, with a significant number of new companies choosing to locate in or adjacent to disadvantaged areas.

A number of hon. Members mentioned the possibility of encouraging IDB inward investment into their own constituencies. Clearly, the policy will be to spread it as widely as possible to make sure that disadvantaged areas get their fair share. However, the IDB does not direct companies; it can only give guidance. If we had more gross investment, we could no doubt spread it more evenly across Northern Ireland.

I was interested to learn that Cookstown, which is a deprived area, is to benefit from significant inward investment. It brought a smile to my face, because I am told repeatedly that investors will not invest in locations that do not have excellent road communications and motorways, but Cookstown is in the middle of the Province, and one could not say that it has the best road communications of any town in the Province.

Mr. William Ross: With the greatest respect, there is a perfectly good road from the main east-west routes down to Cookstown.

Mr. Moss: I suggest that the hon. Gentleman shares that information with the hon. Member who represents Cookstown, who is always telling me that the roads are not adequate.

There was also significant growth in tourism last year. Total visitor spend exceeded £200 million in 1995 and will see an extra £3 million increase over the next three years.

Inward investors who have located in Northern Ireland have specifically complimented the road system, telecommunications and the potential to create links between industry and the universities. In terms of location advantages, they found Northern Ireland operating costs to be significantly lower than anticipated, even when electricity and transport costs are included.

I deal now with some specific questions and start with those asked by the hon. Member for Barnsley, Central (Mr. Illsley)—the Opposition spokesman—who mentioned BSE. His questions were mirrored by those from other hon. Members. The first question related to young bulls. The problem that he highlighted is unique to Northern Ireland. There is a special problem, because some 6,000 young bulls on 200 farms are intended for a specific market—the Dutch market. I am delighted that last Friday the Government announced a scheme to slaughter those animals and compensate their owners. I believe that the scheme was widely welcomed. It is essential that the animals are slaughtered as quickly as possible, and I hope that we can rely on the patience and co-operation of farmers to ensure that the scheme runs smoothly. However, I take on board the comments made today, and they will be passed on.

The hon. Member for Barnsley, Central and others mentioned the problem of possible reductions in compensation payments, especially for steers and heifers. I shall certainly pass on their concern to Baroness Denton, and I assure the House that she will be using her influence to mitigate any possible reductions in compensation levels.

The hon. Member for Barnsley, Central and others also raised the question of special status for Northern Ireland. The European Union ban applies to the whole of the United Kingdom beef industry. The Government's principal objective is to have the ban lifted in its entirety, and all our efforts are being concentrated on that objective. From evidence provided not only this evening but on other occasions, we know that the Northern Ireland beef industry enjoys a very special reputation and is organised in a unique way. We are confident that once the ban is lifted, Northern Ireland will meet any requirements and perhaps meet them in a short time scale.

The Opposition spokesman also mentioned electricity prices in Northern Ireland. It is more expensive to produce and distribute electricity in Northern Ireland than in most regions of Great Britain, because our power stations are smaller, the spinning reserve margin is higher and customers are on average more dispersed. The most effective way to keep energy costs down is through the promotion of competition and the pursuit of efficiency in production transmission and the use of electricity. As the hon. Gentleman pointed out, the Government are providing £60 million over three years from April 1996 to assist Northern Ireland customers. The Government will continue to encourage both efficiency and competition.

The Director General of Electricity Supply is currently engaged in the first electricity price controls review since privatisation and his proposals will take effect from 1 April 1997. In January this year, he published a consultation paper on the introduction of greater competition and consumer choice in the electricity market in Northern Ireland, and he plans shortly to issue a further paper outlining his definitive proposals. It is for the director general and not the Government to consider a reference to the Monopolies and Mergers Commission, as requested by the hon. Member for Barnsley, Central.

The hon. Gentleman also asked about the fire authority. I suspect that he was referring to the funding of a new command and control system for the Northern Ireland fire brigade which was flagged up in a newspaper recently. Fire authority funding in Northern Ireland has increased from £16 million in 1985-86, to £32 million in 1991, to more than £42 million for the coming year. I am satisfied that the fire authority has sufficient resources to provide a new command and control system and that there is no threat to the ability of Northern Ireland's fire brigades to respond to fire calls.

The hon. Member for Barnsley, Central and almost every other hon. Member who has spoken tonight mentioned health funding. I recognise that there are some difficulties, but we should consider them in the context of the overall Northern Ireland block.

The Government have increased the resources available to health and personal social services next year to some £1,580 million. That represents a real—terms increase, thus honouring the Government's commitment to give real increases to the health service. That pledge was made at Cabinet level and certainly by my right hon. and learned Friend the Secretary of State. It represents a real—terms increase of 0.8 per cent. on 1995-96. As we spent more last year, the increase was only 0.2 per cent. in real terms, but that must be considered in the context of an impressive 57 per cent. real—terms increase since 1979-80.

That settlement included a requirement from the Department of Finance and Personnel to the health service to find 3 per cent. efficiency savings. I discussed that with all the trusts and boards, and we concluded that it would be extremely difficult to find 3 per cent. efficiency savings, but that savings of 1.5 per cent. were possible. Instead of being prescriptive, we agreed to guidelines of 1.5 per cent. efficiency savings and 1.5 per cent. cuts in services. Although we have not yet finalised all contracting, some boards have managed 2 per cent. efficiency savings—more than the anticipated 1.5 per cent.

I have allowed the boards and trusts to remain flexible. To a certain extent, I am pleased with the way in which they have addressed their problems. I do not yet have all the final contracting. Once I have that—and I am pressing boards and trusts to reach a final resolution—I intend to meet them to review the position.

The right hon. Member for Lagan Valley (Sir J. Molyneaux) referred to in-year money. I am flattered that he assumes that I can secure any, but the man responsible—my right hon. Friend the Minister of State—is not too far away. Perhaps some pleadings should be addressed in his direction, but we shall be considering the overall position and preparing our case for next year, as next year's public expenditure round is about to start. We shall have information relating to the impact on this year and our plans for next year.

I should also point out that there has been real growth in certain services. Additional resources have been provided, including £2 million for renal services, particularly dialysis, just under £1 million for additional drugs for cancer patients and £1.1 million for neurology. I have allocated money to the proper implementation of the Children (Northern Ireland) Order 1995—a matter that the hon. Member for Belfast, South (Rev. Martin Smyth) has raised with me previously. We also included in the budget this year an extra £12 million for community care.

When we came to decide where cuts should fall, we decided on elective surgery, as we cannot limit accident and emergency admissions and we cannot touch the family health service or the GP service. Nor can we reduce the drugs bill. We have to address the drugs problem in Northern Ireland. There has been exponential growth in the drugs budget, so I have to allow a contingency reserve of what might be required, as I cannot allow that budget not to be met in the financial year. We are holding back a great deal of money, which I want to release to front-line health care, if I can get assistance from GPs and the public at large on the exponential growth of the drugs budget.

The average cost of prescriptions per head of population in Northern Ireland is £98 compared with £68 in Great Britain. It has been said that we should not compare cost-per-head figures and expenditure in Northern Ireland with those in Great Britain. I am prepared to accept that there are differences, as there are certainly areas of severe deprivation in Northern Ireland where we would expect to spend more on health services, including drugs, but I am not sure that I agree that a differential of £98 to £68 is acceptable or reasonable. Any money that we save on drugs can go back into front-line health care.

Mr. Jim Dowd (Lewisham, West): The Minister mentioned the difficulty of comparisons between Great Britain and Northern Ireland. He admitted that there will be cuts in health service provision in Northern Ireland. That stands in stark contrast to his counterparts in the Department of Health, who resolutely refuse to admit to that. Apart from his obvious greater honesty and candour, what is the reason for that distinction?

Mr. Moss: There is a distinction primarily on the basis that we spend far more on health per head of population in Northern Ireland than we do in Great Britain, although spending in Scotland is high. There is a differential of 14 to 15 per cent. in spend per head of population. Northern Ireland obviously has a high cost base that needs addressing in one way or another. In the rest of the United Kingdom, there probably would be 10 district general hospitals per 1.5 million head of population; in Northern Ireland we have 19. I am not saying that we should get rid of nine—I hope that that will not be tomorrow's headline—but we have to look carefully at the number of hospitals and what they do.

There is a higher cost base, which needs to be addressed in the medium term, but short-term measures are difficult. Earlier this evening, attention was drawn to the fact that 3 per cent. cash-releasing savings is different from what has been asked of the health service in England and Wales—and, I believe, in Scotland. I met the boards and trusts, to try to establish a way forward that would help to minimise the effects of cuts in some activities. We selected elective surgery because it would also affect the fundholder budgets that are used to purchase elective surgery.

In the past few years, Northern Ireland has had an excellent record of increasing the throughput of in-patients, out-patients and day surgery. Our waiting lists are extremely low in most activities, and I do not believe that the impact of the cuts will be as draconian or dramatic as people claim. Until I get the full list of contracts, I cannot review the position, but I intend to do so very quickly.

Rev. Martin Smyth: In respect of the drugs budget, how far has the Department proceeded with the pay review? Is there a disparity in drug prescription in particular areas or by individual doctors? I am not suggesting that we should save money by reducing the

[Rev. Martin Smyth]

prescription of modern, expensive drugs, which ultimately might prove cheaper, but I believe that there is a disparity in prescription.

Mr. Moss: The hon. Gentleman is absolutely right. There is a disparity, and we have statistics on it, but it is a different matter from publishing a list of what individual GP practices prescribe. We have had some considerable success in reducing the drugs budget through our fundholding GP practices. We want non-GP fundholders to try to emulate that success. We shall be launching a campaign in the near future. I have not yet brought all the strands together, but I am looking carefully at the matter, and making inroads into it is a major plank of our policy over the next year. I shall certainly consider any specific suggestions that the hon. Gentleman and his hon. Friends may make to me.

The right hon. Member for Lagan Valley referred to the funding of two schools in his constituency, and I shall certainly convey that information to the Minister of State, my right hon. Friend the Member for Devizes (Mr. Ancram).

I was somewhat surprised that the South-East education and library board, to which the hon. Member for South Down (Mr. McGrady) also referred, had not yet replied to a letter of 5 March. I find that very strange and will certainly take up the matter.

The right hon. Member for Lagan Valley referred to the statement that has been made—he mentioned my right hon. and learned Friend the Chancellor of the Exchequer, but I think that the statement has also been made by my right hon. Friend the Prime Minister and by my right hon. and learned Friend the Secretary of State for Northern Ireland. Certain key services—the health service and education—were particularly mentioned. I can speak this evening only on the health service. The health service has been protected in so far as we have given it a real—terms increase this year.

The hon. Member for Belfast, North (Mr. Walker) also raised health issues. He referred to the capitation formula, on which a moratorium is being conducted at the moment. When he and the hon. Member for Belfast, West (Dr. Hendron) came to see me, I said that the Eastern board had begun a moratorium, and we are looking at that again. It is true that finding a capitation formula that is acceptable to all is extremely difficult. However, we believe that we have built deprivation factors into our formula—for distribution not only to community trusts but to boards. It is difficult to arrive at a formula that meets everyone's approval. I am grateful to the hon. Member for Belfast, North for his comments on the strengthening of the Housing Executive's role, especially in a strategic sense, and I endorse the importance of housing not only to his constituents but to those of every hon. Member in Northern Ireland.

The issue of grants came up at Question Time this afternoon, and I accepted that there had been some delays, especially for disabled people. That is because of the lack of occupational therapists. We are addressing that and hope to bring it into line in the very near future. The amount of money allocated for grants has increased year by year. There has been a £3 million increase—I think—this year to £47 million. The problem of mandatory repairs grants that were eating into the total budget has been addressed, and we have reduced the maximum amount available to £500. That should make quite a difference.

The hon. Member for South Down raised the sub-programme for agriculture and rural development. It is true that the capital grant elements of that scheme were suspended from 24 March 1995 because, as he noted, commitments to applicants risked outstripping the available financial resources. A decision about reopening the scheme will not be made until an assessment of funds required to finance the applications received has been made. We shall take stock at that time.

The hon. Gentleman also referred to fishing. We agree that the European Union proposals are unacceptable at this juncture. We accept the view that the assessments of over-fishing in the Irish sea are probably wrong. I am sure that my noble Friend Baroness Denton, together with my hon. Friends in the Ministry of Agriculture, Fisheries and Food, will be arguing the British case very strongly in European meetings.

The hon. Member for South Down again mentioned theory test centres. I have written to him and said that we are starting off with—I think—six test centres, but I shall review the position at the half-year point. Essentially, we are trying to keep the costs of the tests down. We have calculated that every extra test centre might cost us £55,000 a year, which would put £1 or £2 on each candidate's test. I heard what he said about £35 for the hire of an educational establishment in Downpatrick. Obviously, I shall have to check that out with the usual sources.

The hon. Member for Belfast, South mentioned the bad publicity about theatre closures at the Royal Victoria hospital. I was pleased to have his support on the fact that at least some such closures happen every year, but are just not publicised. Doctors and nurses have to take a holiday. August is a holiday time in any case, and the number of people admitted to hospital in that month drops dramatically. The information is not new, but I was grateful to the hon. Gentleman for his support of the Government's position. I shall refer the issue of Tyrella school to my right hon. Friend the Minister of State.

The hon. Member for Belfast, South also made a plea for investment in south Belfast. That will be passed on accordingly, but it should be borne in mind that every hon. Member who speaks for Northern Ireland makes a personal plea for his constituency. I am not aware of any problems with Sports Council funding, so I cannot comment this evening, but I shall look into it for him.

The hon. Member for East Londonderry (Mr. Ross) raised the issue of fluoridation. It is true that the four boards have formally requested that I consider introducing fluoridation in Northern Ireland. They are tasked with conducting a thorough and adequate consultation, not only with the public at large but with district councils, and they must take those views into account. It is common knowledge that, if the consultation process has not been as thorough and proper as it should have been, the boards could lay themselves open to judicial review. I have not seen their request, but I shall be looking at it fairly soon. The important thing is that they consult properly in their areas. I have to balance—as indeed they do—the points made for fluoridation against the general thrust of their policy, to look after the health and well-being of their populations.

The hon. Gentleman also asked about a pay increase that was due in May and has not yet been received. I shall look into that, but it surprises me. Last year, we agreed the full 3 per cent. pay increase for nurses. As far as I was concerned, that was financed by the boards and trusts. The proposal made by the pay review body this year is for a 2 per cent. increase for nurses. The proposed increase for doctors was higher. We are in negotiations on where we go from that 2 per cent. baseline, but we are not in a position to make any announcements at this stage.

I should be happy to welcome any deputation that the hon. Member for East Londonderry would care to bring from the Coleraine area, on cancer services at the new Causeway hospital. Contractors are on the site, and it has been cleared. We are about to go out to tender, but we are conducting one final financial assessment before we lay the first stone. I am convinced that that assessment will be through in the near future.

Sir James Molyneaux: My hon. Friend the Member for East Londonderry (Mr. Ross) apologises for having to leave to catch a flight.

Mr. Moss: I had noticed that he had gone, but I did not refer to it. I thank the right hon. Gentleman for that comment.

The subject of asbestos cement pipes was raised by the hon. Member for East Londonderry and by a number of hon. Members who represent the Belfast area. I hope to make an announcement on that very soon. My Department has received a report from the water research centre. We are looking at it very carefully and hope to make an announcement in the near future, at which time the report will be made available in the Library. I shall write to the hon. Gentleman on the matter of income support for a student in his constituency.

Finally—I do not think that I have missed out any hon. Members—the hon. Member for Belfast, West spoke of the Belfast hills. The Department of the Environment is anxious that we should have a policy on the hills because they are—I would not say that they are a hidden asset, because one cannot miss them—a unique asset and much under-utilised by people in Belfast. I shall refer back his question about the LaSalle and St. Genevieve schools. The hon. Gentleman asked for a little extra money, but I believe that the capital programme for both of them has already been more or less agreed.

The hon. Gentleman also raised the issue of home closures. I can assure him, and the hon. Member for Belfast, North, who also raised the matter, that those are not related to the present economies. The closure of statutory homes takes place because, although we need sufficient beds in the public and private sectors to accommodate those who need residential and nursing home care, the emphasis now is on care in the community, with people being looked after in their own homes. So we do not need so many beds in either the statutory or the independent private sector. We are simply rationalising the provision to ensure that we have sufficient beds, with a mixed provision of care across the two sectors—or rather, across the three sectors. I have not mentioned the voluntary sector, which is also important.

I have not seen the paper on the economic position in north and west Belfast. The hon. Gentleman held up a copy, and if he would like to give it to me afterwards, I shall take it away and consider it. We can liaise with the IDB in that respect, because we are interested in finding a sensible way of measuring deprivation, not only in the hon. Gentleman's constituency but throughout Northern Ireland, so that funding in, say, the health service, can be targeted under the heading of social need for those key areas in our overall policy.

I have answered as best I can most of the questions that have been raised, and I shall write to hon. Members about those that I have not answered. I commend the appropriation order to the House.

Question put and agreed to.

Resolved,

That the draft Appropriation (No. 2) (Northern Ireland) Order 1996, which was laid before this House on 5th June, be approved.

Crown Office (Gavin McGuire Case)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Brandreth.]*

7.51 pm

Mr. William McKelvey (Kilmarnock and Loudoun): I am grateful for the opportunity to air problems of great concern not only to my constituents, but to people throughout Scotland and the rest of the United Kingdom. I have a sad story to tell.

A young constituent of mine, Mhairi Julyan, a schoolgirl innocently making her way home from a pantomime just before Christmas last year, was set upon by a vile pervert, a man who hated women, who preyed upon defenceless women and was violent in the extreme. He subjected her to torture and sexual assault and then murdered her. As with all crimes of violence and every tragic loss of a young life, the people of Kilmarnock were—and remain—shocked and distressed. I am sure that the House will have great sympathy for Mhairi, for her parents, the rest of her family and her friends.

What sets this hideous crime apart from many others is the fact that the perpetrator, Gavin McGuire, had been allowed to return time and again to the community, sometimes committing the same types of crime for which he had been committed to prison, but sometimes committing even worse crimes. That fact poses a number of questions that my hon. Friends and I believe require a full and independent inquiry in public.

We must ask the following questions. What treatment did McGuire undergo while in prison? What assessment was made of any such treatment? Why were police and social services not alerted when he was released from prison? What procedures are in place to oversee the behaviour of sex offenders, especially those who have shown violence, to try to prevent recidivism?

Last week, I visited the Lord Advocate, Lord MacKay of Drumadoon, and the Solicitor-General for Scotland, Mr. Paul Cullen, with my hon. Friend the Member for Cunninghame, South (Mr. Donohoe), who is with me in the Chamber tonight, and my hon. Friend the Member for Dumbarton (Mr. McFall), our Front-Bench spokesman. We were seeking an independent public inquiry, which all right-minded believe is now imperative.

We were promised an inquiry, but it will not be held in public; it will be carried out internally by the Crown Office. Although that is better than nothing, it can in no way replace the fullest of inquiries, whose participants would come from outside the Crown Office system. An independent public inquiry would provide a fresh view and a comprehensive study in order to make recommendations that might prevent a known vicious serial rapist such as Gavin McGuire from ever being free to terrorise, to mutilate and to kill again.

It is important that the House be made aware of the evil within that man, which spiralled over the years and appears to have gone unchecked, other than during his periods of incarceration.

It is said that Gavin McGuire was always a loner, an outsider with few social skills and unable to make close relationships. He was the eldest of three sons of a working-class family in Stevenston in Ayrshire. His father was made redundant when Gavin was a child and seems to have spent a lot of his time drinking and gambling, leaving the three brothers to fend for themselves.

McGuire's parents separated when he was young, and he first went into care at the age of eight—that sounds like something out of Charles Dickens, but it is not. During his 25-year career of crime, and even before, since the age of eight, he had done time in every form of institution—assessment centre, borstal, list D school, young offenders institution and eventually prison, including the top security Peterhead gaol, where he shared segregation with some of Scotland's worst sex offenders.

In 1976, McGuire was arrested for assaulting three young women in Stevenston, one of whom he sexually attacked. In each of those cases either the victim fought him off or he was disturbed by a passer-by. The first attack took place five months after he left the list D school.

McGuire's first victim was a 15-year-old schoolgirl from Auchenharvie academy. He knocked her to the ground, punched her in the face and bit her nose before her screams alerted help, and he ran off. In the second attack, a 15-year-old holidaymaker was dragged on to a patch of waste ground, where he punched her repeatedly and dragged her by the hair before sexually assaulting her. Again, he ran off when passers by came to her aid. The third victim in McGuire's first phase was attacked just two days later, when he pushed an 18-year-old girl against a wall, but she escaped after hitting him with her shopping bag.

I relate those details to demonstrate that even early in his perverted career, McGuire showed no mercy and no restraint towards the women he attacked. In fact, in all three of those cases, only good fortune prevented even more serious harm.

When McGuire initially came to court in Kilmarnock, the sheriff court—rightly in my opinion—refused bail, but bail of £10 was granted on appeal to the High Court. While out on that £10 bail the following month, he assaulted a pregnant woman, kicking her to the ground, and robbed the garage in which she had been working. He also robbed another garage.

One week later, he followed a woman, grabbed her and tried to pull her to the ground, but she ran off when a car approached. Later the same day, he held a piece of glass at the throat of a 23-year-old woman whom he had grabbed in a shopping arcade. He dragged her behind a store, stripped her and raped her.

When McGuire finally came to court, he admitted eight charges, including rape, serious assault with sexual intent, assault and robbery, theft of a motor car and theft of money. For those offences he was sentenced to 10 years in a young offenders institution. His Member of Parliament at that time, John Corrie, demanded an inquiry to discover why he had been bailed for the first three offences, which had left him free to carry out further vicious attacks—but Corrie had no success in bringing about an inquiry. More is the pity.

McGuire was released on licence seven years later. Within months, that monster subjected a holidaymaker in Saltcoats, Ayrshire, to a terrifying three-hour ordeal in the dead of night. He brutally attacked, beat and raped her, then threw her into Saltcoats harbour. I do not believe that his intention was other than murder, but the murder charge was dropped, although he had watched the woman floating in the harbour for some time. During that time she feigned unconsciousness and kept herself afloat until he left the scene. She then swam for the shore and for

help. It was stated in court that had she not been a good swimmer she would not have not survived that hellish ordeal.

Despite his obvious intent, the charge against McGuire was reduced from attempted murder and rape to assault and rape, for which he was sentenced in August 1986, again for a period of 10 years. The presiding judge, Lord Dunpark, in sentencing McGuire, described him

"as a menace to society, and particularly to women."

Again he was released on licence after having served part of his 10-year sentence, and again he preyed on vulnerable women soon after his release.

The next victim we know about was a young woman who was set upon by McGuire. When defending herself, she bit his finger very hard and drew a lot of blood. She alerted the police, and drew their attention to the fact that she had injured him. He was arrested eight days later after the victim recognised him in the street. He appeared at Kilmarnock sheriff court on 21 August 1995 on a charge of assault with intent to rape and robbery. He was remanded in custody while the police and the procurator fiscal investigated.

On 28 November 1995, McGuire was liberated by the Crown on the ground that there was insufficient evidence in law to provide corroboration, which is required by Scots law. Nineteen days later he murdered Mhairi Julyan.

It was necessary to go over this man's offences—at least those that we know of—in some detail to demonstrate not only his evil intent, but the continuing nature of his crimes. For at least 20 years, he has been raping and brutalising women whenever he gets the chance. It is only very good fortune for the woman concerned that he was not facing a murder charge in 1986. Indeed, that might even be said of the other women he abused who escaped when he was disturbed. He showed no humanity to his victims, and his disregard led to escalating violence that culminated in the death of Mhairi Julyan. Forty-seven different injuries were found on this lovely young girl's body, the combination of which led to her death.

I am aware that the Secretary of State for Scotland believes that he has found a solution. "Two strikes and you're out," I think it is called. That is to say two sex offences and then prison for life, but is that really an acceptable solution? I believe it is a knee-jerk reaction of a Secretary of State backed into a corner because of criticisms of our system of justice in Scotland. The policy has not been thought out, nor has it been tested on the many strong and able legal minds in Scotland. Many organisations in the penal system are likely to have strong opinions which may be of use, and psychiatrists and others may be able to provide a much better and less wasteful solution at an early stage.

It is for that reason that my colleagues and I are again calling on the Government to set up an independent public inquiry. As well as looking at the particular circumstances of this horrific case, it could include changes that add any remission to later sentences. I believe that it is essential that the inquiry investigates the treatment of offenders and makes the compulsory completion of psychological treatment and assessment of the possibility of recidivism the main criteria for release, thus bringing about a stark change in sentencing policy for sex and violent offenders.

I am also convinced, as are my colleagues, that an inquiry must look at the law of evidence in Scottish courts regarding sex offences with a view to abolishing the mandatory requirement on the prosecution to provide corroborative evidence before a case can proceed. The tragic consequences of that requirement protected McGuire from prosecution and led to his liberation on 28 November last year. He was then free to go out and murder just 19 days later.

I would like a public inquiry to examine the possibility of introducing instead a discretionary power for judges to warn a jury in summing up about the lack of corroboration when there are no witnesses other than the victim. That should provide protection against malicious accusations, and it would bring Scots law in line with the Criminal Justice and Public Order Act 1994. Without such a change, women remain very vulnerable. Other offenders may be liberated—just as Gavin McGuire was, time after time—only to re-offend, perhaps with equally awful consequences.

I look forward to the Minister's response to these accusations. Without a full public inquiry, we will never be convinced that the last evil murder of this man could not have been avoided. Although we await the results of the internal inquiry in the Lord Advocate's office, we feel that such an internal inquiry will not provide the answers.

8.4 pm

Mr. Brian H. Donohoe (Cunninghame, South): I intend to be brief to allow the Minister ample opportunity to reply to the many questions that my hon. Friend the Member for Kilmarnock and Loudoun (Mr. McKelvey) has asked. My interest in the case is that Gavin McGuire is my constituent. That is no great distinction, and it is sad that I find myself speaking as the hon. Member who represents a man who has caused so much grief.

This debate is particularly significant for Ayrshire, as other important factors have still to come to the surface. My hon. Friend the Member for Kilmarnock and Loudoun made the important points, but they must be reinforced. The case demonstrates the complete and utter shambles in the Crown Office and the judicial system. I want to examine some areas of concern. First, the case has clearly demonstrated that there is a problem with resources. Secondly, constituents who have seen me in the past few weeks have suggested that they no longer have confidence in the system in Scotland.

We must consider resources, and what went on in the office of the procurator fiscal in Kilmarnock and in the Crown Office. When we realise that evidence that clearly demonstrated that this man should never have been allowed out so that he was able to murder that young girl was available in the procurator fiscal's office, we get angry at the inability of those responsible to hold him in remand and prosecute him to ensure that he was not in society. We are all aware of the lack of resources. On the basis of what he has learnt about the case, will the Minister—as the Minister responsible for the matter—recommend that additional resources be made available to the procurator fiscal's department and to the Crown Office?

The Government tell us that they are hard on crime. They have had 17 years to show us that. This significant case shows that their hardness on crime does not work in practice. My hon. Friend the Member for Kilmarnock and Loudoun mentioned the meeting that we had with the Lord Advocate, where we were promised an internal inquiry. While that signifies some success, it clearly is not

[Mr. Brian H. Donohoe]

what we were looking for. The public need answers. They need to know what went wrong. The most important thing tonight is for the Minister to agree at some point to an independent public inquiry, and that is what we are looking for.

8.8 pm

The Minister of State, Scottish Office (Lord James Douglas-Hamilton): I congratulate the hon. Member for Kilmarnock and Loudoun (Mr. McKelvey) on securing an Adjournment debate on this anxious topic. He has raised some questions about the case of Gavin McGuire and I intend to answer them as fully as possible. I first place on record my sympathy for the parents and family of Mhairi Julyan. The death of a teenager is always tragic; how much more so is the callous murder of a young person with everything to live for. It leaves in its wake, as the hon. Gentleman said, shock and distress.

Of one thing there is no doubt. McGuire is a man who presents a considerable danger to women. In February 1977, he was sentenced to 10 years' imprisonment for two charges of rape, a charge of assault with intent to ravish and other offences. On 12 November 1986, he was sentenced to 10 years' imprisonment for attempted rape and serious assault. The sentence of life imprisonment, with a minimum recommendation of 30 years that was imposed by Lord Clyde on 30 May, is the best protection that women can have against such a predatory criminal.

The House knows that in the light of McGuire case, my right hon. Friend the Secretary of State for Scotland announced last week proposals that would require the courts to impose a life sentence, other than in exceptional circumstances, where an offender is convicted of a second offence involving serious violence or sexual assault. That would mean that the judge would still set the minimum time that the offender is to spend in prison, but by making a minimum recommendation rather than by imposing a determinate sentence.

Thereafter, the benefits of the life sentence become apparent, in that the parole board will then consider whether the offender can safely be released. If after release his behaviour gives any cause for concern, he can be immediately recalled to prison to continue serving his life sentence. If a determinate rather than a life sentence is imposed, release back into the community is automatic after a certain date, no matter how much of a risk to the public the prisoner might still pose, and there is no possibility of immediate recall to prison if his actions should give rise for concern.

Recently, my right hon. Friend the Secretary of State wrote to the hon. Member for Cunninghame, North (Mr. Wilson), who has also raised the issue. He wrote:

"In McGuire's case, such a provision would have meant that he would have been given a life sentence on his second conviction in 1986, and his subsequent release would only have occurred when he had served the full period determined by the judge and the Parole Board had concluded that he could be safely released. If he had been released and there was thereafter concern about his behaviour, whether or not this involved committing an offence, he could have been returned immediately to custody."

My right hon. Friend the Secretary of State intends to announce his proposals on "Making the Punishment Fit the Crime" shortly. Meanwhile, he expects to be able to count on the support of Opposition Members for that change.

Mr. McKelvey: While we understand what the Minister is saying, we are concerned about what we have described as a knee-jerk reaction. How much did the Secretary of State discuss the matter with interested parties such as the judiciary and those who work in the legal system? How much support does he have for pursuing that change and establishing it rapidly?

Lord James Douglas-Hamilton: Judges are always consulted before legislation goes through Parliament. We are not yet at the stage of putting a Bill before Parliament, but when proposals are published, judges will be consulted, just like everyone else. However, we are determined to ensure that there should be more emphasis on the concerns of the victim rather than on the criminal. I hope that the Opposition will support that.

Mr. McKelvey: This important issue is at the nub of the reasons why we want a full inquiry. There is a case to answer. This man was incarcerated and made a ward of the state at the age of eight. He has already spent 14 years of his adult life in prison. We are concerned about what was done with him while he was in prison. Has he been psychologically examined? Was there such a programme? If there was, how did he respond to it? If a full inquiry gave us those answers, the conditions that could be set by law to improve the position might be more readily agreed.

Lord James Douglas-Hamilton: The hon. Gentleman takes me off the thread of my remarks, but I shall deal with his question about the treatment of sex offenders in prison. I will happily make inquiries because prisoners come under my responsibility. I shall write to him in due course.

It is important that sex offenders are given the opportunity to address their offending behaviour while in prison. That is why many long-term prisoners convicted of sex offences are held in Peterhead prison. Grouping them together has made it possible to develop a comprehensive sex offender treatment programme there. It is widely recognised that such programmes are likely to be successful only to the extent that they engage the co-operation of the offender.

Programmes have been set up in several Scots prisons, including Barlinnie, where emphasis is placed on helping perpetrators to recognise and control the triggers that prompt offending behaviour. An important aspect of the programme is that counselling is also offered to those released back into the community through support groups run by the city of Glasgow social work department. The aims of sex offender treatment programmes are to get prisoners to accept their personal responsibility, for them to address the consequences of offending behaviour for the offender and for victims, and to develop self-corneal strategies and avoid situations likely to lead to re-offending.

The stop programme in Peterhead has recently undergone an external evaluation. The programme was viewed positively, with participants demonstrating

increased victim awareness. In the light of that report and other recent research, the Scottish Prison Service is developing guidance on the management of sex offenders in prison. Those who co-operate in addressing their offending behaviour may be allowed controlled access to a range of opportunities in other establishments to prepare them further for eventual release and may be considered by the parole board for release on licence. Prisoners who choose not to address their offending behaviour are unlikely to be considered for early release. Sex offenders released on licence are required to maintain contact with their supervising officer and must observe the conditions of the licence. Failure to do so could be grounds for recalling the offender to prison. Those requirements are intended to reduce the likelihood of the offender being involved in further offences.

Mr. Donohoe: The Minister should give us a specific answer. Did McGuire go through that programme?

Lord James Douglas-Hamilton: This is the programme now in place. The hon. Gentleman's question is historical. I will make inquiries and write to him and to the hon. Member for Kilmarnock and Loudoun in due course. I shall move on to less historical, more immediate issues.

When my noble and learned Friend the Lord Advocate exercises his duty as public prosecutor, he acts independently of Government. He is accountable to Parliament and it is as his spokesman that I am replying tonight. I can advise the House on his behalf that he and the Solicitor-General for Scotland will examine the history of the case with the Advocate Deputes and the procurator fiscal respectively.

I should explain what cannot be done and, more importantly, what can be done. Hon. Members asked whether a public inquiry would be the best way forward. I do not believe that it would because a public inquiry into the process of decision-making by the Lord Advocate and his deputies would violate the principle of the independence of public prosecution. The constitutional position of the public prosecutor was explained to the House by the then Prime Minister, Mr. Harold Macmillan, in 1959, in a statement concerning the establishment of a tribunal of inquiry in the Waters case. He said:

"It is an established principle of Government in this country, and a tradition long supported by all political parties, that the decision as to whether any citizen should be prosecuted, or whether any prosecution should be discontinued, should be a matter where a public as opposed to a private prosecution is concerned, for the prosecuting authorities to decide on the merits of the case without political or other pressure.

It would be a most dangerous deviation from this sound principle if a prosecution were to be instituted or abandoned as a result of political pressure or popular clamour . . . In reaching his decisions the Lord Advocate's duty in Scotland, like the Attorney-General's in England, is to act in a quasi-judicial capacity".—[*Official Report*, 16 February 1959; Vol. 600, c. 31.]

Prosecutors need to assess not only the sufficiency but the quality of evidence and the credibility of witnesses. If prosecutors' decisions could be explored publicly, the temptation would be to prosecute regardless of the outcome—because the easy decision is always to prosecute—and cases could unnecessarily or inappropriately be brought to court. That is not necessarily in the best public interest.

While I do not see a public inquiry as the best way forward, there are other ways forward and I should like to go into them. I mentioned the proposals of my right hon. Friend the Secretary of State, which would meet the situation. They would mean that someone convicted a second time of a very serious sex offence of this nature would attract a life sentence and would then be subject to a much longer sentence.

Mr. Donohoe: That is clearly important. I do not know if the Minister heard one of the experts in Scottish law dispute that fact. He said that, instead of raping and leaving a woman, someone who had already offended would be more likely on the second occasion not only to rape but to murder.

Lord James Douglas-Hamilton: The hon. Gentleman makes an interesting point, but fear of detection has often been a source of the most devastating crimes. Fear of detection is always with criminals in all circumstances. We believe that if we impose a life sentence on a second serious sexual crime, which could amount to attempted murder or rape, the person who has committed it will be subject to much stronger control and a much longer sentence than is now possible. I look forward to the hon. Members' support for that proposal in due course.

I mentioned the other ways forward. First, a working group chaired by a regional procurator fiscal completed a full review last year of the way in which the procurator fiscal service investigates and prepares serious cases and this has resulted in detailed guidance in the form of a handbook which has been issued to all relevant staff. Procurators fiscal are encouraged to take an active involvement in the preparation of all serious cases. That is a particular feature of the Scottish prosecution system. Full details of the examination of the case of Gavin McGuire will be passed on to the working group for its consideration as part of its work of promoting good practice.

The Solicitor-General for Scotland chaired a separate working group which reported earlier this year on the role and recruitment of advocate deputes who prosecute and take decisions on criminal proceedings in the High Court. As a result, a number of changes in working arrangements are already being implemented with a view to giving them more time to consider cases at an earlier stage, but account will be taken of the results of the process of examination which I have mentioned.

It is appropriate that I should, with the Lord Advocate's agreement, set out in some detail the background to the decision which was taken to release McGuire from custody before his trial last November.

On 12 August 1995, Lorna Andrew was assaulted in a public park in Kilbirnie, Ayrshire, by a man who forced her to the ground and attempted to remove her clothing. She reported that in the course of the struggle she had bitten her attacker's left index finger. Initial inquiries by the police did not identify her attacker, who ran away.

Eight days later, on 20 August, Lorna Andrew saw Gavin McGuire by chance in the street and identified him as her attacker. She informed the police and McGuire was apprehended and examined by a casualty surgeon, who found a small injury on the nail side of his left index finger. McGuire's explanation was that he had injured his finger while sawing tree branches on 17 August. The

[Lord James Douglas–Hamilton]

casualty surgeon was of the view that the injury could have been caused by a tooth. McGuire appeared in court on 21 August 1995 and was remanded in custody.

In Scots criminal law it is essential for proof of a charge that the accused is identified as the perpetrator of the crime by corroborated evidence and beyond reasonable doubt. Corroboration means confirmation or support of one piece of evidence by another piece of evidence, each from a source independent of the other. The corroboration rule is regarded as a fundamental protection against wrongful conviction, and one which has thus reduced the risk of miscarriages of justice in Scotland.

In Scotland it is not possible to rely on evidence of previous convictions for similar crimes in order to prove a case, although I understand that this can be possible in England and Wales in cases of exceptional similarity under a doctrine known as similar fact evidence.

Mr. McKelvey: We should clear up the matter of the medical evidence. The Lord Advocate and the Solicitor-General told me and my hon. Friends that the examining surgeon believed that the wound on McGuire's finger was less than 72 hours old. That was the reason why the authorities felt that they could not proceed with the case. The attack took place eight days before the examination. It is also worth seeking an explanation of why the assault and attempted rape were lumped in with the murder case in an attempt to try two cases together, when further medical examination had apparently been sought.

Lord James Douglas–Hamilton: The hon. Gentleman anticipates me. I welcome to the Chamber the hon. Member for Cunninghame, North (Mr. Wilson) who has shown a great interest in the subject. The hon. Member for Kilmarnock and Loudoun asked whether the doctrine of corroboration was appropriate. I mentioned a moment ago that in England and Wales, in cases of exceptional similarity, under a doctrine known as similar fact evidence, it is possible to rely on evidence of previous convictions.

We will be studying the law of corroboration in general in the light of the recommendations of the Sutherland committee. The importance of the corroboration rule has been emphasised in the report of the committee on criminal appeals and miscarriages of justice procedures chaired by Professor Sir Stewart Sutherland, which was published on Monday.

In the case against Gavin McGuire, Lorna Andrew's evidence was one piece of evidence identifying McGuire as the man who attacked her. The casualty surgeon's evidence was that the injury to McGuire's finger could have been anything up to 72 hours old, as the hon. Member for Kilmarnock and Loudoun said a moment ago.

The medical evidence was therefore inconsistent in respect of timing with the account of Lorna Andrew and the casualty surgeon was therefore re-interviewed on the instructions of Crown Counsel and asked specifically for an opinion as to the earliest time prior to her examination on 20 August when the injury could have been inflicted, and whether it was possible that it could have been inflicted as early as 12 August. She remained of the opinion that the injury was no older than 72 hours, but considered that it might indeed have been only a day old. She said it was definitely not so old as seven or eight days, and said that she had no hesitation in confirming her opinion that it was no older than 72 hours.

Faced with this evidence, Crown counsel concluded that the medical evidence could not provide corroboration of Lorna Andrew's identification of McGuire. Crown counsel was, however, of the view that corroboration might come from the recovery at McGuire's home of clothing fitting the description given by Miss Andrew, but which consisted of common items. It was known that forensic scientific examination of clothing of Lorna Andrew and Gavin McGuire had still to be completed, and it was decided to proceed to service of an indictment while the results were awaited.

McGuire was, accordingly, indicted to appear at the sitting of the High Court at Kilmarnock commencing on 27 November 1995. The scope for forensic scientific examination was limited, not least by the passage of time before McGuire was apprehended. One matter which was explored was the investigation of a cosmetic stain on McGuire's jacket. On 17 November 1995, the procurator fiscal was advised that line of investigation had proved negative.

The case was plainly a thin one, and there is no question of anyone not appreciating that until the last minute. The case was considered carefully at every stage, particularly because of McGuire's previous record. A number of lines of inquiry were pursued, right up to 17 November. However, by then it was clear that there was only one possible line of corroborating evidence—the injury—but the medical evidence did not corroborate, but actually contradicted, the victim's evidence. If the doctor's evidence as to the timing of the injury was correct, the injury could not have been caused by a bite from Lorna Andrew.

The matter was considered closely by the Advocate Depute—the prosecutor who was assigned to the case—and he discussed the case with my right hon. noble and learned Friend the Lord Advocate. It was agreed that the case should not proceed to trial at this time on the ground of insufficiency of evidence. If it did, the outcome would inevitably have been an acquittal by the judge on the basis that there was no case to answer. An acquittal would have served no purpose and the case could never be brought to trial again. Keeping the case open preserved the option of bringing the matter to trial at a later date if further evidence became available. The accused was liberated on 28 November, after the situation had been explained to Lorna Andrew.

On 16 December 1995, Mhairi Julyan, a schoolgirl, was sexually assaulted and murdered in Kilmarnock.

Mr. Donohoe: The Minister has not referred to some of the evidence. We have had a meeting with the Lord Advocate. It was suggested that independent evidence was taken from the police surgeon and that a professor from one of the hospitals—I suppose it was the dental hospital—suggested that there was enough evidence to convict, and that there would have been corroboration from that evidence. The Minister has not referred to that. Is he about to? Has he received the same advice as us?

Lord James Douglas–Hamilton: Yes, I have received the same advice. The hon. Gentleman is anticipating what

I am about to say. As a result of police investigations after this terrible murder, the police apprehended Gavin McGuire and charged him with murder. The position with regard to the earlier charges was reviewed in the course of the investigation of the murder. Nothing had changed with regard to sufficiency of evidence on these charges, except in so far as the subsequent crime might be of evidential value in relation to them and they might be of evidential value in relation to the murder case.

This arose from the doctrine of mutual corroboration, known as the Moorov doctrine after a leading case in the 1930s. This doctrine can be invoked where separate similar crimes are charged. Where an accused is tried on two or more charges alleging similar acts that are so connected in time, character and circumstances as to justify an inference that they are instances of a course of similar conduct systematically pursued by him, the evidence of a single witness in relation to one charge may be corroborated by the evidence of another single witness or from a single source in relation to another.

Crown counsel took the view that the evidence in the murder case might be capable of providing corroboration of Lorna Andrew's evidence in the earlier case. However, as matters stood, the medical evidence contradicted Lorna Andrew's evidence. Accordingly, further inquiries were instructed in relation to the injury to McGuire's finger and the regius professor of forensic medicine and science at Glasgow university, Peter Vanezis, and the professor of oral pathology, Donald MacDonald, were invited to consider a photograph and enlargements of the injury to McGuire's finger that had been taken on 20 August 1995, and to express an opinion on the origin and timing of the injury in relation to the date of the photograph. The casualty surgeon who had originally examined McGuire was re-interviewed.

The result of these inquiries was certainly to alter the nature of the available evidence about the injury to McGuire's finger and to suggest that it could have been a bite mark made in the correct time frame to be consistent with Lorna Andrew's evidence.

Mr. Brian Wilson (Cunninghame, North) *rose—*

Lord James Douglas-Hamilton: Whether it strengthened the case to the point of providing corroboration of her evidence beyond reasonable doubt was another, more difficult, question. Professor Vanezis was of the opinion that the injury to the finger was entirely consistent with Lorna Andrew's story and was in the range of one to two weeks old. Professor MacDonald, who is a recognised international expert in the field of identification of suspects from teeth marks, could not state with any degree of probability that the injury was caused by a tooth, but said that it was consistent with Lorna Andrew's account in that her account could not be disproved or ruled out. Neither could wholly discount other causes of the injury.

The casualty surgeon, who remained the only medically qualified person to have seen the actual injury, was shown the photograph of the injury and now expressed the view that it was an old, rather than a fresh, injury. The medical and expert evidence taken together certainly now raised the possibility that the injury had been caused by a tooth, but it did not raise any clear degree of probability that the injury had been thus caused and there was no question of matching the injury to a specific tooth, as has been achieved in other cases involving forensic odontology.

The hon. Members have asked why these further inquiries were not carried out at an earlier stage and before McGuire was liberated on 28 November. The medical evidence available at the time unequivocally ruled out the timing of the injury as being consistent with Lorna Andrew's account. Only one doctor—a casualty surgeon—saw the actual wound. I am advised that it is very difficult to obtain expert opinion evidence from a photograph of a single small wound. Once the doctor had been re-interviewed and had stated that the wound was definitely no more than 72 hours old, there did not appear to be any benefit in bringing in experts who would not, of course, be able to see the actual injury.

The effect of the medical and expert evidence now available was to remove the contradiction of Lorna Andrew's evidence of identification of McGuire. It was now possible to put forward her evidence under reliance on the doctrine of mutual corroboration, relying on the tragic source of evidence from the murder case. It was on that basis that Crown counsel instructed that the charges relating to the assault on Lorna Andrew be included in the indictment for the murder of Mhairi Julyan.

Prior to the trial, the defence applied to separate the charges on the ground that it would be prejudicial to McGuire to be tried at the same time on both the murder and earlier charges. Although this application was opposed by the Crown and it was explained to the trial Judge, Lord Clyde, that the Crown intended to rely on the doctrine of mutual corroboration in proving the earlier charges, Lord Clyde exercised his discretion to grant the application for separation of charges.

Mr. Wilson: The Minister will understand that we want to study closely what he has just said, particularly why the second and third opinions from the most expert people in the field were not sought before McGuire was released. Given the enormous circumstantial evidence that existed that McGuire had committed the assault, what degree of observation was he under after he was released?

According to the Minister, McGuire was released only because the assault could not be proven conclusively to the point that it could be taken to court. However, a strong element of suspicion—to say the least—persisted. Were there any orders that McGuire should be kept under observation because it was possible that charges could be brought against him in relation to the assault if evidence could be put together?

Lord James Douglas-Hamilton: The hon. Gentleman asks a specific question. I will make inquiries and write to him. Obviously, it may be perceived that an individual is a threat to certain individuals in the community, so in certain circumstances the police have observation techniques in place. If he studies what I have already said, it explains why further expert evidence was not called. Incidentally, it is not always easy to get more than one expert casualty surgeon to examine someone after a crime. It is not always easy to lay on several experts at the same time.

Mr. Donohoe: Will the Minister give way?

Lord James Douglas-Hamilton: May I develop the narrative a little more? The hon. Gentleman can come back later if he wants.

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As has been mentioned, the trial proceeded on the murder charge and McGuire was ultimately convicted on 30 May and sentenced to life imprisonment, with a recommendation that he serve a minimum of 30 years. Lord Clyde continued the case until the next day and said to the Advocate Depute that he wished to hear from him as to the Crown's intentions in respect of the earlier charges.

McGuire's conviction and sentence were clearly especially significant in the Crown's consideration as to the next step in the matter. The earlier charges now stood alone. The position as it existed before McGuire's release again applied, with the sole difference that further opinion evidence had been obtained in respect of the injury to McGuire's finger. That evidence did not provide the necessary corroboration and one can speculate only as to the effect of the contradictions in the evidence if it were placed before a court.

On any view, it would clearly have been inappropriate to proceed immediately to trial in respect of the earlier charges, because it would have been impossible to secure a fair trial at that time in the light of the massive publicity surrounding the proceedings in the murder case and the revelation of all McGuire's previous convictions. Lord Clyde refused the motion and deserted the case simpliciter—that means altogether. The effect was to bring proceedings to an end.

All the Crown wanted on 31 May was time to consider further the question of proceedings in relation to the attack on Lorna Andrew because the charges were serious and deserved further consideration. There was no question of the Crown attempting to gag the media. The Crown put all the charges on the indictment. It was only because two of them were "separated" that the judge made an order, at the defence's request, delaying publication of reporting in relation to the earlier charges.

The Crown never sought an order prohibiting any reporting that there were outstanding charges, except in the context of reports of what was said in court. It was the judge who decided to make an order prohibiting any reporting that suggested that there were outstanding charges.

On behalf of my right hon. and learned Friend the Lord Advocate, I have given the fullest explanation that can properly be given of the decisions that have been taken. This has been a distressing matter and, as I have said, the working group will examine the case as part of its work of promoting good practice. I repeat to the hon. Gentlemen that the Secretary of State's approach in his letter to the hon. Member for Cunninghame, North contains significant proposed changes to the law, which, if implemented, would give a significant degree of extra protection not only to women, but to the community in general, which should be generally supported.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Nine o'clock.

House of Commons

Monday 17 June 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

CHILD CARE PROCEDURES AND PRACTICE IN NORTH WALES

Resolved,

That an humble Address be presented to Her Majesty, That she will be graciously pleased to give directions that there shall be laid before this House a Return of the Report of the Examination Team on Child Care Procedures and Practice in North Wales.—*[Mr. Hague.]*

Oral Answers to Questions

WALES

Revenue Support Grant

1. **Mr. Hain:** To ask the Secretary of State for Wales what assessment he has made of the outturn of the 1996–97 revenue support grant settlement. [31646]

The Secretary of State for Wales (Mr. William Hague): Welsh local authorities and police authorities have budgeted for net revenue expenditure of £2,934 million in 1996-97. It is too early to estimate what actual expenditure will be.

Mr. Hain: The Secretary of State must be aware that Neath and Port Talbot council has suffered unique discrimination at the hands of the Welsh Office's revenue support allocation. How can he justify the fact that one half of former West Glamorgan, Swansea, has levied a 4.5 per cent. council tax increase whereas, before damping, Neath and Port Talbot, the other half, levied 45 per cent.—nearly 10 times as much? How can he justify the fact that Trebanos village is split down the middle, and one side pays £90 more? In March, both sides were paying exactly the same. He must intervene. Responsibility does not lie with the council. It has inherited a standard of service, which has been agreed by the Welsh Office, and is having to carry the can for the Welsh Office's discriminatory settlement. Surely he should intervene and prevent catastrophe next year, if not this.

Mr. Hague: The settlement is not discriminatory, as the hon. Gentleman knows. The council tax damping schemes that I have introduced are designed to reduce the effect of discrepancies such as the one he described. The effect is that no council tax increase in Wales can be more than 25 per cent. in the current year. A total of £3.7 million of council tax reduction grant has gone to Neath and Port Talbot. Its standard spending assessment per capita is higher than the Welsh average, so it would not be fair to say that it has suffered unique discrimination.

Mr. Hain: On a point of order, Madam Speaker. In view of the unsatisfactory nature of that reply, I give notice that I shall apply for an Adjournment debate on the subject.

Madam Speaker: In that case, we shall move on.

Business Rates

2. **Mr. Wigley:** To ask the Secretary of State for Wales what representations he has received with regard to the consultation document his Department published in May on the level of business rates on shop, post office and small businesses in rural Wales; and if he will make a statement. [31647]

The Parliamentary Under-Secretary of State for Wales (Mr. Gwilym Jones): There have been four responses to the consultation, including one from the hon. Gentleman. The consultation period runs until 21 June.

Mr. Wigley: In view of the importance of the matter to small businesses and shops in rural Wales, why has there been only a five-week consultation period? Why have organisations that represent people who live in rural Wales, such as the young farmers clubs, Merched y Wawr and women's institutes, not been invited to comment? Will the Minister give an assurance that, in view of the inconsistencies in the definition of rural area, whereby areas such as Ruabon, Llanwern, and Margam are defined as rural, but areas such as Llanrug, Felinheli, and Criccieth are not—which must be wrong—he will look at the definition again and ensure that businesses such as bakeries and rural pharmacies are included in the provisions so that they have a future in rural Wales?

Mr. Jones: The original list of consultees was extensive. The hon. Gentleman will agree that, in view of all the publicity for the rural White Paper, it would be surprising if any group that wanted to put forward its opinion was not aware of the matter. Any group that has sought a copy of the document will have been provided with one by the Welsh Office.

As to the hon. Gentleman's latter point, our proposals envisage covering 519 communities—84 per cent. of the land area of Wales. In addition to the definition that we have used, which is the only accepted definition that originates from the Organisation for Economic Co-operation and Development, we propose to define a further 17 appropriate communities, which would bring in settlements such as Newcastle Emlyn, Usk and Bala. I am aware of the settlements that he mentioned, and we will consider them as part of the consultation process, but no other respondent has made a similar point.

Sir Wyn Roberts: Is my hon. Friend aware that the 50 per cent. relief scheme for shops and post offices will be widely welcomed throughout Wales, covering, as it does, 84 per cent. of the land area? Has he had the full endorsement of the Opposition parties or are they, as I suspect, about to hijack the proposal for electioneering

purposes? Will he confirm that some thousands of small businesses in Wales already receive transitional relief as a result of the revaluation last year?

Mr. Jones: My right hon. Friend is absolutely right, especially about the welcome that has been given to the proposals. He is too optimistic in imagining that we will hear much about policy from the Opposition. The principal Opposition party is most nervous about giving any details about anything until it has become well-established Conservative policy. I doubt whether Plaid Cymru's policy of local income tax and extra corporation tax will sit at all well with small businesses in Wales.

Mr. Alex Carlile: When he analyses the responses to the consultation, will the Minister examine the undoubted decline in private ownership of shops in towns and villages in rural Wales? Does he recognise that, once the consultation is completed, the introduction of rate relief, especially for village post offices, is urgent, because they continue to close and villages are losing their services?

Mr. Jones: The hon. and learned Gentleman and I are of like mind about the importance and desirability of making progress on that matter. He will welcome our latest planning guidance, which is equally relevant to village shops and other rural businesses, and in which we have introduced a sequential test for local authorities when they consider out-of-town shopping developments. They should consider in-town, edge-of-town and then out-of-town developments. That is much more succinct than the extant guidance.

Mr. John Marshall: Does my hon. Friend agree that small shops, small post offices and small businesses are the sorts of businesses that would be badly hit by a national minimum wage?

Mr. Jones: I could not agree more with my hon. Friend. He makes that point most appropriately. Small businesses in Wales are worried, as are the people whom they employ. They know that the Opposition's policy of a minimum wage and the social chapter could increase unemployment in Wales by between 40,000 and 80,000, which, at the top end, would almost double unemployment in Wales.

Mr. Ron Davies: Perhaps the Minister should concentrate on the present and leave the future to us. Why is he answering this question when, last week, the Welsh Office put out a press release that said that all rural affairs were being pulled into one portfolio and that the Minister responsible would be the hon. Member for Brecon and Radnor (Mr. Evans)? Perhaps that is another unforced reorganisation in the Welsh Office. On rural affairs, does he share our concern about reports such as that by Peter Midmore of Aberystwyth university that the immediate, direct cost of bovine spongiform encephalopathy to the rural economy would be the loss of 1,000 jobs and £80 million of production? We want an urgent debate on the crisis and, in particular, an opportunity to examine the Government's response to it. Why is the Welsh Office so reluctant to give in to our calls for a meeting of the Welsh Grand Committee? Do the Government not understand the seriousness of the situation in rural Wales or are they running away for fear of answering for their policies?

Mr. Jones: I am amazed at the hon. Gentleman's claims. I am answering the question under the basic premise of my day-to-day responsibility, under the Secretary of State, for local government financial matters.

As for the hon. Gentleman's second question, I do not have the study that he mentions before me, but I certainly share his concern about the scale of the problem, which is betokened by the fact that the Government have already committed more than £1 billion to respond to the problems faced by our farmers and everyone else involved. The hon. Gentleman asked about the Welsh Grand Committee. There is certainly no reluctance on the part of the Government to have a meeting on the subject that he mentions—or on any other subject—but what we find difficult to understand is why Labour Front-Bench spokesmen are trying to eliminate the rights of Back Benchers at such a meeting of the Welsh Grand Committee.

Tourism (Cardiff)

3. **Mr. Simon Coombs:** To ask the Secretary of State for Wales what plans he has to assist the development of Cardiff as an international tourism destination. [31648]

Mr. Gwilym Jones: The Wales tourist board, the Cardiff Bay development corporation, local authorities and Cardiff Marketing Ltd. are working together to promote Cardiff as a major international tourism destination.

Mr. Coombs: Is my hon. Friend aware that superb visitor attractions such Techniquest and Harry Ramsden's fish restaurant, both of which I had the pleasure of visiting earlier this year, are making a significant contribution towards Cardiff Bay development corporation's target of 2 million visitors by the end of the century? What help can my hon. Friend and his Department give to those who would like to see an opera house in Cardiff bay, as yet another international facility to attract visitors?

Mr. Jones: I am glad to know that my hon. Friend has visited Harry Ramsden's and Techniquest. By coincidence, my right hon. Friend the Prime Minister had the same pleasures on Thursday and Friday. I can report that we all returned from Porthcawl reinvigorated with fresh confidence for the future. I can tell my hon. Friend that I believe that Cardiff Bay development corporation is well on track to achieve its target. Its current year target is more than 1.3 million visitors, and I think that both its targets will be achieved. I would welcome opportunities to explore further possibilities for tourist attractions, not least an opera house or whatever would be felt most agreeable to the local community.

Higher Education

4. **Mr. Dafis:** To ask the Secretary of State for Wales what recent representations he has received on funding for higher education in Wales. [31649]

The Parliamentary Under-Secretary of State for Wales (Mr. Jonathan Evans): This year, my hon. Friends and I have received 20 letters from Members of Parliament, representative bodies and individuals about higher education in Wales.

Mr. Dafis: I welcome the hon. Gentleman to his new post and I am glad to see him on the Treasury Bench. Did he listen carefully to the representations of the heads of higher education institutions in Wales who told him and the Government that the combination of cuts in spending that are projected to continue until 1999 and the increase in student numbers are creating an impossible situation in higher education? In particular, the 44 per cent. reduction in capital spending is serious, especially as there is no sign that the private finance initiative will take off and work effectively in Wales. Will he seriously address this situation, recognising the enormous importance of higher education to the Welsh economy and to the future success of Wales as a nation and act accordingly by at least suspending further cuts until the Dearing report has been completed and provided to the Government?

Mr. Evans: I thank the hon. Gentleman for the generosity of his welcome. I regard higher education as one of the Government's great success stories. It goes without saying that the increase in the proportion of our young people with opportunities for higher education has led to some of the difficulties to which the hon. Gentleman refers. From one in eight, we have moved to one in three young people now having such opportunities. That is why it was clearly right for the Government to entrust Sir Ron Dearing with studying the implications of that increase. The hon. Gentleman will be delighted to know that my right hon. Friend the Secretary of State met the heads of higher education last week. My right hon. Friend has said that he will take account of the points that they put to him in the coming public expenditure survey round and, in due course, when he considers any recommendations from Sir Ron Dearing. The private finance initiative should be strongly welcomed. A balance has to be struck in that initiative and, at the moment, aiming for 30 per cent. seems to be the right balance.

Maternity Care

5. **Lady Olga Maitland:** To ask the Secretary of State for Wales what progress has been made on standards of maternity care in hospitals in Wales. [31650]

Mr. Gwilym Jones: Public satisfaction with NHS health care remains high—typically more than 90 per cent. Information from the 1995 Welsh health survey shows that more than 19 out of 20 women surveyed were satisfied with the care provided by midwives, in particular.

Lady Olga Maitland: For most women, childbirth is the most important time in their lives during which they need medical assistance. Has my hon. Friend studied a report from the Department of Health in England entitled "Changing Childbirth", which gives greater priority than ever before to assessing the individual needs of a mother and to helping her to make her own choices about the management of childbirth? Does he intend to implement the report's proposals in Wales?

Mr. Jones: I am well aware of the Department of Health report to which my hon. Friend refers. We have a protocol that covers the matter, and it is being updated. The work is being led by the North Wales health authority. In addition, the chief medical officer and the chief nursing officer have commissioned a review of the matter, focusing on making progress with the various parties in the protocol. The report is imminent.

Mr. Gareth Wardell: Now that the problems of the internal market have been seen clearly in Wales, will the Minister guarantee that there will be no reduction in the standard of maternity care as a result of the substitution of staff grade doctors for consultants in maternity units?

Mr. Jones: I can assure the hon. Gentleman that no one in the NHS in Wales wants any reduction in care.

Barry Docks

6. **Mr. Sweeney:** To ask the Secretary of State for Wales what steps he has taken to encourage the redevelopment of Barry docks. [31651]

Mr. Hague: On 3 June, I welcomed the launch of the redevelopment of Barry docks, which is being undertaken as a joint venture between Associated British Ports and the Welsh Development Agency, with the potential to create 2,000 jobs and 1,000 new homes.

Mr. Sweeney: On behalf of the people of Barry, I thank my right hon. Friend for his recent visit to the Barry waterfront, where he made a stirring speech. Does he agree that the project, which will mean many new jobs for the Vale of Glamorgan, represents the most important development since the docks were built? Is it not a prime example of partnership between ABP—from the private sector—the WDA and local authorities?

Mr. Hague: I thank my hon. Friend for his reference to my speech on that occasion. This is a significant project that, when completed, will do much to improve the economy of the dock area, Barry town and the Vale of Glamorgan in general. It is a fine example of partnership between the public and private sectors, and builds on our excellent record since 1979 of land reclamation in Wales. So far, more than 15,000 acres have been involved. It is the largest and most sustained programme of its kind in Europe.

Welsh Assembly

7. **Mr. Nigel Evans:** To ask the Secretary of State for Wales what recent representations he has received on the establishment of an assembly for Wales. [31652]

Mr. Hague: Since 1 January, I have received three letters about a Welsh Assembly—one in favour, and two against.

Mr. Evans: I am extremely grateful for that interesting response. Does the Secretary of State agree that there is no demand among the people of Wales—or among the good people of the north-west of England—for yet another tier of government? They think that the levels of government we currently have are bad enough. Does he

agree that going down that cul de sac would be an attack on the very integrity of the United Kingdom and would begin the break-up of the Union?

Mr. Hague: I agree with my hon. Friend that an extra tier of government would be a waste of time, a waste of space and a waste of money. It would weaken, not strengthen, the position of Wales in the United Kingdom. The people of Wales voted by four to one against the proposal on the previous occasion they were consulted on it. What puzzles them is that the Opposition want to overturn such a referendum without having the guts to say that they would hold another one.

Mr. Roy Hughes: Is it not apparent that we need an assembly now, if only to protect essential Welsh interests? We are increasingly losing out to Bristol. The latest casualties are the forensic laboratory in Chepstow and the traffic commission office in Cardiff. It appears that the Secretary of State is falling down on the job and needs some reinforcement.

Mr. Hague: The hon. Gentleman represents one of the Newport constituencies, where, on St. David's day, I was able to announce 800 new jobs because of one of the largest investments into Wales that has ever been undertaken—so I do not think anyone has been falling down on that job. That is the type of thing that has been taking place in recent years, and the establishment of an assembly would be no help whatsoever in such work.

Mr. Bernard Jenkin: What could a Welsh Assembly, under a supposed Labour Government of the future, achieve that the Welsh Grand Committee cannot? Does my right hon. Friend agree that the Welsh Grand Committee is a much better forum to protect and advance Welsh interests than a spurious assembly without a proper mandate?

Mr. Hague: The Welsh Grand Committee could achieve a good deal more if the hon. Member for Caerphilly (Mr. Davies) would agree to its having a Question Time, which is what I have been asking him to do, but certainly an assembly could not achieve very much. Opposition Members cannot agree about how its members would be elected, so they cannot get very far with saying what it might achieve.

Mr. Donald Anderson: Might it just be that the reason for the small response to the Secretary of State is that the people of Wales do not take him very seriously, do not think it is worth writing to him, recognise that he does not want to meet our local authority leaders and feel that he and his team are no longer relevant to Wales?

Mr. Hague: They write to me in their thousands about many other subjects, so they appear to take me and my colleagues seriously. It may just be that they regard this subject as an utter irrelevance and waste of time.

Mr. Morgan: Does not the Secretary of State have to agree that a Welsh Assembly would be far more efficient and democratic than the present set-up in considering a wide range of issues, from his unconscionable dithering about the location of the new Euro-freight terminal to the new proposals for the Welsh ambulance service? Should not the future of the Welsh ambulance service be debated and discussed in the open by the people of Wales, instead of being sorted out behind closed doors by a small, tightly knit cabal of personally motivated people—the 10 men who run the present ambulance trusts in Wales?

Mr. Hague: All those matters are handled by Ministers who are accountable to this House, and they can be debated in this House. The hon. Gentleman must bear it in mind that, if such matters were devolved to a Welsh Assembly, Welsh Members of this House would no longer be able to hold Ministers accountable on those subjects, so democratic accountability would be weakened, not improved.

RAF Valley

8. **Mr. Mackinlay:** To ask the Secretary of State for Wales what representations he has made to the Ministry of Defence about maintaining Royal Air Force maintenance facilities by Royal Air Force personnel in Ynys Môn. [31653]

Mr. Jonathan Evans: The recently let service contract at RAF Valley preserves the defence of the United Kingdom, improves value for money for the taxpayer and provides local employment opportunities. That represents a good outcome.

Mr. Mackinlay: Will the Minister reflect that that is not the view of RAF personnel who live at RAF Valley, or of RAF personnel throughout the United Kingdom? They consider that it is not in the best interests of our defence that we should privatise the repair and maintenance of Hawk and other essential defence aircraft to organisations that have not trained people in these skills, and that will not train them in future. Is it not time that the Government reflected that that short-termism is not in the interests of that part of Wales in terms of cutting essential public expenditure there, and is undermining the defence of the United Kingdom?

Mr. Evans: About 200 existing civilian employees will transfer to the new contractor, retaining their current terms and conditions under the Transfer of Undertakings (Protection of Employment) Regulations 1981, and about 400 new civilian jobs will be created.

I think that everyone in the House acknowledges that the Conservative party does not control many local authorities in Wales, but the leader of Anglesey county council greeted the move as

"very good news. We are very pleased that the company has won this contract. It is the proof of partnership",

and the hon. Member for Ynys Môn (Mr. Jones), who represents the area, said:

"This announcement could be a tremendous boost to local employment".

I therefore believe that the hon. Gentleman's is an isolated view.

Mr. Ieuan Wyn Jones: I, too, welcome the Minister to his new position. Is he aware that, last week, the campaign group that was set up to defend jobs at Valley had its first meeting with BRAMA—the company that secured the contract for aircraft maintenance at Valley?

Is he aware of the assurance given by the Secretary of State for Wales—that, when a training programme is agreed between the company and the training agencies, money will be available for that programme? Will he now give me an assurance that, when the company and the agencies have finally agreed on that training programme, he will agree to meet a deputation from the island to consider funding?

Mr. Evans: Yes, I am aware of the commitment that my right hon. Friend the Secretary of State gave. That commitment has been welcomed locally. As to the hon. Gentleman's other points, let me make it clear that the Welsh Office has always been prepared to speak to anyone. Unfortunately, Welsh local authorities do not want to speak to the Welsh Office.

Local Authority Housing

9. **Mr. Hanson:** To ask the Secretary of State for Wales how many houses have been built by local authorities in Wales in each year since 1979; and how many he expects will be built in the current year. [31654]

Mr. Jonathan Evans: Information for each year between 1979 and 1994 has been published in "Welsh Housing Statistics No. 15, 1995", a copy of which is in the Library. In 1995, 176 dwellings were completed. A forecast for this year is not available.

Mr. Hanson: Does the Minister agree that the figures from 1979 to the current year—a paltry 176 dwellings were built in 1995—show a massive decline in the number of houses being built by local authorities when housing need is rising? The Government are not providing the finance and are not letting local authorities spend capital receipts. My local authority has several million pounds of capital receipts. Why is it not allowed to have a phased increase in capital receipts expenditure to house homeless people in Flintshire?

Mr. Evans: As the hon. Gentleman should know, during the period to which he referred, the Government provided significant resources for housing associations to develop houses for people who wanted to rent and for people who wanted to take the low-cost home ownership route. Housing associations' success in delivering that programme is outstanding, and he should pay due regard to it. As to his proposition that the Delyn authority should be allowed to use—

Mr. Hanson: It is Flintshire.

Mr. Evans: The hon. Gentleman is the hon. Member for Delyn, and I have the figures for Delyn, which reveal that there are no receipts available to be used in any event. The hon. Gentleman indicated that he referred to the Flintshire authority. One of the difficulties of the hon. Gentleman's proposal is that it may result in houses being provided in areas where there is least need for them. The Government's policy is to ensure that we build social housing where it is needed for the homeless. We did that during the 1980s and we will continue to do it during the 1990s and beyond.

Mr. Llwyd: The Minister will be aware that, a couple of years ago, the Welsh Affairs Committee released a report on affordable housing in Wales. He will know from that report that there is a crying need for social housing throughout Wales. As one who used to be involved with Tai Cymru, he will know that the present trickle of funding will not meet anything like the need. Present policies will do nothing for young people who want to get married and move into their own homes. The present position is disastrous, both in rural areas and in urban areas.

Mr. Evans: The policies that have been developed by Tai Cymru and rural housing associations have done a significant amount to address some of the sensitivities that were previously ignored by large-scale council housing programmes in rural areas—as the hon. Gentleman will know. He substantially underestimates the volume of the programme that the housing associations are currently delivering. I understand that some 3,500 homes will be delivered in the Principality this year. The hon. Gentleman should be praising, not denigrating, that record.

Sir Raymond Powell: I welcome the Minister to his new post. I want him to answer one specific question. Will he tell me, the House and the people I represent why the Government will not allow money that my local authority has in the bank to be spent on housing development to house the people on our waiting lists?

Mr. Evans: I congratulate the hon. Gentleman on his recognition in the birthday honours list. He is well aware of the sincerity of that welcome; I have known him for many years.

I have the figures for the hon. Gentleman's authority, which I presume is the Ogwr authority. Funds are, in fact, available for that authority to use. Before the hon. Gentleman demands that they should be increased still further, perhaps he will ask the authority what it is doing to utilise the resources that it can use.

Mr. Win Griffiths: I, too, congratulate the Minister on his new brief in the Welsh Office, although I must say that I sympathise with him in regard to the rather weak material that he has had with which to answer the question. May I also, on behalf of the Welsh Opposition Front-Bench team, congratulate my hon. Friend and neighbour the Member for Ogmore (Sir R. Powell) on his recent elevation to a knighthood? His family will be especially pleased, and his wife, Lady Marion, deserves her title as much as he deserves his.

Will the Minister confirm that public sector house building has been reduced by about 30 per cent. since 1979, that Tai Cymru's approved development programme has been reduced by about the same amount since 1992-93 and that building by Tai Cymru has never reached the target that it would have liked to have reached? It is not surprising that homelessness in Wales and the number of people living in bedsits have doubled in the past decade. Is the Minister not ashamed of that record?

Mr. Evans: I am afraid that the real cause of homelessness is the breakdown of relationships rather than a failure on the part of Government to provide new housing. Just since 1989, some £1.1 billion has been invested in Welsh housing associations, producing 25,000

additional homes in Wales. The massive programmes delivered by councils in the days to which the hon. Gentleman refers—those halcyon days to which he seems to want to return, when Labour authorities were actively engaged with Labour Governments in building the Gurnos and Penrhys estates on mountain tops in south Wales—have gone. I believe that they have gone for good, and rightly so.

It is important for us to have new social housing programmes that deliver housing of the sort that people want to live in—very much more sensitive, smaller-scale developments. That is what Housing for Wales has been doing; and I think that the £1.1 billion programme that has been in operation since 1989 is substantial in itself.

Voluntary Organisations

10. **Sir David Knox:** To ask the Secretary of State for Wales what was the value of grants from his Department to voluntary organisations in each of the past three years. [31655]

Mr. Jonathan Evans: The latest available figures at outturn prices for direct grants are £12.3 million for 1992-93, £14.1 million for 1993-94 and £13.8 million for 1994-95. In addition, indirect grants are paid via other bodies.

Sir David Knox: Does my hon. Friend agree that that is a cost-effective form of public expenditure? Can he tell me by how much expenditure has increased since 1979, and how many organisations are in receipt of it?

Mr. Evans: I have a sheaf of information about the individual bodies that have been funded by the Welsh Office, directly and indirectly, but, in view of the time factor and your strictures, Madam Speaker, I shall send a full note of that information to my hon. Friend. I am grateful for his recognition of, and support for, the important work done by the voluntary sector in Wales, which we in the Welsh Office fully recognise.

School Standards

11. **Dr. Spink:** To ask the Secretary of State for Wales what progress has been made in raising standards at general certificate of secondary education level in Welsh schools. [31656]

Mr. Jonathan Evans: Progress has been heartening. The percentage of 15-year-olds gaining five or more A to C-grade GCSEs increased by 8 per cent. between 1992 and 1995. It is important to build on those achievements. Our "Bright Future" programme shows the way forward. I join parents in Wales whose children have been taking GCSE examinations in the past two weeks in welcoming that progress.

Dr. Spink: I am delighted with, and welcome, that answer. Does my hon. Friend believe, like me, that the Government's policies of promoting parental choice, of more diversity in schools, of testing children, and of publishing the results—especially league tables—have driven up standards? Does he think that Labour should be ashamed of its opposition to our sound education policies?

Mr. Evans: My first plaudits would be to pupils and parents and to their teachers for their achievements. My hon. Friend is absolutely right: a framework must be set in place, too. We must constantly set ourselves higher targets. I am pleased that, from now on, every secondary school in Wales will set targets to ensure that each year it beats its previous best. If we are to build the economy that Wales needs for the future, we must ensure that the Principality's children are educated to the best standard possible. As my hon. Friend said, we must do so against the background of the Opposition's vehement opposition to testing and the national curriculum. Interestingly, they have eventually come round to recognising the value of our achievements.

Single Currency

12. **Mr. Llew Smith:** To ask the Secretary of State for Wales what evaluation he has made of attitudes towards a single currency expressed in the bi-annual survey of business opinion published on 4 June by the Institute of Directors in Wales. [31657]

Mr. Hague: None. A decision about a single currency will be made if and when necessary.

Mr. Smith: Does the Secretary of State accept that cuts of £18,000 million will be necessary to meet the convergence criteria for a single currency? Which services are most likely to be cut? Will it be health, education or social services? Does he also accept that almost all the major economic decisions would be transferred from democratically elected Parliaments to the most powerful quango not only in Wales but in the world—the European central bank?

Mr. Hague: Future taxation and spending decisions are for the Government and for my right hon. and learned Friend the Chancellor of the Exchequer. On any transfer of decision making, my right hon. Friend the Prime Minister has said that we shall not do anything that would damage the nation state. If we thought that any action would do so, we would choose the nation state.

Mr. Harry Greenway: Has my right hon. Friend observed Welsh and overseas reaction to the proposed single currency, notably in Germany yesterday where workers are on strike and are expressing their feelings about expenditure cuts by the German Government? What does my right hon. Friend think?

Mr. Hague: That emphasises my point that any decision on a single currency should be taken at the appropriate time, and that any positive recommendation to join should be put to a referendum.

Derelict and Contaminated Land

13. **Mrs. Clwyd:** To ask the Secretary of State for Wales if he will make a statement on (a) derelict and (b) contaminated land in (i) Cynon Valley and (ii) Wales. [31659]

Mr. Gwilym Jones: The Government's policy on contaminated land in England and Wales is set out in the document, "Framework for Contaminated Land", which was published in November 1994. Since 1979,

the Government have committed some £300 million to reclaiming derelict land in Wales, including about £17.5 million in Cynon Valley.

Mrs. Clwyd: The Minister is aware of the great concern in the Cynon Valley about the toxic waste left dumped at the village of Abercwmboi after the closure of the Furnacite plant. Ironically, the plant was closed because of environmental considerations, yet its toxic waste has been dumped on the doorsteps of those who lost their jobs when the works shut. People want a permanent solution to the problem, not the temporary one that the Welsh Development Agency is offering. Will he agree to a permanent solution, and will he make the necessary money available to the WDA?

Mr. Jones: As the hon. Lady knows, the matter cannot proceed until all the necessary permissions have been obtained. It is being studied by her local authority, which, in tandem with the Welsh Development Agency, is considering the consultants' reports. I know that the agency is satisfied that its proposals are appropriate, satisfactory and cost-effective.

Mr. Rowlands: Is the Minister aware that the WDA is making serious cuts in its derelict land reclamation programme? Deep navigation and the Taff Merthyr site in my community could cause serious delays in the development of sites. Given the sad record of closures as a result of Government decisions, such development is vital. Will he, through the Secretary of State, ensure that the agency's capital budget is refinanced? The Secretary of State's predecessor promised that, if property sales did not produce returns, the Government would make up the difference in the budget—thereby restoring the agency's land reclamation programme.

Mr. Jones: We will naturally consider future years in the light of the situation then prevailing. For the current year, the WDA has a budget of £14 million for land reclamation, and it is determined to maintain that budget.

Trading Links (European Union)

14. **Mr. Flynn:** To ask the Secretary of State for Wales what new proposals he has to improve trading links between Wales and the European Union. [31660]

Mr. Gwilym Jones: My right hon. Friend recently announced a three-year extension to the Welsh trade mission programme. A visit to Germany took place last month, and a mission will go to Belgium and the Netherlands in November. Also, the first approvals under the Wales-Ireland Interreg II programme will be issued shortly.

Mr. Flynn: Is not the main reason why 100 Japanese companies and a small number of Korean companies have settled in Wales that those businesses like that location, which gives them access to the European Union market? What effect is the present civil war in the Conservative party having on companies that are thinking of bringing high-tech jobs to Wales? When will the Prime Minister make a clear declaration that Wales and the United Kingdom will remain at the heart of the EU market?

Mr. Jones: I detected the slightest welcome from the hon. Gentleman for yet another announcement of inward investment in Wales—a matter on which his party has been conspicuously silent. May I further infer from the hon. Gentleman's remarks that he would condemn any proposals by his party to impose the social chapter or minimum wage, or to introduce a Welsh Assembly? All those measures would be massive disincentives to further inward investment in Wales.

ATTORNEY–GENERAL

Crown Prosecution Service

25. **Mr. Ainger:** To ask the Attorney–General how many cases submitted to the Crown Prosecution Service were rejected for prosecution in (i) 1994–95 and (ii) 1995–96. [31636]

The Attorney–General (Sir Nicholas Lyell): In 1994-95, out of some 1.38 million cases, 161,429 were discontinued. In 1995-96, out of some 1.28 million cases, the number discontinued totalled 152,729.

Mr. Ainger: Is the Attorney-General aware that, between 1980 and 1989, the number of notifiable offences recorded by the police increased by 96 per cent? During the same period, the number of individuals found guilty at Crown and magistrates courts fell by 31 per cent. Does the right hon. and learned Gentleman appreciate the anger and frustration felt by the victims of crime on finding that the Crown Prosecution Service does not pursue criminals through the court procedures?

The Attorney–General: I would well understand it if that happened, but the hon. Gentleman's figures do not show anything of the sort. They refer to the number of cases notified to the police, which are different from the number of cases in which the police are able to bring charges to the attention of the Crown Prosecution Service. The hon. Gentleman and the House will be pleased to note the ever-closer working relationship between the police and the CPS, which is the effective way to bring wrongdoers to justice and thereby best satisfy the victim.

Sir Anthony Grant: Did my right hon. and learned Friend notice the extraordinary recent case in which a business man who arrested a persistent burglar on his premises found himself prosecuted? If so, is my right hon. and learned Friend aware that the charges against the business man were completely thrown out by the jury and that the judge awarded costs to the defendant? Why was that prosecution not rejected by the Crown Prosecution Service in the first place? Did it completely take leave of its senses in bringing that case?

The Attorney–General: I noted that case and the same sort of questions entered my mind. I rapidly discovered that there was much more to the case than met the eye. The victim—who was a past wrongdoer on a number of occasions—was apprehended by not one but four people, who repeatedly assaulted him over three hours. At no point during that time were the police notified.

Mr. Alex Carlile: Can the Attorney-General confirm that discontinuance of cases is never influenced by a manpower shortage in the CPS? Is he aware that, at branch level, there is considerable dissatisfaction among CPS staff because of the consistent failure to replace professional staff when they leave, and that many professional staff feel discouraged by the service and are leaving in significant numbers?

The Attorney–General: I am certainly not aware of the latter point about professional staff leaving in significant numbers. I will consider the matter, but I do not believe that that is true. I am certainly aware of the pressures that come on any organisation when budgets are under pressure, but the CPS is rallying extremely well to that and I look forward to seeing it as I travel throughout the country in the coming weeks.

Mr. Bernard Jenkin: May I ask my right hon. and learned Friend about cases that the CPS decides not to pursue? Is he aware of the deep frustration felt by police officers who have spent a long time preparing what they regard as open and shut cases, only to find that the CPS does not appear willing to pursue them, for reasons unknown to the police? What would be his advice to a police officer who has been frustrated in that way? Should he turn to his Member of Parliament, as he has in this case, or is there a better procedure that police should pursue? Should it not be the CPS's objective to ensure that the police officer concerned in a case has a full understanding of how and why it has behaved on that case?

The Attorney–General: The short answer to the last part of my hon. Friend's serious question is yes. The CPS goes to great lengths to ensure that, on any occasion where it needs to discontinue a case, the police are not only fully informed, but fully consulted. Discontinuances that are not agreed with the police amount to only some 4 per cent. of those that are discussed with them, which is three quarters of all such cases. I advise my hon. Friend's constituent, who is a police officer, to get in touch with the police administration support unit or the crime support unit that relates to his local branch. That should provide a thoroughly effective method of communication. What I do understand from my hon. Friend is that it is essential that communication gets through from the officer to the CPS and vice versa so that everyone, including the victim, understands exactly what is happening.

Mr. Hoon: What proportion of cases accepted for prosecution are subsequently abandoned and at what stage in the criminal process is that decision taken? Is it not clear that the later in the process criminal proceedings are abandoned, the greater the wasted costs and the greater the concern about the original judgment to launch the prosecution?

The Attorney–General: That may be the case. Obviously, the further down the road one goes, the more costs have been incurred and it is undesirable to abandon a case at a late stage. If it must be abandoned, it is right that it should be done as early as possible. That is why the CPS and the police are working closely to "get it right first time", as it is now known in the jargon, so that the police can provide the CPS with the proper material from the outset. Joint performance management will, I hope, improve the proportion of cases that are got right first time. The number of discontinued cases is quite small. If the hon. Gentleman considers the statistics, he will notice, for example, that the number discontinued in the Crown court is only 8 per cent. As a lawyer, he knows how many difficulties can arise, especially with witnesses, who may disappear, so that is not an especially remarkable figure.

Successful Prosecutions

26. **Mr. Flynn:** To ask the Attorney–General what new proposals he has to increase the number of successful prosecutions. [31638]

The Solicitor–General (Sir Derek Spencer): The CPS and the police are working together on several initiatives to bring the right cases promptly to court, including further charging standards, guidance on case preparation and measures to assist the police with early advice.

Mr. Flynn: If Ministers are not inclined to accept the accurate figures given by my hon. Friend the Member for Pembroke (Mr. Ainger), will the Solicitor-General accept the House of Commons Library figures showing that, from 1980 to 1995, a period of unprecedented rising crime, the number of people appearing for sentence at Crown court went down from 14,300 to 3,400, which is disgraceful? The crime clear-up rate—the crucial factor—has gone down from 40 per cent. in 1980 to a mere 26 per cent. now. Is it not true that Conservative law and order policy is that the innocent are punished and suffer while the guilty run free?

The Solicitor–General: That is not true. The conviction rate in the magistrates court is 98 per cent. and in the Crown court is just over 90 per cent. The cases received by the Crown Prosecution Service from the police have fallen from 1.53 million in 1993 to 1.3 million in 1996. The police police and the prosecutors prosecute, but they can prosecute only those cases that are sent to them.

Mrs. Lait: Does my hon. and learned Friend agree that the use of information technology by the police is increasing the number of successful conclusions of cases? Does he believe that it would be a useful tool for the CPS? If so, what plans does the CPS have to use information technology to ensure that there are more successful prosecutions?

The Solicitor–General: My hon. Friend is right. Information technology is a tool being increasingly used both within the CPS and in its relations with other criminal justice agencies. The case-handling computer system is now installed in 38 branches. By the end of the year, it will be installed in 57, including London. The e-mail system of transferring information is being piloted in Southampton and Ipswich and I shall be visiting Southampton within the next two weeks to see it in operation. I expect it to be considerably extended across the country within the coming months.

Crown Prosecution Service

27. **Mr. Mackinlay:** To ask the Attorney–General what further legislation he plans in the current parliamentary Session to expedite the work of the Crown Prosecution Service. [31639]

The Solicitor–General: Initiatives include co-ordinated police training to ensure early delivery of the right material to the Crown Prosecution Service and pilots to test the use of electronic mail between criminal justice agencies. None of those initiatives requires legislation.

Mr. Mackinlay: Has the hon. and learned Gentleman noticed that Question Time for him and the Attorney-General is unique, in that they do not attract the usual fawning and obsequious questions from Conservative Members? Is that not because there is widespread dismay about their stewardship of the Crown Prosecution Service and our justice system?

The common experience of Members of Parliament across the House is that the CPS is not performing and is not responsive and sensitive to those who feel that they are victims, and that there are inordinate delays and insufficient prosecutions pursued with vigour. Is it not time that something was done about that? Will the hon. and learned Gentleman bear it in mind that that is the view of Members of Parliament on both sides of the House, as demonstrated by the fact that no support comes from those on the Benches behind him?

The Solicitor–General: Wrong, wrong, wrong and wrong again. Those hon. Members who go to their local branch of Crown prosecutors—they are few and far between, I regret to say—almost without exception come away very impressed with the professionalism, care, skill and dedication of the people who work in the CPS. Let that be known.

Mr. Sweeney: In order to expedite the work of the CPS, is it not absolutely essential to reduce the amount of paperwork and to improve relations between the CPS and the police? Would my hon. and learned Friend care to comment on those two matters?

The Solicitor–General: Yes, I agree that it is. As I travel round the country or appear in court cases and speak to police officers at all levels, almost without exception they speak highly of the professionalism shown in their cases by the Crown Prosecution Service. Whenever possible, we are astute at reducing the paperwork involved in the preparation of cases. In the past 12 months, we have introduced a scheme to reduce paperwork in guilty pleas in the magistrates court, which should annually reduce the amount of paperwork by about 5 million pieces.

Death (Actions of A Corporation)

28. **Mr. Cohen:** To ask the Attorney–General in how many cases he has initiated legal proceedings where the actions of a corporation have led to the death of an individual in the past 10 years. [31640]

The Attorney–General: A corporation that commits a criminal act leading to the death of an individual may be prosecuted for a range of possible offences, depending on the circumstances of the case. The possible offences include manslaughter. The Crown Prosecution Service does not record statistics for different categories of defendant, but, in the past three years, there have been two prosecutions for manslaughter against corporations. The first of those resulted in a conviction of the company itself and the second in the conviction of its managing agent.

Mr. Cohen: Does that not show that the Attorney-General is soft on criminal companies? Has not the Law Commission said that there should be a new offence of corporate killing, which can be effectively enforced and have attached to it unlimited fines? Should there not also be prison sentences for dangerous bosses? Is it not about time that cowboy companies got the message that they will be held accountable for acts that are reckless, negligent and endanger lives?

The Attorney–General: The first answer is no, it shows no such thing. If the hon. Gentleman has any examples of cases in which he thinks that there has been softness or in which there should have been a prosecution, no doubt he will let me know. I believe that such matters are vigorously prosecuted, and that those two cases show that the Crown Prosecution Service not only is prepared to prosecute corporations but, when it has done so, it has done so successfully.

ROYAL ASSENT

Madam Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts:

Law Reform (Year and a Day Rule) Act 1996

Dogs (Fouling of Land) Act 1996

London Regional Transport Act 1996

Northern Ireland (Emergency Provisions) Act 1996

Arbitration Act 1996

Australia and New Zealand Banking Group Act 1996

Child Abuse (North Wales)

3.31 pm

The Secretary of State for Wales (Mr. William Hague): With permission, Madam Speaker, I should like to make a statement about child abuse.

It has been known for several years now that very serious sexual and physical abuse of children took place in homes managed or supervised by the former Clwyd county council in the 1970s and 1980s. In 1991, North Wales police began an extensive investigation into allegations, and obtained just under 2,600 statements from individuals. Those resulted in eight prosecutions and seven convictions of former care workers. Nevertheless, speculation has continued in north Wales that the actual abuse was on a much greater scale than those convictions suggest.

When I last reported to the House on this issue—in a written answer on 18 April—I expressed my regret that Clwyd county council, which had commissioned its own inquiry into these matters, had apparently failed to ensure that this would be undertaken in a way which would enable its conclusions to be publishable. I explained that I had written to the five successor authorities to Clwyd county council requesting that they seek urgently to produce a version of the report that could safely be published.

The successor authorities have subsequently informed me that they are unable to meet that request. In their view, the report is likely to contain evidence that was given in confidence to the inquiry team, and is in any case so seriously and extensively defamatory that an acceptable version of it cannot be produced.

In the light of my own legal advice, I have considered whether I could make the report as it stands available to the House. I have concluded that, in view of the nature of the defamation it contains, it would not be a proper use of parliamentary privilege to do so.

I find this a deeply unsatisfactory outcome, and one that reflects badly on the former Clwyd county council. It devoted two years and a substantial amount of public money to an inquiry, the report of which cannot safely be published. When public authorities establish investigations, they should do so in a way which, at the very least, permits the principal findings and recommendations to be made public.

One factor in the failure of Clwyd county council to publish the report it commissioned was a concern about the implications of publishing for its insurance cover. This also seems to me to be an unsatisfactory situation. My right hon. Friend the Secretary of State for the Environment and I will be considering, in consultation with the local authority associations, whether there is a need for guidance on this matter.

The Government's main priority remains to do everything necessary to secure the safety and well-being of children in care. It was for that reason that my predecessor, my right hon. Friend the Member for Wokingham (Mr. Redwood), appointed Miss Nicola Davies QC in May 1995 to undertake an examination of relevant documents and to advise whether a public inquiry into the abuse of children in north Wales was required. She recommended not an inquiry but that a detailed examination of the practices and procedures of the social service departments in the former Gwynedd and Clwyd county councils and of the private homes in their areas be undertaken. I appointed Adrianne Jones to carry out this work.

Adrianne Jones has now produced her report. I am grateful to her and to her team for the way in which they have undertaken their task, the thoroughness of their report and the speed with which it has been produced. I am also grateful to all those in north Wales who have co-operated fully in this work. I have arranged for it to be published in full today, and have made copies available in the Libraries of both Houses.

In her report, Adrianne Jones found that, since 1991, when the Children Act 1989 was implemented, the substantial advice, guidance and regulation available to social services authorities had resulted in a progressive tightening of operational, management and personnel procedures in the Gwynedd and Clwyd county councils. There was a framework of policies and procedures in place. However, there were some significant gaps: the authorities were not sufficiently rigorous in developing their own operational guidelines, and did not ensure that these were followed systematically.

The report contains a total of 41 recommendations. Most are directed at the successor local authorities, and are aimed at improving the planning, management and monitoring of children's services. I accept the thrust of Adrianne Jones's conclusions, and mean to ensure that her recommendation for more resources to be devoted to the social services inspectorate for Wales is acted upon as soon as possible. I shall be reporting to the House shortly on how I propose to take all her recommendations forward.

Adrianne Jones's report will make a substantial contribution towards achieving my objective of securing the safety and well-being of children in care in north Wales, but it also reveals that, despite the Children Act, the Warner report and all the other actions that the Government have taken in recent years to protect children, serious shortcomings remained up until the abolition of Clwyd and Gwynedd county councils earlier this year. This is a disturbing conclusion, which has to be coupled with continuing public concern about the full extent of what happened and how it could apparently have continued undetected for so long.

The Government are determined that there should be no cover-up of events in the past, and that every possible step is taken to protect children in care in the future. In the light of these developments, we have decided that further initiatives need to be undertaken.

First, we decided that there should be a judicial inquiry. The terms of reference of this would be: to inquire into the abuse of children in care in the former county council areas of Gwynedd and Clwyd since 1974; to examine whether the agencies and authorities responsible for such care, through the placement of the children or through the regulation or management of the facilities, could have prevented the abuse or detected its occurrence at an earlier stage; to examine the response of the relevant authorities and agencies to allegations and complaints of abuse made either by children in care, children formerly in care or any other persons, excluding scrutiny of decisions whether to prosecute named individuals; in the light of this examination, to consider whether the relevant caring and investigative agencies discharged their functions

appropriately and, in the case of the caring agencies, whether they are doing so now; and to report its findings and to make recommendations to me.

The inquiry will be conducted within the Tribunals of Inquiry (Evidence) Act 1921, and both Houses will be asked to approve the necessary resolution when it is moved tomorrow. I intend to invite Sir Ronald Waterhouse to be its chairman. His experience makes him ideal for the task. He has already indicated that he would be prepared to accept such an invitation, and I shall discuss with him a target date for the completion of this work.

Secondly, my right hon. Friend the Secretary of State for Health, who has responsibility for children's issues in England, is also arranging for a further review of the safeguards against the abuse of children living away from home in England and Wales. It will be conducted by Sir William Utting, the former chief social services inspector at the Department of Health. He will be asked to review the safeguards introduced for England and Wales by the Children Act 1989 at its implementation in 1991 and the further measures taken since to protect children living away from home, with particular reference to children's residential homes, foster care and boarding schools; and to assess whether those safeguards are the most effective that can realistically be designed to protect such children from abuse and other harm, and whether they are being satisfactorily enforced. My right hon. Friend is informing the House of the details of that review in a written answer today. Sir William will report to my right hon. Friend and me, and his report will be published.

My right hon. and learned Friend the Secretary of State for Northern Ireland will be keeping in touch with the progress of Sir William Utting's review. Consideration will be given to his recommendations with a view to implementation as appropriate in Northern Ireland.

My right hon. Friend the Secretary of State for Scotland will be keeping in touch with the progress of Sir William Utting's review. He will also set up an audit of the arrangements for the care and protection of children in Scotland who are looked after away from home.

Additionally, a White Paper entitled "Crime and Punishment", published today, proposes enhanced monitoring and supervision of all offenders on release from custody in Scotland. Under those arrangements, all high-risk offenders may be subject to an extended period of supervision on release. It is probable that a large majority of sex offenders will be included in that category. Further, a proposed Crown right of appeal against a decision of the court not to impose a supervision order in a particular case provides an additional safeguard.

My right hon. and learned Friend the Home Secretary is also publishing today a consultation paper on sex offenders. It outlines proposals designed to improve the protection of the public from, and to enhance opportunities for the treatment of, such offenders.

There are five main proposals: to strengthen the arrangements for supervising convicted sex offenders; to require sex offenders to notify the police of their address and any subsequent changes to it; to extend the power in the Criminal Justice and Public Order Act 1994 to enable samples to be taken for the purposes of DNA testing from convicted sex offenders who are serving a prison sentence imposed before that power came into place; to introduce provisions to prohibit sex offenders from seeking employment involving access to children; and to limit the access of defendants to victims' statements and photographs in sexual offence cases.

The child abuse that was allowed to occur in north Wales, and the apparent failure of the authorities concerned to deal with it, represents a very sad chapter in the history of public child care. The Adrianne Jones report helps to point the way for the future, but its conclusions will reinforce public concerns about the management of children in care in north Wales. The proposals that the Government are announcing today—a judicial inquiry into the events in north Wales, the review by Sir William Utting and the increased supervision of sex offenders after release from prison—demonstrate the determination of the Government and the House to tackle the evil of child abuse and to secure the safety of all children in care.

Mr. Ron Davies (Caerphilly): I welcome the belated statement from the Secretary of State, and pledge the unqualified support of the Labour party for the fullest possible inquiry into the extent of child abuse in north Wales.

For more than a decade and a half, hundreds of allegations have been made by children that they have been the victims of organised sexual abuse. Dozens of lives have been wrecked, and a least a dozen have been lost. Young people who, by the nature of their circumstances, were at their most vulnerable have been exploited, abused and violated. Those young people were brutalised by the individuals charged with their care, and let down collectively by the agencies charged with their care.

Does the Secretary of State understand that his attempts at the Tory party conference last weekend to score party political points on the issue will be viewed with utter contempt by those courageous individuals who, over the years, have been trying unsuccessfully to prompt his Department into action?

Is the right hon. Gentleman aware that his Department promised a public inquiry nearly four years ago, and will he join me now in commending the campaign of politicians in Wales—prominent among them Malcolm King, the former chair of Clwyd social services committee—senior police officers, the public and the media on finally forcing the Government to honour their promise? Does he understand that his criticism last weekend of Clwyd county council's Jillings inquiry is without a shred of justification? Will he confirm that that inquiry was, as it should have been, independent of the authority? Will he confirm that the terms of reference of that inquiry were agreed with his Department? Will he also confirm that Welsh Office Ministers have over the years consistently refused to meet representatives of Clwyd county council to determine the best way forward?

Given the Secretary of State's criticism today of the Jillings inquiry, why is he only considering that guidelines will be necessary to overcome the difficulty of publishing without insurance cover? Surely that case has been established, and it is his responsibility to ensure not whether but how that new policy should be implemented.

We have not yet had the opportunity to read the Jones report. When we have, we shall support the matters that we believe to be relevant. The great fear must be, however, that the local authorities to which it refers have

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been abolished. I hope that the Secretary of State will not seek refuge in bolting that stable door after the horse has gone.

Now that our demand for an inquiry has been met, will the Secretary of State clarify the following matters of detail? Will he confirm that the inquiry will be fully independent, that there will be no unnecessary in camera sessions, and that there will be full publication of the report and all supporting documents? Will he explain why Sir Ronald Waterhouse will report to him, whereas the Utting review will be published? Is it the right hon. Gentleman's intention to publish the Utting review but not the Waterhouse report? If that is so, it will be unacceptable. I assure him that we all understand the importance of appropriate confidentiality, but, given the nature of the inquiry, the public interest in disclosure must outweigh the private interest in confidentiality.

Will the right hon. Gentleman confirm that the terms of reference will be sufficiently wide to examine the whole question of organised child abuse? The allegations centre on a former local authority children's home network. Does he accept that the nature of the allegations indicates the possible existence of a wider paedophile network, extending throughout society and into its most powerful reaches?

Will the inquiry be empowered to examine the role played by North Wales police, especially the allegations that files relating to child abuse in Gwynedd have disappeared? Will legal representation be available for child complainants, and will legal aid be available to them and to adults who may need legal representation? Will the inquiry be allowed to review the operations of the Crown Prosecution Service in Wales? Perhaps it will be empowered to consider that one individual is alleged to have decided that, in respect of hundreds of allegations in Gwynedd, prosecutions would not have been in the public interest.

There is widespread public interest and concern at the complacency of the Welsh Office over the years. Will the inquiry therefore have full access to all Welsh Office documents? In particular, will it be able to examine the circumstances in which successive Welsh Office Ministers—some still in the House—over many years wrote to Alison Taylor, a respected former social worker from Gwynedd, assuring her that, in their words,

"there are no grounds for concern".

Will the inquiry be able to examine the role of the Welsh Office social services inspectorate, to find out why, throughout the entire decade of the 1980s, while the allegations were emerging, it declined to investigate one allegation or carry out one inspection of any children's home in Clwyd? If the answer to those questions is not yes, the Government will inevitably face the allegation that they are conspiring in a further whitewash.

I am happy to see the proposals for the welcome review, and for the Home Secretary to review the procedures that deal with sex offenders. When we have had a chance to examine the detailed proposals, we will respond.

Will the Secretary of State accept the Opposition's ruthless determination to ensure the fullest scrutiny of all procedures concerning the care of vulnerable children? No one, however powerful or high and mighty, should be allowed to escape the consequences of their actions. For us, the matter is above party political considerations. I hope that he understands now that it should be for him as well.

Mr. Hague: I welcome the hon. Gentleman's welcome for the thrust of my statement. There are only two points about which I would seek to argue with him. I do not think that it is a belated announcement. He should recognise, as I hope he has, that, if the Jillings report had turned out to be a sound report that could have been published, and if the Adrianne Jones report had suggested that in recent years all necessary procedures and practices were correct and had been put in place, the case for an inquiry would have been weaker. Those two matters have crystallised only in the past 10 days.

The other point about which I disagree is the hon. Gentleman's accusation that we have made party political points. I agree that the matter should be above party politics, and I am not aware of having made any criticism at all of Opposition Members or their parties. I am not aware of having made any party political points. I certainly do not intend to make any, and I am glad that he does not, now that he has got that off his chest.

I think that I can satisfy the hon. Gentleman on all or most of his detailed questions, Yes, it will be a fully independent inquiry. Under the terms of the Act under which such inquiries are set up, there can be private sessions, although they are encouraged to be held extremely rarely. It would be for the judge to decide whether it was in the interest of the inquiry, and in the public interest, to hold some sessions in private. One can imagine that, in some situations involving children, that could be desirable.

I intend that the report will be published. I believe that the terms of reference are drawn sufficiently widely, and they cover the police. The inquiry can examine the conduct of the police. It can consider the conduct of the Crown Prosecution Service, but not decisions about the prosecution of named individuals. That is a long tradition in such matters, designed to defend the independence of the prosecuting authorities. However, any new information could be passed to the prosecuting authorities.

Legal representation will be available to witnesses appearing before the inquiry. It will be free to investigate the work of the Welsh Office and the social services inspectorate in Wales, as the hon. Gentleman has requested. I hope that, with those assurances, he will agree that it is a widely drawn inquiry that will be able to get at the truth, as all hon. Members are most determined that it should.

Sir Roger Sims (Chislehurst) *rose—*

Hon. Members: Hear, hear.

Sir Roger Sims: Thank you, Madam Speaker, and I thank the House.

Is my right hon. Friend aware that his statement, the announcements by my right hon. Friend the Secretary of State for Health, and the other measures to which he has referred, will be warmly welcomed by the National Society for the Prevention of Cruelty to Children and the National Commission of Inquiry into the Prevention of Child Abuse, of which I am a member? The considerable

body of evidence that the commission has received shows that the abuse of children in institutions is a widespread and continuing problem. It is part of the wider issue of child abuse, because the adults involved are members of community as a whole.

Does my right hon. Friend agree that, while inquiries and reports are necessary, it is essential that, thereafter, measures should be implemented to ensure the prevention of further abuse and to wipe out this scourge of our society?

Mr. Hague: I am grateful to my hon. Friend for his welcome for the announcements. I congratulate him on his elevation at the weekend.

The fears of which my hon. Friend speaks are part of the justification for the announcements. I absolutely agree that it is important for measures to be implemented where they are necessary. I will proceed, as I said in my statement, to implement measures recommended in the Adrianne Jones report speedily, without waiting for the results of the public inquiry.

I know that my right hon. Friend the Secretary of State for Health will be eager to implement measures arising from the review that he has set in train, and that he would like to see it conducted as speedily as possible for that to happen.

Mr. Alex Carlile (Montgomery): I echo the congratulations to the hon. Member for Chislehurst (Sir R. Sims).

I welcome the appointment of Sir Ronald Waterhouse as chairman of the judicial inquiry. His wide experience, and his close knowledge of north Wales, will prove to be great advantages. Will the Secretary of State confirm that, in carrying out the inquiry, Sir Ronald will be free to make recommendations about the way in which, and the resources with which, the police investigate allegations of child abuse, particularly in smaller police forces such as the North Wales police, in which, generally speaking, there are limited resources for special inquiries?

Can the Secretary of State also confirm that it will be possible for Sir Ronald to look at the nature of the institutions in which often vulnerable children are placed, as demonstrated by the evidence that emerges in the courts when prosecutions are started many years later? Can he also confirm that it will be possible for witnesses at the Waterhouse inquiry, many of whom are now adults leading ordinary lives, many of them married with children, to have anonymity in terms of public identification?

Mr. Hague: The hon. and learned Gentleman is right about Sir Ronald Waterhouse. His origins in north Wales, his knowledge of that area and his experience in the criminal division and the family division of the High Court make him ideally suited to this task, and I am delighted that he has agreed to take it on. He can indeed look into procedures and behaviour, if that seems appropriate, in the course of his inquiry.

The hon. and learned Gentleman's question about privacy for witnesses raises the point to which I referred in answer to the hon. Member for Caerphilly (Mr. Davies): that there may be instances of the inquiry wishing to arrange matters to protect the privacy of witnesses, and to do so, as far as it can, without compromising the publicity that should rightly be given to these proceedings and to the public interest in them. The hon. and learned Gentleman can be satisfied on that point.

Mr. Rod Richards (Clwyd, North–West): I congratulate my right hon. Friend on his statement, and I particularly congratulate the Government on their decision to hold a judicial inquiry into child abuse in north Wales. Does my right hon. Friend share my concern for those people who may have been or were abused many years ago, and who are now adults and may have families of their own? To have their pasts raked over, whether in public or in private, would be an extremely painful experience. What protection and what measures are in place for such people, who do not want to revisit the horror of their past?

Mr. Hague: I thank my hon. Friend for his welcome. Of course, he took a close interest in these matters during his time in government. The question he raises is one of the factors that we have had to bear in mind and weigh against the wider public interest and the need for a public inquiry. As I said in answer to the hon. and learned Member for Montgomery (Mr. Carlile), I hope that, where necessary, the inquiry will be able to find a way to protect privacy, while also satisfying the public interest and ensuring that all information that should be made public is made public.

Mr. Martyn Jones (Clwyd, South–West): While welcoming the inquiry almost wholeheartedly, I have to say that my colleagues in Clwyd have been calling for one for a long time. We have been aware of the kind of abuse that is happening. One of my constituents came to my surgery and described the kind of things that went on. They are horrendous—there is no other way of describing them—and I am delighted that we are now to look at this matter. Although these matters are historical—

Hon. Members: Question.

Madam Speaker: Order. I understand that this is a sensitive matter, but the hon. Gentleman must put his question, as he has not yet done so.

Mr. Jones: Will the Secretary of State ensure that the inquiry takes place with all speed concomitant with getting the truth? Although the cases are historical, the people involved are still suffering hurt. Does he acknowledge that Clwyd county council was not at fault, in that it tried to get a judicial inquiry for the benefit of the people affected? Although the Jillings report may have been flawed, at least it tried to get the facts into the open. I am glad that the judicial inquiry will now do that.

Mr. Hague: The hon. Gentleman has called for an inquiry before, and we have discussed it before. Had other investigations been carried out to general public satisfaction—in that their reports were published and were seen to deal with the matter—and had the Adrianne Jones report revealed that procedures in recent years had been satisfactory, there would have been a weaker case for a public inquiry.

I recognise what the hon. Gentleman says about speed, and how that must be balanced with the need to look into the matters properly. In consultation with Sir Ronald

[Mr. Hague]

Waterhouse, I intend to set a target date for the completion of the inquiry, and I do not want to do so in an arbitrary way today. In the meantime, we will proceed to implement the recommendations of the Adrianne Jones report. The report of the inquiry will be in addition to that report, rather than instead of it.

Several hon. Members *rose—*

Madam Speaker: Order. I must safeguard the remainder of today's business, and the House will understand if I now ask for brisk questions from Members and brisk answers from the Minister.

Sir Wyn Roberts (Conwy): May I assure my right hon. Friend that he was absolutely right to decide to hold this inquiry, which was inevitable following the failure of the local authority to publish the Jillings report because of possible defamation? The judicial inquiry is necessary as a result of the Adrianne Jones report, which looked into the situation following the implementation of the Children Act in 1991 and found it inadequate. Does he agree that Adrianne Jones deserves our thanks for her work and her recommendations, including her recommendation to strengthen the inspectorate at the Welsh Office?

Mr. Hague: My right hon. Friend is right to say that we should be grateful to Adrianne Jones for her efficient and speedy work. He highlights one of her recommendations, and I will be acting upon it quickly.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is the Secretary of State aware that there is no more foul crime than the abuse of children, and that those who commit it continue to do so because they rely on secrecy? Is he aware of my question on the Order Paper today that asks for a public inquiry into the situation in Cheshire? For more than two years, I have been asking the Home Office to make public information about convicted paedophiles. Is he aware that it takes 10 months for anyone to get information before they employ someone in a children's home? Is it not likely that these people are still operating within the child care system?

Mr. Hague: The hon. Lady's fears are part of the reason for the measures that I have announced, and my right hon. Friend the Secretary of State for Health and I share her concerns. Investigations are continuing and prosecutions pending in Cheshire, and it is important that they are not prejudiced by Government action. That is why the inquiry that I have announced is concerned with Clwyd and Gwynedd.

Mr. Peter Thurnham (Bolton, North–East): Does the Secretary of State agree that it is unforgivable for children to be taken into care, and then not be properly cared for? Will the Government ensure that there are no more cover-ups, not just in Wales but throughout the United Kingdom? If the problem is as widespread as has been thought, is there a target date for Sir William Utting to report?

Mr. Hague: My hon. Friend is right. There should be no cover-up of any description. We all want action to be taken as speedily as possible. It will be for Sir William Utting to determine the timetable of his review, in consultation with my right hon. Friend the Secretary of State for Health, and that decision needs to be taken as quickly as possible.

Dr. John Marek (Wrexham): The Secretary of State did the right thing this afternoon, and I believe that the people of north Wales will thank him for it. I have three short questions. First, will he assure us that the Jillings report will be made available to the inquiry? Secondly, will he assure us that, should any evidence or any matters before the inquiry concern matters relating to Cheshire, if they cannot be considered by this inquiry they will at least be passed on to the relevant authorities in Cheshire? Thirdly, he says that the inquiry will be unable to consider aspects of decisions by the CPS whether to prosecute individual people; can he assure the House that that exclusion will be drawn quite tightly?

Mr. Hague: Yes, the Jillings report will be made available to the inquiry. Information relating to other parts of the United Kingdom will, of course, be passed on to the relevant authorities. The hon. Gentleman is right to draw attention to the need to interpret relatively tightly the exclusion that we have placed in the terms of reference. The rationale for that is the importance of finality and fairness to potential defendants and victims and witnesses, but it does not mean that the generality of the work of the Crown Prosecution Service is beyond the scope of the inquiry.

Mr. Tim Rathbone (Lewes): May I add my welcome to my right hon. Friend's statement about this horrendous affair? He mentioned various reports that would be made to various Ministers and Secretaries of State. During his important statement, he did not once mention co-ordination or co-operation between Secretaries of State and Ministers in the study of those reports, or the commitment of those Ministers and Secretaries of State to draw what lessons they could from other reports from other parts of the United Kingdom. Can he reassure the House that that will happen?

Mr. Hague: I think I can reassure my hon. Friend—and he will see from the fact that my right hon. Friends and I have all announced this today—that we have been working on this range of measures together, and we shall of course continue to study this subject in close co-operation.

Mr. Ieuan Wyn Jones (Ynys Môn): May I assure the Secretary of State that the welcome he has received from both sides of the House for his decision to hold a judicial inquiry also extends to my party? We want that inquiry to be set up quickly, and we extend our congratulations on the appointment of Sir Ronald Waterhouse as its chairman.

Does the Secretary of State acknowledge that many of the young people, who are now adults, who had so many painful experiences have had to recount those experiences countless times in recent years? He made a clear, categorical statement that there should be no cover-up. Will he reinforce that? Those young people must go through another very painful experience. They have

campaigned long and hard for this judicial inquiry; they need to be satisfied that it will be full, and that the Government will act on its full recommendations.

Mr. Hague: I am grateful for the welcome that the hon. Gentleman gives on his behalf and that of his party. Obviously, I share his determination that the inquiry should be full and independent, and that everyone should be able to see clearly that there has not been, and cannot be, a cover-up in the light of the inquiry's work. That unites hon. Members in all parts of the House today.

Mr. Anthony Steen (South Hams): As judges can ban from keeping animals people who are found guilty of cruelty, and bearing in mind the fact that people leaving prison after serving a term for sex offences can open a home or holiday camp for children that very day, did I understand my right hon. Friend to say that those who are found guilty of sex offences towards children will be banned for all time from employment with children? If we can do it for animals, we can do it for children.

Mr. Hague: To clarify for my hon. Friend, I said that, in the Home Secretary's consultation document, he would propose to introduce provisions to prohibit sex offenders from seeking employment involving access to children. I believe that that gets at the point my hon. Friend raises. Further details can be found in the consultation document, and any further decisions or legislation will depend on the reaction to it.

Mrs. Ann Clwyd (Cynon Valley): Is the Minister aware that some of my constituents were in so-called care at Bryn Estyn? They are asking the following questions: how can an insurance company dictate whether a report is published simply because of possible liabilities? Why did the Welsh Office, over 20 years, take such a laid-back attitude when it knew what was going on? Was it to protect public and political figures? If so, will they now be named?

Mr. Hague: I share the hon. Lady's concerns about the insurance situation, as she will have gathered from my statement. I am currently discussing it with my right hon. Friend the Secretary of State for the Environment. The actions of the Welsh Office—as is the case for all public authorities and institutions—will be open to investigation by the inquiry. We should not prejudge the results of that inquiry today.

Mr. John Butcher (Coventry, South–West): Does my right hon. Friend recall the outcome of the inquiries that took place in the aftermath of the Orkney and Cleveland scandals? I feel quite nervous about the format that my right hon. Friend has proposed. When this format has been used in the past, and when local bureaucracies have been challenged by inquiries, no individual has been responsible for anything within those bureaucracies—no one was sacked, called to task or held responsible.

In the light of those inquiries, will my right hon. Friend give me an assurance that accountability in these inquiries will mean that people who have been incompetent or plain evil will be sacked or prosecuted? Accountability must come from individual accountability for actions. We do not want to hear about practices, procedures, guidelines and resources. The inquiry has to find people who did wrong.

Mr. Hague: My hon. Friend is right: we want to see accountability. It is a challenge for any inquiry of this kind, and for any of us dealing with these matters, to penetrate bureaucratic indifference or collective responsibility. However, I hope that the inquiry will seek to do that. There have already been a number of prosecutions—and there may be further prosecutions if new evidence comes to light. I agree with the thrust of what my hon. Friend said.

Mrs. Llin Golding (Newcastle–under–Lyme): As a trustee of the National Society for the Prevention of Cruelty to Children, I am sure that the Minister is aware of its deep concern about the lack of protection for children in this country. Will the Utting review look at children when they leave care so that fewer of them end up on the streets as prostitutes? Will his statement enable the legal system to be looked at so that children can give evidence against paedophiles—who can then go to court, so that they can be charged and so we know who they are?

Mr. Hague: I can satisfy the hon. Lady on her second point. I am not sure whether her first point falls within the scope of the Utting review, but my right hon. Friend or I will be happy to clarify it, and to write to her about it.

Mr. David Hanson (Delyn): I join my fellow former Clwyd Members of Parliament in welcoming the inquiry. First, will the Secretary of State say when Clwyd county council first asked for a judicial inquiry? Secondly, when did the social services inspectorate in the Welsh Office bring these matters to his attention? Thirdly, does he intend to have any discussions with the named chair and judge involved in the inquiry with regard to possible press coverage and the damaging effects that it may have on the victims of the abuse?

Mr. Hague: Yes, I should like to discuss the latter point with the judge who will be conducting the inquiry—although it will be for him to use his judgment on it. As many hon. Members have said, we want to see legitimate public interest in these matters satisfied, but we want necessary privacy maintained. The local authorities believe that there should be a public inquiry—they have put that view to the Welsh Office over the past few months, and I have taken it into account in reaching this decision. I cannot remember the precise date of the discussions offhand. I have been aware of these matters since I entered the Welsh Office.

Ms Ann Coffey (Stockport): I welcome the Utting review of procedures in children's homes and fostering agencies. As the Secretary of State will know, however, the Government have already issued a consultation document entitled "Moving Forward" to look into the registration and inspection of such homes and agencies—a key protection issue. Although the consultation was completed in February, no Government proposals have been forthcoming as a result.

Does today's announcement mean that that consultation will be put on the back burner, and that we shall now have to wait for months for the current review and for the

[Ms Ann Coffey]

Government to act on some of the problems—particularly those of unregistrable small children's homes—of which they are aware, and on which action is urgently needed?

Mr. Hague: No. The Utting review is assuredly not intended to delay work that has already been set in train. Indeed, the scope of that work was designed partly to take into account work already in progress, which my right hon. Friend the Secretary of State for Health is eager to advance.

Mr. D. N. Campbell-Savours (Workington): Have all those who were accused of child abuse, and named in witness statements revealed in the appendices to the Jillings report, been prosecuted? If some have not, and some names remain, are any of those people still working with children anywhere in the United Kingdom?

Mr. Hague: I understand that not everyone named in a statement was prosecuted. Several hundred cases were referred to the Crown Prosecution Service, and there have been seven convictions; 2,600 statements were taken. I do not know where the current employment of any of those people is.

Mr. Nick Ainger (Pembroke): Is the Secretary of State aware that, for some two or three decades, similar allegations have been made in Northern Ireland about the Kincora boys home? Can he confirm that the Utting review will be able to examine those allegations in the same way as the Waterhouse inquiry is examining the allegations in north Wales?

Mr. Hague: No. The Utting review is not concerned with past allegations; it is concerned with a review of the legal framework. As I explained in my statement, however, my right hon. and learned Friend the Secretary of State for Northern Ireland will keep in close touch with the review in order to consider what measures should be taken in Northern Ireland.

Mr. Paul Flynn (Newport, West): Will the Secretary of State congratulate those sections of the media—including HTV Wales and *Private Eye*—which, courageously and at great cost to themselves, exposed the abuse that we now know to have taken place in north Wales?

Is not one of the main problems the fact that, in court cases, those who have been abused are poor witnesses in their own interests? Their experiences of being in care have led them to a position in which their truthfulness is often questioned, while the accused are often experienced witnesses because of their profession. Will the Secretary of State, as a parallel measure, accept the recommendations of the NSPCC, which is now asking for improvements in the way in which court cases are conducted when vulnerable young people are involved?

Mr. Hague: I have already explained that legal representation will be available to witnesses in the inquiry. I know that the judge conducting the inquiry, Sir Ronald Waterhouse, will want to consider how best to help people who may feel inhibited in giving evidence.

Dr. Norman A. Godman (Greenock and Port Glasgow): The right hon. Gentleman mentioned the Secretary of State for Scotland's watching brief. Is there not a particular need to pay close attention to the, admittedly small, number of children who, when placed in care, are sent from one country to another within the United Kingdom? Several years ago, the children of a family living in the west of Scotland were sent to a home in the north-east of England, owned and managed by a religious order, where they were systematically abused. Is it the case that a social worker working with such a family has ready and unannounced access to such homes in England and Wales, or in Northern Ireland?

Mr. Hague: I will certainly refer the hon. Gentleman's point to my right hon. Friend the Secretary of State for Scotland, but I believe that it can also be considered as part of the work that we have announced today.

Mr. John Gunnell (Morley and Leeds, South): In the light of the events that led to the inquiry and of Dunblane, have the Government finally abandoned their plans to deregulate the vetting of those who work with young people in playgroups? Has any rule been proposed by the Utting review, or by the review that preceded it, on the inspection of homes for young people? If so, will it apply to homes in public and private ownership? Will the Utting review consider the value of registering residential care as an occupation, as part of the measures to introduce a general social services council?

Mr. Hague: The legal framework applies to public and private homes, so one would expect the Utting review to cover both. I have no new announcement to make on the other subjects.

Mr. David Jamieson (Plymouth, Devonport): The Minister will be aware that, because of the operations of paedophiles in a minority of independent boarding schools, the Children Act 1989 made such schools' pastoral arrangements liable to inspection. Why, therefore, did the Government pass a deregulation measure allowing those schools to dispense with social services departments and appoint their own lighter-touch inspectors? Is this an example of deregulation potentially placing children at risk?

Mr. Hague: No. The Government's intention to date has been to focus on problems where they clearly exist, or are thought to exist. The legal framework will be reviewed by Sir William Utting, who I know will want to bear in mind a wide variety of points.

Mr. Rhodri Morgan (Cardiff, West): We welcome today's announcement of a judicial inquiry into events in north Wales, but does the Secretary of State accept that the need to co-ordinate the different actions now proposed—the Waterhouse judicial inquiry that the right hon. Gentleman has announced, the Utting review that the Secretary of State for Health is announcing and the Home Secretary's review of sentencing and probation procedure for paedophiles—is paramount?

Will he forgive me if I suggest that the impression given by Ministers in the past few days—going back to last Thursday's Prime Minister's questions—has been of their almost competing with one another for the limelight

rather than co-operating, as suggested by the hon. Member for Lewes (Mr. Rathbone)? Will he acknowledge that, without careful co-ordination, there is a danger of interdepartmental cross-sterilisation, if I may call it that, between the different inquiries?

Does the Minister accept that our residential child care system is now on trial? These children's homes were supposed to provide care: instead, they dished out a diet of sadism by day and sodomy by night. If this tragedy is not to be repeated, it must be followed not by more inquiries but by action.

Mr. Hague: The hon. Gentleman is right to stress the importance of co-ordination. My announcements today have been co-ordinated between all the Departments concerned, and the continuing work of all Departments will be co-ordinated. He is also right to emphasise the importance of action. The Government have taken a wide range of action in recent years to improve the legal framework as it relates to children.

Where reports such as the Adrianne Jones report, which is published today, recommend action, we shall not be long in taking it. I intend to carry that forward speedily. I welcome the hon. Gentleman's general words of welcome and the reaction of hon. Members. We shall take forward this work with great seriousness and all possible speed.

FAMILY LAW BILL [*LORDS*] [*MONEY*] (NO. 2)

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 50A(1)(a),

That, for the purposes of any Act resulting from the Family Law Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of expenses incurred by the Lord Chancellor in connection with the provision of marriage counselling.—*[Mr. Burns.]*

Question agreed to.

Orders of the Day

Family Law Bill *[Lords]*

As amended (in the Committee and in the Standing Committee), considered.

New clause 13

PROVISION OF MARRIAGE COUNSELLING

'.—(1) The Lord Chancellor or a person appointed by him may secure the provision, in accordance with regulations made by the Lord Chancellor, of marriage counselling.

(2) Marriage counselling may only be provided under this section at a time when a period for reflection and consideration—

(a) is running in relation to the marriage; or

(b) is interrupted under section 7(8) (but not for a continuous period of more than 18 months).

(3) Marriage counselling may only be provided under this section for persons who would not be required to make any contribution towards the cost of mediation provided for them under Part IIIA of the Legal Aid Act 1988.

(4) Persons for whom marriage counselling is provided under this section are not to be required to make any contribution towards the cost of the counselling.

(5) Marriage counselling is only to be provided under this section if it appears to the marriage counsellor to be suitable in all the circumstances.

(6) Regulations under subsection (1) may—

(a) make provision about the way in which marriage counselling is to be provided; and

(b) prescribe circumstances in which the provision of marriage counselling is to be subject to the approval of the Lord Chancellor.

(7) A contract entered into for the purposes of subsection (1) by a person appointed under that subsection must include such provision as the Lord Chancellor may direct.

(8) If the person appointed under subsection (1) is the Legal Aid Board, the powers conferred on the Board by or under the Legal Aid Act 1988 shall be exercisable for the purposes of this section as they are exercisable for the purposes of that Act.

(9) In section 15 of the Legal Aid Act 1988 (availability of, and payment for, representation under Part IV of the Act), after subsection (3H) insert—

"(3I) A person may be refused representation for the purposes of any proceedings if—

(a) the proceedings are marital proceedings within the meaning of Part II of the Family Law Act 1996; and

(b) he is being provided with marriage counselling under section *(Provision of marriage counselling)* of that Act in relation to the marriage.".'.—*[Mr. Streeter.]*

Brought up, and read the First time.

4.23 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Gary Streeter): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss Government amendments Nos. 18, 104 and 52.

Mr. Streeter: I start where I should start—with a fulsome tribute to my immediate predecessor, my hon. Friend the Member for Brecon and Radnor (Mr. Evans),

[Mr. Streeter]

whose stewardship of the Bill was exemplary and who was largely responsible for its strengthening in Committee.

The amendments respond to concern that couples should be encouraged to access marriage counselling and other marriage support services that may help a couple to save their marriage. There has been cross-party support for such amendments, but I particularly thank my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) for seeking to ensure that those amendments are based on voluntary access to services rather than compulsion—which we and the marriage support services believe is likely to generate more effective referrals and a better chance of counselling proving successful.

I pay tribute to the various organisations that comprise the marriage support services not only for their advice during consultation and in preparing the legislation, but for all that they do in supporting couples in crisis. Marriage support services make a major contribution to the well-being of society, for which the House thanks them.

The Government are committed to providing a system that gives couples information, access to services and time to consider whether their marriage can be saved—and to ensuring the best possible use of available resources. The amendments go further than any previous Government have in providing support for marriage.

Amendment No. 18 seeks to give explicit force to that commitment, by stating that the parties to a marriage that has broken down will be encouraged to take all practicable steps to save it by counselling or otherwise. The importance of counselling is thus given explicit emphasis, but is not to be regarded as exclusive. The Government are endeavouring to provide the basis for a continuum of information and services for couples at all stages in their relationship. That provision will cover not only couples who may, sadly, be considering divorce, but couples who are deciding to marry, as well as assistance early during a problem in a marriage—before the difficulty becomes a crisis.

Considerable concern has been expressed in debate about adequate attention being given to the funding of measures that seek to prevent a couple's relationship difficulties reaching the stage at which they consider divorce. Amendment No. 52 requires the Lord Chancellor to have particular regard to such services when making grant-in-aid payments for marriage support services and research.

Mr. Tony Marlow (Northampton, North): There is an implication that such services will cost money. How much will they cost, and where will that money come from?

Mr. Streeter: My hon. Friend is right to make the point that the Government do not believe that a problem will go away by throwing money at it. I am sure that he agrees that investing in healthy marriages will save the country money in the long term. Bearing it in mind that the legislation will not come into force for two years, we do not yet know precisely what the take-up will be, but it is important to invest in strong and stable marriages.

Such services could include marriage preparation initiatives, work at major turning points in a couple's relationship, such as the birth of a first child, and information about services provided at places where people might otherwise go for information, so that take-up of marriage support services can be encouraged. That provision will support the work of the interdepartmental working party—not a glamorous title, but an important project that has highlighted early intervention as a priority. The working party has today issued a consultation paper on how best to deliver those services. The results of that consultation will inform the funding of pilot projects that have particular potential for reducing the incidence and costs of marriage breakdown. We have also announced that research will be undertaken into the problems faced by couples at different stages in their relationship, so that we can match services to need more effectively—which will involve funding additional to existing grant-in-aid provision.

Clause 8, which concerns the information meeting, already specifies that information must be given to couples about counselling and support services. It provides for couples eligible for non-contributory legal aid to be encouraged to take up an explanatory meeting with a marriage counsellor. The amendment seeks to ensure that such meetings will be held with suitably qualified staff and that standards can be set and maintained. The amendment enables the circumstances in which such meetings are held to be prescribed, to ensure that the funding for such meetings is used appropriately—that there is value for money.

New clause 13 is designed to encourage the take-up of marriage counselling during the period of reflection and consideration. Such a service would be voluntarily entered into. The information meeting will ensure that couples are aware of such services and will be encouraged to access them where they may be of assistance, but the Government do not believe that such a service will be effective if it is compulsory. That view is shared by marriage counselling services.

The amendments ensure that service standards can be set and maintained, by giving the Lord Chancellor, or a person appointed by him, the power to attach conditions to the funding of marriage counselling. That may include standards of training or other qualifications. I should emphasise that such services will be focused on marriage counselling and not on any other form of counselling that does not have the couple's possible reconciliation as a primary objective. That service will be supported by additional funding. Before the arrangements are finalised, such arrangements will be piloted extensively, to ensure that the service is effective and that standards can be assured.

The amendments provide a structure that is designed to support strong and stable marriages. In this country, there has never been such a framework to support marriage and I urge the House to support the amendments.

Mr. Paul Boateng (Brent, South): Labour Members welcome the Government's conversion, albeit relatively late in the day, to the view that marriage guidance and counselling, and establishing a framework within which that might take place, are important. When I look at Conservative Members and my hon. Friends around me, I recall the Second Reading debate, when some of us expressed regret that the Government had, at that time, missed an opportunity to set the Bill and the debate on it within the context of what the Archbishop of Westminster, Cardinal Basil Hume, has described as the

larger project of supporting and strengthening the institution of marriage and of the family. It has, therefore, been the task of hon. Members on both sides of the Committee that considered the Bill to seek to focus the minds of the Minister's predecessor and of the Government on the importance of establishing the framework, to which the Minister referred.

The framework has been established. A place has been found for marriage guidance, counselling and a specific focus on reconciliation. Concern remains, and with good cause. One sees whence that cause emanates when one bears in mind the intervention of the hon. Member for Northampton, North (Mr. Marlow). Concern remains about the commitments on resources in this sector. Without clear, adequate funding guarantees, there is no way in which it will be possible for organisations such as Marriage Care, Relate and others, to which I pay tribute and which are doing valuable work in this sector, to contribute to the success of any such framework. We want the Minister to give, in no uncertain terms, that guarantee to establish the initial infrastructure, without which information meetings encouraging people to move towards reconciliation, where it is appropriate, will be of little avail. We want a clear commitment that that infrastructure will be established, but, more than that, at this stage of our deliberations, we want the Government to come clean about the cost.

At the outset of the consideration of the Bill—both here and in the other place—the claim was made that it was cost neutral. Some of us have made it crystal clear that that simply cannot be the case. There is no way in which the Bill, either as it was originally constituted or as it is now—it has improved in some respects, and the Government amendments show one particular area of improvement—can be funded within the existing budget.

We shall shortly be required to make a decision not simply on this new clause, but on the future of the Bill. There is no way that we can do that on Third Reading without at least some guidance on costs from the Minister and a clear sign that the Government no longer hold to the absurd proposition that the Bill is cost neutral. We want to hear from the Minister—indeed, we are entitled to hear—in quite unequivocal terms how much he thinks this measure will cost and whether he has moved away from the position taken by his predecessor and the Lord Chancellor, that the Bill is cost neutral.

In the context of this group of amendments, the Opposition are sceptical about the clarity and depth of commitment to reconciliation and to the saving of marriages that can be saved. Unless the Minister can give the necessary guidance on costs, that scepticism will be entirely justified, because we shall not see the resources necessary to give these amendments the force and power that are vital if they are to achieve that which they set out to achieve.

With that caveat—and it is a real caveat—we broadly welcome the new clause and associated amendments.

Mr. Edward Leigh (Gainsborough and Horncastle): I welcome this group of amendments, not least because they are the result of a commitment given to me in Committee by the previous Minister, my hon. Friend the Member for Brecon and Radnor (Mr. Evans). Therefore, I would be extremely churlish if I did not welcome them. They are extremely important amendments that will markedly improve the Bill. All along, one of our objections to the Bill has been that it seemed simply to oil the wheels of divorce. We thought it terribly important to ensure that in the new divorce process—which will be based not on fault, but on a period of time elapsing—there was some encouragement towards marriage counselling. We have achieved that aim, and the necessary important provision will be included in the preamble to the Bill.

We achieved that concession early during the Committee's proceedings. I am grateful to the hon. Member for Brent, South (Mr. Boateng) for what he said in Committee, because, without his support, it would have been impossible to achieve a majority and so encourage the previous Minister to accede to the amendments. It was rather more of a struggle to achieve funding for marriage guidance. I understand that, because the Lord Chancellor's Department had to clear it with the Treasury.

We have already achieved agreement that, after the initial information meeting, it will be possible for the parties to have a free meeting with a marriage counsellor. My hon. Friend the Minister rightly stated that there were some arguments about whether that requirement to see a marriage counsellor should be compulsory or voluntary. Originally, the hon. Member for Brent, South and I tabled amendments to make it compulsory. However, I accepted what the previous Minister told us—that marriage guidance counsellors did not want to be part of a compulsory mechanism, but wanted the entire process to be voluntary. What we have achieved is that when people go along to the information meeting—which will be a proper, one-to-one meeting—they will be at least encouraged to see a marriage counsellor, and that meeting will be free.

These latest Government amendments are significant achievements, because when the whole process starts and someone makes a statement of marital breakdown, the funding for marriage reconciliation will be on exactly the same basis as the funding for mediation.

Our concern has always been that some excellent organisations, such as Relate, which traditionally have been marriage guidance organisations, will ride in behind the Bill, because a huge new pot of gold will be poured into mediation, and that they will be encouraged to shift resources from marriage counselling—which we all support, but which has received a paltry £3 million a year—to mediation. There is nothing wrong with mediation if the divorce will definitely happen. It is better to have mediation than to have lawyers arguing about costs.

It would be wholly wrong if we had a market-driven approach that encouraged those organisations to put their resources into mediation rather than into marriage counselling. The amendments are terribly important, and I very much hope that they will be welcomed by marriage counselling organisations.

I welcome what the Minister said. Having heard the Minister and the hon. Member for Brent, South in this—so far—short debate, I think that, in future, there may be cross-party support not only for a divorce Bill but for a marriage Bill. People in the Republic of Ireland must wait for a time before they are allowed to marry. Perhaps we should, as Cardinal Hume said, put as many resources into marriage and into encouraging marriage counselling at the beginning of the process as we are now putting into the end of the process, when it may be too late. That is for

[Mr. Edward Leigh]

the future. Perhaps the Government will consider introducing a marriage Bill in the next Session. It would be a very popular Bill.

It would be wrong to be churlish. It is a pity that we could not have achieved this extra money for marriage counselling before we had to consider the Bill—but this is the Bill that we have. I very much welcome what the Minister said today.

Mrs. Diana Maddock (Christchurch): These amendments represent a huge step forward by the Government. People who have worked in marriage counselling in the past know its value only too well. Like many other hon. Members, I have met local Relate groups and have heard how important they think counselling is. When I was first elected as a Member of Parliament, I took part with other hon. Members in a series of hearings about the family for the United Nations Year of the Family. We heard clearly how important it is to get in there and to give support at the early stages when things go wrong.

Therefore, like many of my Liberal Democrat colleagues, I welcome the Government's recognition of counselling. As has been said, that recognition is not before time. There have been many discussions and much pushing over this matter, and it is good to see cross-party support pushing the Government forward into a sensible position.

I share the concerns of the hon. Member for Brent, South (Mr. Boateng) about costs. It is good to hear the Government talking about putting money towards the Bill, but I am worried that they have not considered the matter carefully. I shall listen carefully to the Minister's comments.

The Minister's earlier clarification that counselling will be voluntary is important, and it has been vital in achieving cross-party support. Certainly, the view of all those who work in this area is that we cannot force people into counselling, but that we must ensure that they have access to it and that they can afford it.

The hon. Member for Gainsborough and Horncastle (Mr. Leigh) talked about the importance of preparation for marriage. I should like us to give much more emphasis to marriage preparation in schools. Marriage preparation should be in the national curriculum, and I look forward to when that happens.

I welcome the provision, as do many of my hon. Friends on the Liberal Democrat Benches.

Dame Jill Knight (Birmingham, Edgbaston): I have one or two questions about this matter. I am quite worried about where counsellors will come from. To my certain knowledge, in some areas, it is impossible to make an appointment with a marriage guidance counsellor in under a year. How will we find all these extra marriage guidance counsellors? Unless we know that they can be found, perhaps we are being a bit hypocritical in passing a law that says counsellors shall be there, as if one could spirit them out of the ether. I do not think that that is possible.

I have been worried about Relate ever since it decided that it was not so much interested in marriage, and dropped the term "marriage guidance" from its name. I have yet to be persuaded—I should very much like to be—that Relate counsellors really are interested in ensuring that careful thought is given to the end of a marriage. I am not at all sure that Relate is so concerned, as are some hon. Members, about the institution of marriage.

If counsellors are to be spirited from the Church, I must admit that I should like to know a bit more about the clergy or their associates who may be giving advice. In recent years, there have been some rather extraordinary statements from Church people, who—even by example—do not always support and believe in marriage, in the manner that some of us would very much like.

4.45 pm

I strongly support the idea that we must do more in preparation for marriage. The hon. Member for Christchurch (Mrs. Maddock) was quite right that attention should be paid to that in schools. I should like it if we could have talks with the BBC, ITV and other parts of the media, which daily send the message that marriage no longer matters and that living with people is the acceptable thing to do. Youngsters watch television so carefully, and they take their pattern of life from it.

Before youngsters ever get to the point of marrying, there should be much more careful thought about how to show them that marriage is an aim of enormous importance to our country and to our society, and that it is not something that they can take on lightly. As has been said in another context, I would much rather have a fence at the top of a cliff than an ambulance at the bottom. I hope that attention will be paid to that most important fact.

Dr. Jeremy Bray (Motherwell, South): Dealing with marriage counselling services is not quite as simple a matter as merely passing a few amendments in the House or even finding some money for it. The underlying problem lies in the great muddle and confusion in our society about the nature of marriage. I should have thought that the only way to make coherent proposals in legislation would have been for the genesis of the Bill to be a commission on marriage rather than a Law Commission report dealing with the processes of divorce.

Many questions are outstanding, such as how these counselling services will be provided, how the organisation will be developed and what concept of marriage—as the hon. Member for Birmingham, Edgbaston (Dame J. Knight) said—will be presented. What about the undertakings in the register office ceremony? What will be the nature of those undertakings? Will counselling play any role in the preparation of such marriages? For marriages that take place in church, what will be the role of the Churches in preparing for marriage and in subsequent counselling services?

Having spoken to Church leaders, I do not think that Churches have thought out those questions, and I do not think that counselling services have thought them through at all—because they have not been asked the questions by the Government. They have not been asked, "Why are marriages breaking down, and what can be done about it?"

If we had started in that manner, we would have had a rather different Bill. But this is the Bill that we have—so what do we do about it? I unreservedly welcome the amendments, but I must tell the Minister that it will not

be quite such an easy matter. I hope that he will approach it in real depth when he considers how the organisations and the concept of marriage are to be developed properly.

Mr. John Patten (Oxford, West and Abingdon): I congratulate my hon. Friend the Minister on tabling the new clause and related amendments. He has certainly hit the ground running since he assumed his new responsibilities.

I listened carefully to the hon. Member for Brent, South (Mr. Boateng), who asked where the resources are to come from, which is a proper question to ask. I also listened carefully to my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight), who asked where the counsellors are to come from. I should like to probe a little further and ask: who is to counsel the counsellors? Who is to safeguard the standards of counselling available under the Bill?

First, I should like to hear from my hon. Friend the Minister what mechanisms the Lord Chancellor's Department, under the guidance of my noble Friend the Lord Chancellor, intends to set up within the Department to screen the counselling organisations and counsellors, whether paid or voluntary. Of course, I pay tribute to the many voluntary counsellors, especially those from Church organisations, through to those from professional organisations and back again, who so selflessly give of their time. Some people might think, however, that the rot set in at some organisations when they adopted more politically correct titles such as Relate or Marriage Care. I stood at the Bar of another place and heard the phrase "couple counselling" falling from the lips of a noble prelate.

We must be extremely cautious if we are to provide large sums in the search for a small band of counsellors, some of whom might not be wholly committed to the sustaining of marriage and might be more concerned with couple counselling, or whatever it is fashionably called.

Secondly, I also urge my hon. Friend the Minister—I hope that he finds time to deal with this point when he winds up the debate—to give an idea of when the proposals that we are now debating, should they be accepted, will be brought into effect. There is not much point in the Government tabling amendments, which, although welcome, still give rise to unanswered questions such as, "Where are the resources coming from?" and, "Where are the counsellors coming from?" and which contain the suggestion that all will be well, if they may not come into effect for many years. In other words, I suggest that none of the Bill's provisions should be put into effect until those relating to marriage counselling have been introduced, because the first will fail without adequate and proper provision for the second.

I shall look forward to hearing what my hon. Friend has to say, while I congratulate him on the excellent amendments.

Mr. Peter Bottomley (Eltham): I think that my right hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) is advocating something that would be harmful. It is perfectly plain to everyone who has been following the Bill's progress in another place and in this House that at present 75 per cent. of divorces go through in about six months after the application has been lodged. If we delay implementation of the Bill, we shall not get the benefit, which will have a significant impact on the number of divorces, of requiring people to wait for at least a year, if not longer, from the moment of application.

I have quoted elsewhere the evidence from Canada, where a minimum provision of a year has led to one divorce application in five being withdrawn by the person who made the application. To throw away that benefit—the time for reflection and possibly for reconciliation, although not necessarily by counselling—will lead to more divorces and potentially to more unhappiness in people's future marriages, should they commit themselves to a further marriage.

Counselling is an important issue. It would be taking an un-Conservative view to say that all marriage counsellors have to be either state funded or state approved. There are many areas of independence in which Parliament and Government should have a limited role. If we—rightly—make provision for marriage counselling, we ought to allow a good deal of freedom. Many marriage guidance organisations are Church based, but do not provide services only for members of their own faith.

Hon. Members are perhaps divided, although not along party lines, on what the Bill actually does. I take my lead from His Grace the Duke of Norfolk, who spoke wisely in another place, saying that he was glad that the Bill was called not the Divorce Bill but the Family Law Bill.

It is worth reminding the House of words written 30 years ago, before political correctness could be accused of infecting any of our Churches. The report entitled "Putting Asunder" states:

> "We were persuaded that a divorce law founded on the doctrine of breakdown would not only accord better with social realities than the present law does, but would have the merit of showing up divorce for what in essence it is—not a reward for marital virtue on the one side and a penalty for marital delinquency on the other; not a victory for one spouse and a reverse for the other; but a defeat for both, a failure of the marital 'two-in-oneship' in which both members, however unequal their responsibility, are involved together. So we arrived at our primary and fundamental recommendation: that the doctrine of the breakdown of marriage should be comprehensively substituted for the doctrine of the matrimonial offence as the basis of all divorce".

If we are concerned about marriage counselling, and if we are looking for reconciliation and to provide couples with the opportunity to decide to continue their marriage, if that is their choice, we ought to tread lightly.

The suggestion that people involved in marriage guidance support the idea of extra counselling because it means extra work for them is to undervalue the commitment, which is often voluntary, of people who, through Church or secular organisations and whether because of some sense of humanity or faith, give of themselves and their time to try to help save the marriages of others and help reduce the avoidable disadvantage, distress and handicap that often occur when a relationship turns out to be less than perfect and when the commitment of marriage, which may have been entered into wholeheartedly, is fractured.

We should not make too much of marriage guidance organisations changing their names; instead, we should be concerned about the continuity of those involved in them. Members of my family have been involved in marriage guidance for the past 50 or 60 years and, on their behalf, I would take it as a gross insult to hear it said that they are the victims of political correctness. They want to increase people's happiness and help their marriages if possible.

[Mr. Peter Bottomley]

If marriages end other than in death, they want to try to ensure that it happens without rancour or harmful effects on others.

Dame Jill Knight: It is not easy or cheap for an organisation to change its name; indeed, it is very complicated. Does not my hon. Friend think that there must have been a reason for an organisation to drop the word "marriage" from its title? Is not that significant; or have I and others got it all wrong?

Mr. Bottomley: I would not want to accuse my hon. Friend of getting anything all wrong, but there are different perspectives. I do not want to go into too much detail on that point, because I want to get more deeply involved in other matters later.

I think that I was the first hon. Member to introduce a debate on family policy and strengthening the family. That was in 1978. I think that I also introduced the second debate in 1982. The aim of helping families and establishing a family policy is shared by hon. Members on both sides of the House, but it is wrong to read too much into a change of name. Many voluntary organisations have changed their name over the years, but we should remember that the vast majority of people involved in counselling want to help marriages last and understand the distress of people who come along for counselling. Perhaps it would be useful if more people went to counselling even before they began to consider divorce.

Mr. Andrew Rowe (Mid–Kent): I understood that one of the principal reasons why the Marriage Guidance Council changed its name to Relate was that so much of its work consisted of teaching in schools and helping people to create relationships other than within marriage—not household relationships, but helping people to overcome bereavement or to get used to retirement, for example—and it thought that its original title was far too narrow.

Mr. Bottomley: We can agree that most of the work undertaken by organisations such as the Jewish Marriage Council or what were the Catholic Marriage Advisory Council and the Marriage Guidance Council is to help people who want their marriages to have a chance of lasting.

Mr. Streeter: We have had an interesting and helpful debate, and I am grateful to all those who have spoken in support of the new clause. I should like briefly to respond to a number of points that have been raised, as we have a long way to go.

Once again, the hon. Member for Brent, South (Mr. Boateng) raised the important issue of costs. I am tempted to say that we believe that the Bill is cost neutral, although it is not as cost neutral as it used to be. However, that would be daft.

First, it must be obvious that if there is mediation—and one person is representing two people—instead of legal proceedings where each party has a lawyer, only one person is being funded and there is clearly a saving to be made. Secondly, we believe that the Bill will achieve a reduction in conflict and litigation generally in the divorce process. Therefore, we anticipate further saving. However, our funding commitments will entail further resourcing, which will be provided.

5 pm

My right hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) asked about the time scale. We have two years before the implementation of the provisions. It is not my expectation that the Bill will reach the statute book without the marriage guidance provisions being firmly in place. We have two years to ensure that funding is available, and I can give the House an assurance to that effect. We shall be in government to make sure that our assurances are met.

Many hon. Members have mentioned the importance of marriage and the family. Let me stress that the interdepartmental working party on family and marriage is going out to consultation today, seeking ideas as to how exactly we can intervene earlier to support family and marriage. When I have put the Bill to bed this evening—I hope, tucked up safe and sound with the overwhelming support of the House—it will be my highest priority to make sure that the working party does an excellent job in the next 12 months, to elicit ideas as to exactly what we can and should do to support marriage and the family at an early and positive stage.

Mr. David Alton (Liverpool, Mossley Hill): I am grateful to the Minister for what he has just said, and I agree with him entirely. He will know that new clause 16, in my name, has not been selected for debate. It deals with family impact statements. Will he give the House an undertaking that he will refer that idea to the working party and review group? If civil servants and Ministers had to incorporate an impact statement when legislation was being drafted, we would have a better idea—just as we do in local government with environmental impact statements—as to the possible effect of everything, from cuts in child benefit to making divorce easier or more difficult. We would have an idea of the possible effects on the family, not least on the 750,000 children in Britain who no longer have access to their fathers.

Mr. Streeter: I am grateful to the hon. Gentleman. Family impact statements are certainly worth consideration, so I can give him the assurance that he seeks. However, I am not sure that the working party is quite the right forum for his proposal.

Let me make it clear to my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) that the working party will have to consider what more can be done to prepare young couples for marriage and to make marriage stronger—or at least to make them understand what they are taking on. I draw upon my experience of taking young couples through a pre-marriage counselling course organised by my local church. My wife and I were involved in that for a number of years and we found that, out of an average crop of six young couples, only four would opt for marriage and two would decide that it should be either not then or not at all. We considered it to be a success rather than a failure if a couple found out before marriage that perhaps they were not right for each other. I support that concept entirely.

My hon. Friend the Member for Edgbaston asked where all the counsellors would come from. The system has two years to develop, and it is for the counselling industry—

to use an inappropriate description—to respond. Counselling organisations know that funding is available and we want them to come forward, just as private nursery schools will take advantage of the excellent nursery voucher scheme that the Government have introduced.

Ms Glenda Jackson (Hampstead and Highgate): Is the Minister saying that money is available now for the training of additional counsellors, so that they will be ready to take on all the new customers at the end of two years? Is there money for training, and where will it come from?

Mr. Streeter: I shall certainly consider that point and come back to the hon. Lady.

In my experience, Relate is committed to the concept of marriage, and I understand that it is part of the principles of that organisation to believe in marriage. I agree that marriage counsellors who do not believe in marriage are like ministers of religion who do not believe in God.

The hon. Member for Motherwell, South (Dr. Bray) raised some important matters that the working party will address, and my right hon. Friend the Member for Oxford, West and Abingdon raised a number of important points about standards. Wherever the Lord Chancellor's Department, or any organisation empowered by it, enters into a contract with marriage counsellors, we shall ensure that standards are in place that will satisfy my right hon. Friend's concern.

Finally, my hon. Friend the Member for Eltham (Mr. Bottomley) raised an important point about the voluntary sector. I agree with him that many excellent voluntary organisations give counselling advice, and they are worthy of our support.

Mr. Boateng: I am afraid that the Minister's response to my hon. Friend the Member for Hampstead and Highgate (Ms Jackson) gave the game away in respect of the Government's thinking—or the lack of it—in relation to funding. He has said on Report that he will take on board the additional expenditure that is necessary in order to fund the training and provision of counsellors during the two-year implementation period. He promised to give that some thought. My hon. Friends the Members for Hampstead and Highgate, for Barking (Ms Hodge) and for Hornsey and Wood Green (Mrs. Roche) have raised the subject time and again during our deliberations on the Bill. We have raised it on Second Reading and in Committee, and now we have been told that it deserves some thought.

The Government and the Department concerned must have given some thought to how much it will cost to get the bare framework in place for counselling. The hon. Member for Birmingham, Edgbaston (Dame J. Knight) mentioned that in some parts of the country it takes a year to get an appointment with a counsellor. What is the Government's commitment, how much will it cost and where will the money come from? The Minister's notion that he is in a position to give a commitment in relation to some unspecified amount to be incurred by way of expenditure in the next two years—although he does not know how much it will be—demonstrates lack of thought and a lack of clarity in the Government's thinking on those matters. It really is not good enough, and it is clearly a matter that we shall have to take into account during our deliberations on the remaining stages of the Bill.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 6

POWER OF ABRIDGEMENT (TRANSITIONAL PROVISION)

'.—(1) The Lord Chancellor may make rules prescribing circumstances in which the court may abridge, in respect of a marriage, any period specified in section 7(3) or (13) or section 8(2) where it appears to the court that any party to the marriage or any children affected would otherwise suffer inequitable treatment in comparison to other cases where there had been an irretrievable breakdown of a marriage.

(2) Rules made under this section shall cease to have effect on the fifth anniversary of the day on which Part II of this Act came into effect.'.—*[Mr. Boateng.]*

Brought up, and read the First time.

Mr. Boateng: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss the following: Amendment No. 107, in schedule 9, page 83, line 15, at end insert—

'Transitional arrangements for those who have been living apart

.—(1) The Lord Chancellor may by order provide for the application of Part II to marital proceedings which—

(a) are begun during the transitional period, and

(b) relate to parties to a marriage who immediately before the beginning of that period were living apart,

subject to such modifications (which may include omissions) as may be prescribed.

(2) An order made under this paragraph may, in particular, make provision as to the evidence which a party who claims to have been living apart from the other party immediately before the beginning of the transitional period must produce to the court.

(3) In this paragraph—

"marital proceedings" has the same meaning as in section 21;

"prescribed" means prescribed by the order; and

"transitional period" means the period of two years beginning with the day on which section 3 is brought into force.'.

Government amendments Nos. 93 to 95.

Mr. Boateng: New clause 6 is designed to ensure that no injustice is done to the petitioning spouse to a divorce under the old law, who has lived separate and apart from his or her spouse for two years and is seeking a divorce by consent at the expiry of that period—or for five years, where there is a refusal of consent on the part of the respondent—as a result of the Lord Chancellor's bringing into effect the relevant provision of the Bill.

One of the alarming aspects of the Government's approach to the Bill is that they seem to have been caught between two conflicting impulses—the technocratic impulse, which has been present throughout consideration and formulation of the Bill, and the impulse to be seen to be paying at least some lip service to the maintenance of marital bonds. That has led them into error.

At one stage, it was the Government's view that there should be no transitional provision. So, it was just one's bad luck if one happened to have been working on the basis of the old law and was one year and 11 months into separation, or, indeed, one's misfortune if one had a

[Mr. Boateng]

recalcitrant and obstructive spouse and was four years and 11 months into a five-year separation. One would just have to begin all over again.

That was clearly grossly unjust and caused widespread concern among the general public. We tabled the new clause and an alternative in amendment No. 107 to deal with that injustice. During a five or two-year transition period, the Lord Chancellor would have power to make necessary regulations to avoid an ensuing injustice to the parties. Such power is particularly important where children are involved. Uncertainty and damage can be done in such circumstances to children whose parents are precluded from arriving at new arrangements for their welfare or to children whose parents are precluded from entering into new, more formal relationships—when, perhaps, a child has been born of a new relationship—in order to secure their children's legitimacy. Unnecessary and unjust delay in those circumstances is clearly undesirable. Such delay would certainly occur were the House not to agree the need for transitional provisions.

I hope that the Government will accept that there is a need for such transitional provisions and that, accordingly, the Bill will be improved by their inclusion. The Opposition look forward to the Minister's early and positive response, while recognising that, when a similar amendment was tabled in Committee, the then Minister would have none of it. I hope that, now, good sense prevails and the Minister will be able to satisfy the Opposition and the House on the point.

Mr. Streeter: I speak against new clause 6, and in favour of amendment No. 107, which was also tabled by the right hon. Member for Sedgefield (Mr. Blair). I have taken advice from parliamentary counsel, and that suggests that, in order to achieve what I take to be the intention of new clause 6 and amendment No. 107, the wider-ranging, order-making power of the latter would be more suitable, because it would allow the court to adjust more of the Bill's provisions than simply the time periods. Bearing in mind the way in which the Bill's provisions interlink, that may be necessary to ensure workability. I therefore urge my right hon. and hon. Friends to vote against new clause 6 and in favour of the amendment.

Amendment No. 107 provides for those couples who have been living apart immediately before the new provisions of the Bill coming into force. It addresses the situation where parties are in the process of a two or five-year separation period and have therefore not commenced divorce proceedings. As currently drafted, the Bill provides that parties in such a position would be required to undergo the full process under the new system, with no account being taken of any prior period of separation. Clearly, it would not be right to require couples to wait twice for their divorce.

The amendment allows the Lord Chancellor to modify the requirements of part II to provide that account may be taken of prior periods of separation, on proof of such separation being produced to the court, for a transitional period of two years. I appreciate that, in this respect, the Bill's current provisions may well lead to difficulties, especially where children are involved and where further delay would be unfair and detrimental to their welfare. I therefore have pleasure in agreeing to the amendment.

Mr. Peter Bottomley: I welcome both the amendment and my hon. Friend the Minister's welcome for it. In practical terms, the amendment matters to the couples involved. In terms of number, it is not that important because only a small proportion of divorces occur after a five-year separation, and a relatively small number of divorces occur after two years when, in effect, both parties concur in the application. As my hon. Friend the Minister and the hon. Member for Brent, South (Mr. Boateng) have said, it would be wrong if the Bill's provisions were to catch for an extra year or so those who are in the process of waiting for two or five years.

Mr. Boateng: I welcome the Minister's accession to amendment No. 107. In the light of that, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 8

DIVISION OF PENSION RIGHTS

'.—(1) The Matrimonial Causes Act 1973 is amended as follows.

(2) In section 25B (benefits under a pension scheme on divorce, etc.), in subsection (2), after paragraph (b), by inserting—

"(c) in particular, where the court determines to make such an order, whether the order should provide for the accrued rights of the party with pension rights ("the pension rights") to be divided between that party and the other party in such a way as to reduce the pension rights of the party with those rights and to create pension rights for the other party.".

(3) After subsection (7) of that section, by adding—

"(8) If a pensions adjustment order under subsection (2)(c) above is made, the pension rights shall be reduced and pension rights of the other party shall be created in the prescribed manner with benefits payable on prescribed conditions, except that the court shall not have the power—

(a) to require the trustees or managers of the scheme to provide benefits under their own scheme if they are able and willing to create the rights for the other party by making a transfer payment to another scheme and the trustees and managers of that other scheme are able and willing to accept such a payment and to create those rights; or

(b) to require the trustees or managers of the scheme to make a transfer to another scheme—

(i) if the scheme is an unfunded scheme (unless the trustees or managers are able and willing to make such a transfer payment); or

(ii) in prescribed circumstances.

(9) No pensions adjustment order may be made under subsection (2)(c) above—

(a) if the scheme is a scheme of a prescribed type, or

(b) in prescribed circumstances, or

(c) insofar as it would affect benefits of a prescribed type.".

(4) In section 25D (pensions: supplementary), by inserting—

(a) in subsection (2)—

(i) at the end of paragraph (a), the words "or prescribe the rights of the other party under the pension scheme,"; and

(ii) after paragraph (a), the following paragraph—

"(aa) make such consequential modifications of any enactment or subordinate legislation as appear to the Lord Chancellor necessary or expedient to give effect to the provisions of section 25B; and an order under this paragraph may make provision applying generally in relation to enactments and subordinate legislation of a description specified in the order,";

(b) in subsection (4), in the appropriate place in alphabetical order, the following entries—

" 'funded scheme' means a scheme under which the benefits are provided for by setting aside resources related to the value of the members' rights as they accrue (and 'unfunded scheme' shall be construed accordingly);

'subordinate legislation' has the same meaning as in the Interpretation Act 1978;"; and

(c) after subsection (4), the following subsection—

"(4A) Other expressions used in section 25B above shall be construed in accordance with section 124 (interpretation of Part I) of the Pensions Act 1995.".'.—*[Mr. Denham.]*

Brought up, and read the First time.

5.15 pm

Mr. John Denham (Southampton, Itchen): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: Government amendment No. 24.

Amendment No. 97, in clause 5, page 3, line 5, after 'assets', insert 'or rights'.

Government amendment No. 47, in clause 9, page 7, line 43, at end insert—

'(8) If the parties' arrangements for the future include a division of pension assets under section 25B of the 1973 Act or section 10 of the Family Law (Scotland) Act 1985, any declaration under subsection (2) must be a statutory declaration.'

Amendment (a) to the amendment, after 'assets', insert 'or rights'.

Amendment No. 109, in clause 15, page 11, leave out lines 1 to 18.

Mr. Denham: New clause 8 is important to the Bill. Its acceptance would—I hope will—be welcomed by many people, but perhaps most by thousands of women who are facing the possibility of divorce, often in circumstances which they have not chosen, and who know that the consequence of divorce may be poverty in retirement. I speak of the impact on women, although the proposals of course are gender neutral. The inability of legislation to enable pensions to be split at the time of divorce largely affects women.

It has been recognised for at least 30 years that divorce can have a devastating impact on the retirement income of a divorced spouse. There has been a growing recognition of that impact in recent years. Sadly, that has not been recognised by the Government. Every action that the Government have taken in that matter has been marked by delay. Everything that has been achieved has been grudgingly conceded—often in the face of either an actual, or a potential, defeat in Parliament.

The basic problem is well recognised on both sides of the House. For a long time, it has possible in principle to take into account the value of pension assets as part of a divorce settlement. In practice, however, that could be done only where there were sufficient other assets to be offset against the pension. Real justice could be achieved only if, in some way, the value of pension assets could be shared in appropriate proportions between the divorcing couple.

In practice, that has not been possible. The result has been that many women who have spent lifetimes bringing up children, looking after a home and sacrificing their careers to their husbands' success have been punished for everything that they have ever done. They have been left without a pension on income support and means-tested benefits, as, in a sense, a burden on the taxpayer—a burden that they never wanted to be. Throughout their lives, they have exercised family responsibilities with every intention of living in independence and security in retirement. Being forced to claim benefits in retirement was the last thing on their minds.

Ms Glenda Jackson: Does my hon. Friend agree that it is absolutely essential that the Government set a clear timetable on the matter because, as we know, many women are suffering grievously because of the basic inherent inequity?

Mr. Denham: I entirely agree with my hon. Friend. I am about—I hope at not too great a length—to set out the history of the matter, which I am afraid shows that the House should not take too seriously bland assurances from the Government. The history is not a good one.

A system that puts an unnecessary benefits bill on the taxpayer and unnecessarily takes independence and security from individual women cannot be right. Despite the fact that the position has been long recognised, the Government have initiated nothing save a mysterious report on pensions and divorce, which is long overdue and has not yet been published.

It was during the passage through the other place of the Pensions Act 1995 that the first progress was made. The Government bowed to cross-party pressure to concede the approach known as attachment, or earmarking. Under that procedure, once a pension is in payment, part may be paid by the pension provider to former partners. That was an improvement on the previous position in law but that gain—this relates to the question of my hon. Friend the Member for Hampstead and Highgate (Ms Jackson)—remains a meaningless paper commitment.

In 1995, the then Minister, the hon. Member for Wanstead and Woodford (Mr. Arbuthnot), said that the earmarking of pensions would apply to orders made after 1 April 1996. Now we are told that it will apply only to new applications for divorce made after 1 July 1996. That is a huge slippage, given that there are some 170,000 divorces a year. One can only speculate on how many women have been hit by the Government's lack of urgency.

The House was told in February by the then Minister, the hon. Member for Brecon and Radnor (Mr. Evans), that the reason for the inexcusable delay was to allow consultees sufficient time to comment on the proposals. Two weeks before 1 July, there are no regulations out for consultation, no commencement order has been published and there is no sign of good faith from the Government, showing that they are moving urgently to implement the measure. I stress that history because it is possible that

[Mr. Denham]

the Government will ask the House to accept their good faith on the matter. Their record of inaction and delay in implementing earmarking suggests that something a good deal more explicit will be necessary—above all, a clear timetable for the implementation of pension splitting.

After the historic vote in another place, the Government have accepted the principle of pension splitting. It is an improvement on earmarking for the simple reason that a woman will no longer be tied to her husband's life, life expectancy or career after a divorce. Instead of divorced spouses having to wait for their partner's pensions to come into payment, after their partners have retired, at the point of the divorce the pension can be split into two independent pensions. That is the way we should go.

We argued that it was possible for the Government to introduce the principle of pension splitting in the Pensions Act 1995. The Government failed to do that. It is now possible to do it in the Family Law Bill. New clause 8 is intended to do just that. Its purpose is to produce a framework within which it would be possible, by regulation, to achieve a limited form of pension splitting this side of the next century. There is no reason why they cannot accept it.

I should explain briefly how new clause 8 improves on the present clause 15, which was adopted in another place. That clause was a historic victory and had cross-party support but it has some weaknesses. It is not sufficiently clear about the difference between a pension asset and a pension right, which are not necessarily the same things in different schemes. The provision for unfunded schemes is not clear. Most difficult of all, it allows the courts too much flexibility and may lead to a situation where there is no standard pattern of pension splitting, which would be enormously expensive for those who are called upon to implement it.

New clause 8 improves the existing clause in each of those respects. It is clear about the rights involved. It enables regulations to prescribe the shape of the benefits that would be reduced for the member of the scheme and the shape of the benefits that would be created for the divorced spouse. It would enable the regulations to be clear about the rights of the spouse once the benefit is set up. It would give clear rights to schemes in respect of the circumstances in which assets should be transferred to a new, free-standing pension or retained within the existing scheme. It will enable a limit to be set in the case of unfunded schemes to prevent an expensive commitment of cash transfers to separate pension schemes. New clause 8 is therefore a significant improvement on clause 15 and would take us much nearer to the implementation of pension splitting, which has been long sought and should have been put in place by now.

The Opposition have been practical and realistic. We have accepted that it is not possible to complete all of the changes that could be made. In particular, the inclusion of the state earnings-related pension scheme and, possibly, of guaranteed minimum pensions in pension splitting at this stage is a technical challenge that will require further work—although I am reluctant to accept the Government's lengthy timetable as a rigid limit on how long it should take. We have recognised the need to restrict rights to claim large cash transfers from unfunded pension schemes. Our commitment to pension splitting is accompanied by a belief, and an intention, that it can be introduced at no net cost to public expenditure.

New clause 8 would move us forward and bring new hope to many people, especially many women, who are facing divorce and, as a consequence, poverty and insecurity, in their retirement. The Government have, for the reasons that I have given, lost credibility on the matter, but they have the chance to recover some. To accept the new clause would be an important step. Perhaps more important—because even under the new clause, regulations will be needed to implement the measures that it sets out—the House needs a clear timetable from the Government showing when pension splitting will be introduced.

Mr. Marlow: The hon. Gentleman said that he favours a system of pension splitting whereby there would be no cost to public funds. How would he bring that about?

Mr. Denham: Several concerns have been raised, although the figures have changed significantly over the past year. On the two major measures, the figures for 2020 produced by the Treasury suggest that any tax implications would be offset by savings on income support and the legal aid bill. We have recognised that, in the case of unfunded public sector schemes, it would not be possible to enable a divorce partner simply to take a cash lump sum from those schemes to transfer into an alternative pension. Although in the long term there would be no net cost from that, it could lead in the short term to a substantial outflow of funds from the unfunded schemes. In an ideal world, that limitation might not be desirable, but we regard it as necessary at this stage. We have taken some care to examine the matter and have tabled new clause 8 in the belief that pension splitting can be introduced at no net cost to public expenditure.

A clear timetable from the Government is essential. It must not be the sort of the timetable that led women to believe that earmarking would be applied to their divorces if they entered actions in 1995 only to find that the rules were changed and that they had been denied the benefit of the Pensions Act 1995. Such a misleading timetable would not be acceptable. We must have a clear timetable for when the Government expect to bring forward the necessary measures to put pension splitting on the statute book.

5.30 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Oliver Heald): The hon. Member for Southampton, Itchen (Mr. Denham) has mentioned a number of matters. The Government accept the principle of pension splitting when dealing with financial provision on the termination of marriage. We are fully committed to it and to legislating to effect it as soon as practicable. There is no point of difference between the Government and the Opposition on that.

Earmarking has been mentioned. The scheme for attaching orders for periodical payments and lump sums has been fully considered so that a regulatory framework can be provided. I am happy to say that the agreed policy will be subject to regulations to bring section 166 into force for petitions that are filed on or after 1 July 1996. That intention was made plain earlier this year and we shall deliver on it. An announcement on the agreed policy will be made within the next couple of days.

As a measure of good will, we agreed not to overturn clause 15, although the clause would not, as I think the hon. Member for Itchen agreed, work as intended. Instead, we agreed fully to explore the issues and to present appropriate legislation when we had done that. That is the proper approach. The Opposition amendments restate the principle, but they do not underpin it with a considered policy that deals with all applications in terms of pensions and taxation.

The amendments are an attempt to deal with those wide-ranging, complex and sensitive issues by giving to the Lord Chancellor powers not only to effect pension splitting but to amend existing primary and secondary legislation when the majority of legislative change lies within pensions and tax law. The amendments would also, inadequately in the Government's view, extend pension splitting to Scotland. The issues have not been consulted upon or worked out. New clause 8 addresses that by leaving everything to be prescribed, but that approach has two serious flaws.

The first flaw is the extent to which the powers can be used to address the issues in regulations. In effect, it would mean that Parliament would be denied the opportunity to make important decisions on principle and policy. For example, it would not be allowed to decide whether all the pension rights should be split or only those that had been acquired during the marriage; what rights a non-scheme member spouse should be given; the obligations of scheme managers; and to what extent their discretion would be fettered.

Parliament would have no opportunity to amend or even to debate regulations that affect divorcing couples and public finances. There is no legal or constitutional rule prohibiting Parliament from legislating to provide wide powers, but Parliament is usually highly critical of any attempt to bypass its scrutiny of policy. As illustrated by the Bill, many of our debates consider policy issues and their implementation in great detail.

There would be a need for a great deal of prescription: the regulations would have to contain a raft of policy and legislative change. Those changes could affect the fundamental rights of many people. For example, they would affect property rights, tax positions and even rights within the civil justice system. I should have thought that, at the very least, the debate in the other place and elsewhere has clearly illustrated that pension splitting raises fundamental issues in relation to the purpose, operation and tax treatment of pension schemes.

Mr. Marlow: My hon. Friend says that he accepts the principle; that this is a complex issue that needs to be looked at carefully; and that therefore there must be proper legislation. He has also said that, in the spirit of good will, he will leave clause 15 in the Bill. That clause was agreed in the other place and has not been debated in the House. So that we shall know what to do later this evening, what is the impact of leaving it in the Bill?

Mr. Heald: Clause 15 establishes in the Bill the principle of pension splitting without giving the courts the powers that are necessary to effect it.

Mr. Marlow: What, then, is the point of leaving in the Bill a declaration that has no legal effect? What does it do?

Mr. Heald: My right hon. Friend the Chancellor of the Duchy of Lancaster has made it clear that the Government's proposal was for a Green Paper to examine all the issues in detail so that we would be able, after proper consultation, to put in place the regulations to give effect to the principle that is outlined in clause 15. The Government's approach was to accept the principle and to have clause 15 in the Bill, but to go about the business of the consultations and preparations that are needed to make pension splitting a reality.

Mr. Marlow: The Bill will receive a Third Reading and Royal Assent, and clause 15 will be in it. The Government will later present proposals, but in the meantime, cases could come before the courts. What will be the effect in court of clause 15 being in the Bill? If lawyers start debating the issue, putting it before the court or taking cases to court under clause 15, will that clause have any effect?

Mr. Heald: Perhaps I did not make the matter clear. Clause 15 does not contain the means to enable the court to make an effective order for pension splitting. In its present form, the clause could not be implemented. No doubt that is the thinking behind new clause 8, which is an attempt to provide regulation-making powers that would give reality to pension splitting, although I have criticisms of that. Of itself, clause 15 would not be sufficient to effect that change.

When somebody is about to have his property rights altered or taken away, he should expect Parliament to have conferred an appropriate power to do that. However, it is not clear that the powers in the new clause are appropriate for that. They are certainly not transparent. For example, it is open to challenge that there is a clear power to allow the court to make an order requiring the managers of a pension scheme or anyone else to take the necessary steps to effect a pension split. That lack of clarity should not be condoned. There are implications for employers, pension scheme managers, funds of more than £600 billion, other scheme members, actuaries, lawyers and others as well as for the individuals concerned and public finances.

The powers within new clause 8 are arguably not transparent, and are inadequate. The second major flaw is that, although the regulation-making powers appear to be wide ranging, they may not be wide enough to deal adequately with all the legislative issues that arise. Under those powers, further primary legislation may be required. The potential scale of legislation that may need amendment does not seem to have been fully considered. I am glad that the hon. Member for Itchen has listened to that point.

My noble Friend Lord Mackay of Ardbrecknish and the noble Lord Elton said in the other place that, even in February, a one-and-a-half-page list of statutes would need to be looked at. That list is likely to grow significantly as we consult because we do not yet have a clear idea of the full extent of the legislative amendment that will be needed after we have consulted. It is fair to say that, in pensions, consultations often provide useful information about defects in draft regulations and ways in which legislation can be better effected. That is one of the reasons for taking such trouble to consult people in the

[Mr. Heald]

industry and others at every stage on the pensions legislation regulations. That has been applauded, and I think that Opposition Members agree with it.

Mr. Denham: If the Government have been so careful in their consultations, why have we not yet seen the regulations on pension splitting that are to come into force on 1 July?

Mr. Heald: With respect, the hon. Gentleman is being slightly disingenuous. The earmarking proposals apply to petitions issued after 1 July 1996, but it was never intended to lay orders in relation to petitioners until April 1997. Adequate time is available for those petitions to be filed, and those involved in matrimonial law are fully aware of that.

Opposition Members may argue that enough work has been done to determine policy and that they know what legislation is necessary. If so, the hon. Member for Itchen has not set out a scheme in detail. If one provides Henry VIII powers—as, in effect, the new clause does—the limits within which those powers are to be exercised are usually defined. The Government believe that the publication of a Green Paper in July, to explore the issues and to consult on how pension splitting might be sensibly achieved, is the proper way forward. It is not intended as a delaying tactic in any way, and it is necessary that groups with an interest in the matter have an opportunity to comment. It is sensible to introduce legislation and proposals for its implementation once that work is complete, and not before. Producing sound policy in a complex matter such as this takes time, as Opposition Members know. They should appreciate that a wide range of issues will be considered in the Green Paper.

Mr. Rowe: Have the Government ventured any kind of judgment as to whether the proposition that pensions should be split between a divorcing husband and wife would increase or decrease the attractiveness of marriage?

Mr. Heald: No one who has been involved in a divorce case—I speak as a lawyer who has represented individuals in such cases—would consider that it was a good thing financially to become divorced. To spread one or two incomes over two households where previously there was only one is not easy. It is not the Government's view that accepting the principle of pension splitting will give a reward either for marriage or for divorce. It is simply a provision that the courts have wanted for a considerable time, as those involved in family law would agree. The Government's concerns are to put the proposal into practical effect and to ensure that the necessary regulations and primary powers are provided.

The Government confirm their commitment to the principle, and we are prepared to leave clause 15 in the Bill until such time as it can be amended or replaced by suitable implementing legislation. We should introduce legislation from a position of knowledge, not guesswork, and the most sensible route is to introduce appropriate legislation once the consultation process is complete. I reiterate the Government's commitment to do so. I ask the hon. Member for Itchen to consider how we should make proper law in such cases.

The Government do not object to the other Opposition amendments in the group.

Mrs. Maddock: It is clearly the will of Parliament that pension splitting should be addressed in the Bill. I listened with interest to the Minister as he talked about a Green Paper. The matter has been discussed by a number of institutions for more than 25 years. In 1993, the Pensions Management Institute produced a very good report, which has been followed by report after report. Pension splitting takes place in other countries satisfactorily, and it is high time that we had fewer excuses and more action from the Government in bringing it about.

Many groups have campaigned on the matter and have produced information in reports. The Fairshares group—a group of divorcees—has campaigned, as has the Pensions Management Institute, the National Association of Pension Funds, the Equal Opportunities Commission and the Association of Pension Lawyers. There is plenty of evidence to assist the Government.

5.45 pm

My noble Friend Baroness Seear put it succinctly when she said that this is a matter of "justice, decency and honour", and that is right. During the debates on the Pensions Bill in 1995, we saw a little move along the road by the Government, but it was unsatisfactory. The hon. Member for Southampton, Itchen (Mr. Denham) said that women who are getting on in life are most likely to benefit from the measure. A lady came to my surgery on Saturday and specifically asked me, not to help her—she knows that it is too late for her—but to speak in support of the proposal in the House of Commons. Many women who end up being traded in for a younger model have supported the gentleman in question for a number of years. They have contributed considerably to the pension, and it is only just and right that that is recognised when the marriage ends.

I hope that there will be quick action from the Minister, although I suppose that we should be grateful that the Government recognise that the principle is needed in the Bill. Like other hon. Members, I want to see the regulations and the enactment of the Bill soon. Many matters in the Bill are for an individual hon. Member's conscience and will be dealt with by a free vote, but my colleagues in the Liberal Democrats would be unhappy about a Bill that did not include pension splitting.

I hope that that will be supported, although I am disappointed that, once again, we are waiting for a Green Paper. The Government must get on with it, as the matter certainly needs to be dealt with.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I shall be brief, as we have a lot of work ahead of us. In answer to the hon. Member for Northampton, North (Mr. Marlow), section 25 of the Domicile and Matrimonial Proceedings Act 1973 imposes a duty on courts to have regard to the value of a pension if that is ascertainable. From a practical point of view, I know that that is frequently a very difficult exercise. The law is very much in need of reform so that the parties know where they stand and the courts have a uniform approach to an asset which is, after one's home, often the largest asset in a normal family. The duty in section 25 of the 1973 Act is to have regard to a range of factors, one of which is the value of a pension scheme.

The Minister said that groups involved directly in the pensions world are unhappy or unable to comment favourably on the proposed change, but I do not accept that. The Pensions Act 1995 was a considerable step forward, and the Pensions Management Institute and the National Association of Pension Funds are in favour of pension splitting. Those organisations were commended in the other place for their hard work in trying to educate the Government on the matter. Other bodies, including the Institute of Actuaries and the Association of Pension Lawyers—both of which are well versed in the intricacies of pensions law—are in favour of a change.

Mr. Marlow: I am sure that the whole House is in favour of equitable pension splitting. My hon. Friend the Minister has said that clause 15 as written is not justiciable. The hon. Gentleman is a lawyer—as least he is implying that he is a lawyer. Is it wise to have within the Bill something that is not justiciable?

Mr. Llwyd: It is an offence to imply that one is a lawyer if one is not—I am, in fact, a lawyer. Mind you, in many circumstances it can be an offence to admit that as well. We are dealing with a broad statement of principle, and that is why the new clause should find favour. Frankly, it would add flesh to the bones and would enable us to take the matter forward. I am sure that the Minister is sincere, but I respectfully remind him that discussions have been going on since at least 1968. It is a long time since then, during which a great number of people have, as it were, fallen by the wayside in divorce. I have received many letters from women who are unable to do anything about accessing a share of the husband's divorce pension allocation, to which I believe that they are entitled. The time lag does us no credit. I hope that we can introduce legislation very quickly.

I make one final point, in an effort to assist the deliberations more than anything else. In the past 10 years, there has been a tendency towards clean break orders in matrimonial courts. It is a welcome change, because often the parties need not return for any variation and the settlement is made once and for all, as the words "clean break" imply. It is not possible to apply a thorough clean break principle to divorce law if one must leave to one side the second most important asset of that marriage—the pension.

I urge the Minister and the Government to get a move on, because the interests of justice, and of fair play generally, demand it.

Ms Glenda Jackson: I strongly endorse what was said by Labour Members and by the hon. Member for Christchurch (Mrs. Maddock). The Married Women's Association was formed more than 40 years ago by one of my constituents and is now chaired by her daughter. One of its concerns, all those years ago, was what would happen to the pension on divorce, as it was inevitably and invariably the woman who found herself without pension rights.

Hon. Members have spoken of the contribution that a woman makes by maintaining home and family, precluding her from earning any occupational pension rights herself. Representations have been made to me by constituents who, while managing home and family, made a sizeable contribution in some instances to the family business and after divorce found themselves excluded from any pension rights.

The Minister's contribution appalled me. He seemed to say that he accepts in principle that pension splitting is right, but that it is so incredibly complex that the House may be unable to define the legislation to make an inequitable situation equitable. He spoke of property rights, and I received the impression that he regarded the property rights to a pension as being exclusively those of the male partner in this sense. We argue that, as far as a pension is concerned, there are equal property rights.

The Government appear to have had no difficulty shaping and passing through the House legislation when they wished to change, for example, pension rights of employees of British Rail or people working in the bus industry. Surely it is not an impossibility for the House to bring its attention and intelligence to bear to change a growing inequity.

Timetabling is enormously important. If women are to be fobbed off again with fine words from the Minister saying, "Yes, we accept that this is basically unjust, but we cannot give you any idea of when this unjust situation will be rectified," I must tell the Minister that I find that unacceptable, as I know do many of my female constituents, who have made specific and direct representations to me on this. I cannot believe that the Minister is not aware of the grave economic difficulties that an increasing number of women suffer as a result of this injustice, and I refuse to accept that it is beyond the will and wish of the House to introduce legislation so that that injustice can be eradicated comparatively soon.

Mr. Boateng: The Minister's response is as grudging as it is mean-spirited. [HON. MEMBERS: "Oh."] Oh yes. Had it not been for Opposition Members, the Government would have done nothing about pension splitting when we considered the Pensions Bill. Had it not been for Members on the Labour Benches in another place, with cross-party support, we would not be addressing the issue of pension splitting now. That is the reality.

The reality today is that the Government are still not prepared to commit themselves to the timetable that we want in relation to this matter.

Mr. Heald: I have said that the aim and intention is that the Green Paper will be published in July, there will be three months' consultation and we would aim to have a White Paper early in the new year.

Mr. Boateng: Early in the new year is not good enough. The Government have had plenty of time to consider the matter. We want a clear sign that they will do what is necessary in terms of regulation, that they will do what is necessary—if it is necessary—in terms of primary legislation, and that that process will commence at the beginning of the next Session. That is not an unreasonable timetable, but obviously the Minister is not prepared to make that commitment.

We must make one thing crystal clear to the Government. No Family Law Bill will pass the House that does not have written on its face the regulations that are contained in new clause 8 and our amendment in relation to that matter. The Government will have no Bill unless they recognise the vital nature of the concerns that we have raised with them—the concerns of women who face an old age of poverty because the Government have failed to act.

[Mr. Boateng]

If the Government will not act, we will. If we have to, we will divide the House on this issue and, if we have to, we will vote against the Bill on Third Reading unless and until this new clause and the amendments are carried and appear on the face of the Bill.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 9

STATEMENT OF CONSCIENTIOUS OBJECTION

'.—(1) The parties to a marriage may, at the time of their marriage or at any time thereafter declare by deed that neither party will apply for a divorce order save in such circumstances as are provided for within the deed.

(2) Regulations shall make provision for the parties to the deed to lodge the original of the deed at the Principal Registry of the Family Division.

(3) A deed made under this section shall not affect the power of the court to make a separation order and any ancillary financial orders relevant thereto, in respect of the marriage to which the deed applies.

(4) A deed made under this section shall not affect the power of the court to declare the marriage to which the deed applies void and to issue a decree of nullity in respect of that marriage.

(5) A deed made under this section shall not affect the application of the provisions of Part IV of this Act, relating to family homes and domestic violence, to either party to the marriage to which the deed applies.

(6) Regulations shall make provision for persons who have given notice of intention to marry to be notified of the right to execute a deed under the provisions of subsection (1) above, and of the effect of so doing.

(7) Where the parties to the marriage have made a deed under the provisions of this section:

(a) no court may make a divorce order in respect of the marriage to which that deed applies other than in any circumstances provided for within the deed;

(b) no divorce or annulment obtained by either party in relation to the marriage in any jurisdiction outside of England and Wales shall be capable of recognition under Part II of this Act unless the grounds on which it was obtained comply substantially with the circumstances provided for within the deed.

(8) Section 3 (3) and section 4(3) above shall not apply where a deed has been executed in accordance with this section.

(9) A party seeking divorce under this section must additionally satisfy the requirements of Part II of this Act.—*[Dame Jill Knight.]*

Brought up, and read the First time.

Dame Jill Knight: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 10, in clause 2, page 2, line 4, leave out from beginning to 'by' in line 7 and insert—

'(1) Except where a deed made under section (*Statement of conscientious objection*) applies, the court may, by making an order (to be known as a divorce order) dissolve a marriage.

(2) The court may,'.

No. 119, in clause 10, page 8, line 27, after 'includes', insert

'—

(a) hardship attributable to the fact that the person concerned has a deeply held religious belief that marriage is indissoluble; and

(b)'.

Dame Jill Knight: The impetus behind the new clause is to allow couples, if they wish, to make a firmer commitment to one another than the marriage ceremony will become when the Bill becomes law.

I draw the attention of the House to the fact that any civil contract, such as purchase of a television set or an electric cooker, hire purchase of a car, buying a house on mortgage, agreement on employment or use of land or education or any other solemn contract between two persons, is framed to ensure that each party keeps his or her side of the bargain. In no contract of which I am aware, and in no contract that I could call to mind, can one party renege on the deal giving no reason whatsoever and against the wish of the other party. Is it so outrageous to permit couples to have as binding a marriage contract as the contract that they would make if they were buying a dining room table?

I cannot help wondering how the marriage service will change after the Bill is passed, as change it surely must. We have reached a sea change in what is lawful in marriage. Members will recall words from the marriage ceremony, but for greater accuracy I have obtained a copy of it. I draw the attention of the House to two parts. Both husband and wife are required to make a vow,

"for better for worse, for richer for poorer, in sickness and in health, to love, cherish . . . till death us do part . . . and thereto I give thee my troth."

They make that promise in a most solemn place—usually in front of an altar, and in front of their friends and relatives. Many witnesses hear that solemn and binding promise. A little later in the service, the priest says:

"so these persons may surely perform and keep the vow and covenant betwixt them made".

We should not pretend that marriage is just a pretty ceremony, with the lady in a delightful dress, little tots carrying flowers, bridesmaids, and so on. It is an extremely solemn moment for most couples. But what will happen when the Bill is passed? Without any fault at all, one person can break the contract—and it will not matter whether the other person does not want it to be broken. Divorce has always been available—although never so prevalent as it is now—but there has always had to be a reason. Now, no reason has to be given at all. That is a worry to me and to hon. Members who support what I am saying.

6 pm

Some people have said to me that if we are to have a way of signalling that both parties accept the binding nature of a marriage service—some may just go for the breakable sort—we will have to have a two-tier marriage contract. That difference exists already: some people choose to be married in a register office and some people choose to be married in a church.

Hon. Members who support the theory that couples should be allowed to make a binding promise do not think that divorce should not be allowed. For example, there

may be cruelty in a marriage, and the Catholic Church allows for the annulment of a marriage. New clause 9 accepts that people can be divorced if there is a real reason for the marriage to end. We are not trying to stop people altogether from getting divorced; we are trying to say that we cannot pretend that the present marriage service will not have to be changed. We are in an entirely different set of circumstances—we have never faced a situation where a solemn promise made in one of the most solemn places in our country can be broken on a whim, for no reason whatsoever.

I ask my hon. Friend the Minister whether hon. Members will be permitted a free vote on this matter. Like many parts of this unhappy Bill, this is a question of conscience. Few Bills in this House have been so strongly linked to a Member's conscience and belief.

Mr. Peter Bottomley: I am trying to understand what new clause 9 will achieve. If this deed were made or declared by the parties to the marriage, would it require both of them to do it, rather than just one of them? If this deed were made, would adultery or desertion be grounds for divorce?

Dame Jill Knight: That is not in the new clause. As I have said, those of us who are interested in giving a couple the right to make a firmer promise than they will be able to make recognise that there are reasons why a marriage sometimes, and unhappily, should end. We are not saying that in no circumstances can a marriage be ended; we are trying to make society recognise how vital marriage is for society. If we go on as we are at the moment—with the divorce rate rising and more children living in one-parent families—we shall all suffer. We are not saying that there should be no divorce; we are saying that two people who decide that they want to be married to each other should be able to make a firm commitment. The Church will have to decide whether to leave the words that I have just read out in the service because they will not mean a thing.

Mr. Harry Cohen (Leyton): I should be grateful if the hon. Lady could return to the intervention of the hon. Member for Eltham (Mr. Bottomley) in relation to adultery and desertion. If a couple have a deed—as she proposes—which does not refer to adultery and desertion as grounds for divorce, but subsequently there is adultery or desertion, will that couple be entitled to a divorce?

Dame Jill Knight: Of course they will. There are many reasons why divorce has to happen, including violence. I emphasise that we are not saying that there is no reason ever to divorce. The two reasons that hon. Members have mentioned—adultery and desertion—are good reasons why a marriage may become intolerable.

Mr. Cohen: May I intervene further on that point?

Dame Jill Knight: No, I have already given way to the hon. Gentleman and many hon. Members are interested in other provisions of the Bill.

Dr. Bray: I am trying to understand what the hon. Lady is proposing. Does she propose that every couple will draft their own deed or select the items that will go into their deed? Or will there just be a standard deed?

Dame Jill Knight: If the new clause becomes law, I am sure that there would be a standard agreement. The important point is that both the man and the woman would have to agree to, and want to sign, the deed. I cannot see how the Church—my Church, the Church of England—can possibly allow the wording of the marriage service to remain as it is. It will mean nothing to say

"till death us do part"

and to make a solemn promise before God when for the first time ever it can be broken for no reason at all, and possibly against the will of the other partner. For those reasons, I suggest to the House that it is not unreasonable to allow people who want to make a solemn promise to do so.

Mr. Alton: I support the cross-party amendment, which stands in my name and in the names of the hon. Members for Birmingham, Edgbaston (Dame J. Knight) and for Bootle (Mr. Benton). The amendment raises some interesting issues that the House is right to spend a little time considering. I thank the hon. Lady for putting her arguments so cogently.

The hon. Members who voted against the Second Reading of the Bill are grateful for some of the improvements that were made in Committee. We recognise that the Minister and his predecessor have done a lot to try to address the issues that were raised on Second Reading. It is important for Ministers to understand and to realise that the conviction that led to opposition on Second Reading may, in some cases, lead to opposition on Third Reading unless something is done to deal with the question of conscientious objection. The House, too, must realise that there is no question of the arrangement's being binding on anyone who disavows it. The legislation, in its Third Reading form, would apply to people throughout the country, unless they chose to opt out—by means of this provision—when they married. Allowance is made for conscientious objection.

The hon. Member for Motherwell, South (Dr. Bray) asked, very properly, about the nature of the deed that would be drawn up. I understand that, according to the drafting of the new clause, the deed would be in accordance with the teaching of the Church of which theperson concerned was a member. Clearly, however, if that person was not a member of a Church, there would be an opportunity for husband and wife to draw up a deed that could be lodged with the registrar at the time of their marriage. The new clause allows for personal responsibility: it allows for a personal affirmation of what the couple intend their marriage to be at the time of that marriage.

Catholics and evangelicals, for instance, would interpret what is meant in regard to adultery differently, as has already been pointed out; but that could be recognised in the framing of the deed, and it would not be binding on anyone who did not wish to have it. If someone wanted to lodge the deed with the registrar at the time of his marriage, however, it would complement and add to the legislation. It would take nothing from anyone who had no religious belief, or did not wish to be bound by it.

Dame Elaine Kellett-Bowman (Lancaster): I appreciate the efforts made by my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight), the hon. Member for Liverpool, Mossley Hill (Mr. Alton) and many others to try to improve this appalling Bill.

[Dame Elaine Kellett-Bowman]

I shall support the new clause, but I still think that it would be very much better to throw out the whole Bill lock, stock and barrel.

Mr. Alton: The hon. Lady has given her view of the Bill in a characteristic way. She and I were in the same Lobby on Second Reading. I should feel much happier about the Bill if it allowed the right of conscientious objection, but I recognise that genuine attempts have been made to improve it.

The hon. Member for Edgbaston mentioned "two-tier marriages". I agree with her. That phrase has been thrown out by various hon. Members who have said, "If we pass the new clause, it will create two-tier marriages." There are so many diverse forms of relationship in this country today that it is absurd to suggest that the one thing that will not be allowed is a covenant between a husband and wife who opt out and say that they want to be bound by the sacrament of marriage for the rest of their lives. That is what will happen, however, if the new clause is not accepted.

Mr. Peter Bottomley: It may be possible to make this trivial point later, but if the parties continue to agree to the vow that they have made the whole issue will become academic. A more serious point concerns ecclesiastical annulments. I understand that, in some Churches, it is possible to go along and say, "Although I openly made a commitment to lifelong marriage, I did not know what I was doing when I made that vow. May I establish that the marriage never actually took place?"—although, according to a secular society, it clearly did. Would the new clause make it possible to go along to the ecclesiastical authorities and say, "Not only was I wrong in believing that I was capable of making a marriage vow; I was wrong in signing the deed"?

Mr. Alton: The new clause makes full provision for annulment, in the sense that if it could be demonstrated that one or other partner was not convinced of what he or she was doing at the time, and if that could be proved to the ecclesiastical authorities, it would be possible—in line with the teachings of the Church concerned—for the marriage to be dissolved as it could be now, through annulment. That is the nature of such a deed.

It must be said that, in relative terms, that procedure is rarely invoked. We are witnessing the dissolution of marriage and family life as an institution. The hon. Gentleman and I share the view that, when marriage breakdowns are fast approaching the American level—nearly 50 per cent. of marriages now end in divorce—drastic action is needed to reiterate the commitment to marriage and family life. I think that hon. Members increasingly agree that we need a Bill that is about marriage and family, not simply about making divorce easier.

Incidentally, the marriages of our parents' generation hit the same rocks that ours hit from time to time. In those days, however, the normal procedure was to try to sort out the problems and stay together. Nowadays, a range of things happen that accelerate the destruction of marriage, with disastrous consequences. As one who has represented an inner-city area for 25 years as a councillor or Member of Parliament, I have observed that my area contains marriage dissolution on the same scale as any other area. Indeed, on the sink estates, where life is often very difficult for all sorts of reasons related to economic poverty, one of the worst problems has nothing to do with that: it is related to the human ecology of the breakdown of social institutions, not least the absence of fathers and the breakdown of marriages.

6.15 pm

Mrs. Elizabeth Peacock (Batley and Spen): The hon. Gentleman has identified the root of the problem. Perhaps in his parents' generation—certainly in mine—there was a greater commitment to start with, but there was also a greater commitment to the tough times as well as the good times. In inner cities, there were tough times in our parents' day, but the initial commitment is not the same now. As soon as something goes a little wrong, people opt for a divorce because that is the easiest way out. We should try to create a firmer base on which to build.

Mr. Alton: I entirely agree. I think that the hon. Lady would also agree with me—given her experience of working with broken families and children who become the casualties of those families—that we too often trot out the ridiculous statement that divorce is being arranged for the good of the children, and that they should not be caught up in such circumstances. If children are asked what they think, however—*The Daily Telegraph*, for instance, has asked them in surveys—the majority repeatedly say that they would have preferred their parents to stay together, rather than witness the breakdown of the family. Such breakdowns often have calamitous social consequences.

We must all do more. The phrase "preparation for marriage" has been used again and again in the debate; I cannot think of anything that would prepare people better for marriage than a discussion about whether or not to lodge a deed of this kind. People opting into such a covenant would have to have that discussion. They would sit down with their intended and say, "Which shall we opt for—the conscience clause that means that we will stay together and regard our marriage vows as really being for life, or the marriage settlement that will allow us to divorce easily and quickly?" That would concentrate people's minds in regard to precisely what they were entering into. It would be the fastest possible learning curve. When a person's intended replied, "I would rather opt for the easier alternative, on the basis that we should be able to divorce more quickly," at least that person would know how committed his or her partner was to the relationship.

This a practical, commonsense idea which is in keeping with what Members of Parliament constantly tell us on everything from bio-ethical issues to questions such as Sunday trading: that we must have more and more choice. Let me look at the other side of the coin, for once. If people want choice, let us provide this choice, and allow them to opt out. If it will not affect anyone who does not want it, where is the harm? If it is part of living in a pluralist society—if I may use that rather hackneyed phrase—allowing greater individual choice and permitting people to opt out of legislation, where is the harm? I believe that it could lead to many good consequences. I am happy to support the hon. Member for Edgbaston, and hope that the Government will accept the new clause.

Mr. Rowe: I could not have more sympathy with my hon. Friend the Member for Birmingham, Edgbaston

(Dame J. Knight) and the hon. Member for Liverpool, Mossley Hill (Mr. Alton) in their attempt to strengthen the institution of marriage. I must say, however, that if a wedding in church means anything—I accept that some families still regard a church wedding as a social photo opportunity, although they are few and far between—it means a young couple seriously entering into what they hope will be a lifelong marriage, bolstered by the Church's historical vows for that purpose and strengthened, they hope, by the many people who have come to take part in the ceremony. One hopes that they will also be prepared for marriage, and all Church denominations are taking increasingly seriously their responsibility to prepare couples for marriage. I fail to see, therefore, how the registration of an additional deed would strengthen their marriage.

A young couple making their vows to each other in the presence of the God in whom they believe cannot make a more solemn undertaking. If, unhappily, the marriage goes wrong and they decide to divorce, they experience huge anxiety as they try to salve their consciences.

Mr. Alton: Does the hon. Gentleman accept that that might be so if both partners freely agree to end their relationship, but in the circumstances that we are debating one or other partner will be divorced against his or her will? How will that leave them if they conscientiously object to the concept of divorce? Some people conscientiously believe that marriage is for life and that marital breakdown excludes the possibility of remarriage. The new clause seeks to cover merely that point and neither the hon. Gentleman nor I should impute what we want on others; let them decide for themselves.

Mr. Rowe: I have no qualms whatever about young couples signing such an agreement, but it is extraordinary to include such a provision in a Bill. We must remember that we are debating an institution to which a growing number of young people do not subscribe. Many young people who decide to live together enter into such a solemn undertaking and sign agreements. Some of them even register the agreements with lawyers or others. The majority of people who enter into any form of marriage do so with the intention of making it last.

Dame Jill Knight: I did not follow the line that my hon. Friend took when he seemed to suggest that what we are seeking already exists. If people can already make an extra commitment, what is wrong with allowing them to continue to do so?

Mr. Rowe: I am not clear how the Bill, as drafted, would prevent them from doing so. That is my difficulty. There is no reason why they should not sign such a document.

Mr. Leigh: Under English law, the courts will rule that statute must take precedence over private covenants or deeds. Therefore, without the new clause, a deed made by a couple at the time of their marriage is not only unenforceable but uniquely unenforceable, and the courts will deliberately overturn it. That is why the new clause must be passed.

Mr. Rowe: I am grateful to my hon. Friend for his explanation because I was not aware of that, but to ask courts, 20 years later, to enforce such agreements will lead to the great difficulties that have dogged the issue of divorce through the centuries. I am not, therefore, very happy about the new clause.

There is the serious risk of the House giving the impression that marriage should be made as difficult to sustain as possible—that penalties and difficulties should be laid in the way of those who want to marry and to try to make their marriage work—whereas it should be a joyful and sustaining partnership in which the state's interest is manifest. If the new clause is agreed, all that will happen is what is happening with increasing speed—more couples will refuse to take the risk of getting married to avoid the obstacle that the House is in danger of laying before them.

Mr. Donald Anderson (Swansea, East): I have some difficulty in framing my response to the new clause because I have enormous respect for the hon. Members for Birmingham, Edgbaston (Dame J. Knight, and for Liverpool, Mossley Hill (Mr. Alton). I wish to speak along the broad lines of the hon. Member for Mid-Kent (Mr. Rowe).

I well understand the background that motivates the new clause: the decline of marriage as an institution, the casualties—especially children, who are often the innocent victims—and the wish as far as possible to buttress the institution of marriage. I am not sure, however, that this instrument will have any effect.

The new clause has been sold by the hon. Member for Edgbaston as allowing couples, if they wish, to make a firmer commitment at the time of marriage. She and I, at different times, went through a church marriage. We made our solemn vows and they are binding on us. As the hon. Member for Mid-Kent said, there can be nothing more solemn than a couple's joint declaration in a church before God.

I do not know what more the hon. Member for Edgbaston wants. If, in addition to the church declaration before God, any couple wish to make a covenant between themselves, they are entitled to do so. The real question is whether that covenant, declaration or whatever should be underpinned by statute or by the state. I doubt whether such an underpinning would have any real effect.

It implies some lack of trust if one partner, having gone through the church ceremony of marriage and having made a most solemn undertaking, insists on some further measure to prove undying commitment. One knows from personal experience that those who are ready to make the most grand declarations and to enter into the most serious covenants may not be those who are most serious about marriage.

My first unhappiness about the new clause is that it implies a lack of trust among people who enter into marriage and my second is that it would have no practical effect. Yes, I am as unhappy as the hon. Member for Edgbaston about the decline in respect for marriage and all the other matters that have been mentioned, but how will the problems described by the hon. Member for Mossley Hill—feckless fathers and the neglect of children—be affected one jot if the new clause is passed?

It would not tackle social ills. If partners want to enter such an agreement, so be it. The hon. Lady said that it was a matter of conscience. Conscience is for individuals, and we are devising—however inadequately—ways in

[Mr. Donald Anderson]

which the state can deal with the institution of marriage and with marriages that do not last. Although I respect the motives behind the new clause, it would not work.

Mr. Leigh: I rise to support the new clause tabled by my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) and to speak to my amendment No. 119. My hon. Friend and I support the verdict of the House, which wants no-fault divorces. We are not seeking to reverse the vote in favour of them but is there any reason, in a free society, for not allowing people to state at the time of marriage their conscientious belief in the Christian concept of marriage? Such a deed would be drawn up according to the teachings of the various Christian Churches. I am not familiar with the teachings of other religions but no doubt they could do the same.

To reassure my hon. Friend the Member for Eltham (Mr. Bottomley) it would certainly be possible, under the teachings of the evangelical Churches, for adultery to be a ground for divorce and there is a provision for annulment under the teachings of the Roman Catholic Church. We are fundamentally talking about freedom of choice.

6.30 pm

We are not trying to put fault back into the Bill. There is no question of including words such as "adultery", "desertion" or "conduct". The contract would be a matter of free choice but solemnly entered into—and it would not create two classes of marriage. There are already many different sorts of marriage ceremonies. No vows are made in the register office but solemn vows are exchanged in church.

As I told my hon. Friend the Member for Mid-Kent (Mr. Rowe), the problem with any solemn vows made in church at present is that the courts view them as uniquely unenforceable.

Mr. Peter Bottomley: Is adultery a ground for annulment? If so, what would be the effect of the commitment in the new clause?

Mr. Leigh: I must be careful not to speak on behalf of the Holy Father or to enter into protracted ecclesiastical discussion with my hon. Friend as to what are or are not grounds for divorce under the teachings of Christian Churches. The Catholic Church allows annulment and even permits divorce. It holds that if one is divorced and wants to remain a practising member of the Catholic Church, one cannot remarry. There is little use delving deeper into theological matters—the hon. Member for Liverpool, Mossley Hill (Mr. Alton) explained them well.

Amendment No. 119 is separate from my hon. Friend's new clause. which I hope the House will be minded to accept. If it does, the House can also accept my amendment. If the House does not adopt new clause 9, my amendment would still stand alone. Some hon. Members may feel unable to support my hon. Friend's new clause but I hope that they will support my amendment.

Under present divorce law, if one partner seeks a divorce on the ground of five years' separation, the innocent party who does not want a divorce is allowed to tell the court that a divorce would cause him or her great general or financial hardship. Then the court might delay the divorce or, in a few cases, might stop it. The test is high. It is estimated by legal commentators that only one divorce has been prevented by the grave hardship bar in 25 years and that the financial hardship test has been successful in only half a dozen cases. Actions on the ground of five years' separation account for only 5 per cent. of divorces.

The Bill will allow individuals to cite hardship in all divorces, and the word "grave" is replaced by "substantial". The test could still be high. A new corpus of law will grow over the years and the courts will take their own view of "substantial", but there will still be a high hurdle to jump.

Mr. Donald Anderson: Am I correct in thinking that courts consider hardship, in relation to divorce after five years' separation, only in terms of financial hardship?

Mr. Leigh: Yes. Half a dozen cases related to financial hardship, and a court accepted general hardship on only one occasion in 25 years. Many of the Bill's opponents do not consider that the Lord Chancellor's concession of extending the hardship bar to all divorces amounts to much—it is hardly worth the candle. Even replacing the word "grave" with "substantial" would still present a high hurdle.

Having discussed the matter with my hon. Friend the Minister, we have tried over the past couple of weeks to devise a way of allowing people to register their conscientious objection to divorce. I cannot speak for my hon. Friend the Minister but if he has problem with the deed concept, perhaps there is another way. We want protection for people who are divorced against their will and who adhere to the concept of lifelong marriage. We alighted on the hardship bar, which already exists in clause 10.

My modest amendment would provide for the courts to consider hardship

"attributable to the fact that the person concerned has a deeply held religious belief that marriage is indissoluble".

My amendment would not create two classes of marriage or require couples to sign deeds. It would merely provide that if a person holds the view that marriage is for life and does not want to be divorced, he or she could apply to the court to delay or prevent the divorce. Judging by the past 25 years, I suspect that no divorce would be prevented. There could be delay.

Sir Timothy Sainsbury (Hove): My hon. Friend's amendment meets one of the concerns felt by many hon. Members. If the person who applied for delay or prevention was—to use the familiar jargon—the party guilty of unreasonable conduct or even of adultery, would such an application not be allowed under my hon. Friend's amendment?

Mr. Leigh: My amendment would apply only to the person who was resisting divorce. I suppose that it is possible to conceive of rare circumstances in which the party resisting divorce was the one guilty of intolerable behaviour or adultery but says, "I have deeply held religious views and, despite my adultery, I do not want a divorce." That case would be impossible to argue in court,

so it would not arise. Nevertheless, I am grateful to my right hon. Friend because it is important to consider how the amendments might be interpreted by the courts.

The only people who would take recourse to the conscience clause under the hardship bar in clause 10 would be those who are innocent of any of the traditional grounds for divorce and want to register their objection to divorce. I offer the example of a middle-aged lady who has spent all her life building up a home and who suddenly discovers that she is being divorced against her will. She could tell the court, "I need more time to put my affairs in order." At present, she would have to meet the substantial hardship test in clause 10. The problem is that the courts, over the years, have interpreted hardship as that arising from the divorce process. They say that, when people complain of hardship, they are really complaining of the marriage breakdown. The court is not concerned about that and so it has been extraordinarily difficult for anyone to overcome the test. That is why it has been used only half a dozen times in 25 years.

If the House accepts my amendment, it will be much easier for people to go to court and to say, "I am being divorced against my will. I have deeply held religious views. Please listen to me and give me a bit more time," or, in extreme cases, "Prevent the divorce," which, I suspect, the courts will never accept. Hitherto, the practice has been for the courts, in any event, to allow divorce after five years, even if a party is innocent and wishes to stop the marriage. In that sense, the amendment is modest and I hope that, on that basis, the House will feel able to accept it.

Mr. Cohen: I oppose new clause 9. It is a dog's dinner of a new clause, and its consequences will be viciously reactionary. This country would end up with as many multiple versions of divorce law as multiple versions of the deeds. Presumably its supporters have in mind a standard deed, but they have not had the confidence to show it to hon. Members. That is an insult to us.

Mr. Alton: I think that the hon. Gentleman misunderstands the clause's purpose. If someone were a member of a particular denomination, it is likely that he or she would draw up a deed that was in accordance with the teachings of their denomination, but people of no faith or other faiths might nevertheless still want to record their dissent in some way. The hon. Gentleman is right, therefore, to say that there could be different interpretations and formulations of the deed, depending on the conscience of the person concerned. That would inevitably be the case, precisely because this is a conscience clause. That is its strength, not a weakness.

Mr. Cohen: The hon. Gentleman makes the point that, under this new clause, we would have as many divorce laws as possible deeds.

Mr. Peter Bottomley: I am tempted to go further than that. The hon. Member for Liverpool, Mossley Hill (Mr. Alton) claimed that there would be different interpretations, so we would have not just different divorce laws, but different interpretations of the same words, which is peculiar.

Mr. Cohen: That again is a point well made.

Under the new clause, any sort of deed could be made by a couple when they get married. Some of those deeds will try to stop divorce under any circumstances, which is not right. In an intervention, I made the point about adultery, desertion and cruelty. That point is not in the new clause. I ask the hon. Member for Birmingham, Edgbaston (Dame J. Knight): where is it in the new clause? We may have various forms of deed, but it may not be in the deed that the two parties to the marriage sign, which is a serious flaw.

I remind the House what is in the new clause. Subsection (7) states:

"(a) no court may make a divorce order in respect of the marriage to which that deed applies other than in any circumstances provided for within the deed;

(b) no divorce or annulment . . . shall be capable of recognition . . . unless the grounds on which it is obtained comply substantially with the circumstances provided for within the deed."

So the deed would overrule everything, and, as I have said, we do not know what will be in the deed. There will be many different deeds, interpreted in many different ways.

I support the notion and the idea that national law should take precedence over private deeds, even if they have religious backing. In many sectors, the acceptance of decent standards should be the norm. A person should not be trapped for ever in a spiteful, violent or desperately unhappy marriage. That should be a nationwide standard. No deed should be able to wipe that out.

I give just one example. People make mistakes when they get married. The person they have married may change from being loving to inflicting cruelty. In those circumstances, making a marriage for life or signing a deed for marriage for life may be viewed as a mistake, although I am not sure it is. Therefore, people in that position should be safeguarded and have the opportunity to get out of that desperately unhappy marriage.

The new clause is fundamentalist claptrap. It will be used by fundamentalists of all religions, and it could inflict great pain on partners. If passed, it could cause enormous heartbreak and misery, so I oppose it.

6.45 pm

Mr. Peter Bottomley: To regard the new clause or the amendment as fundamentalist claptrap is strong language, but it is not justified by the arguments that have been advanced, which should be tackled on their merits.

I am not a lawyer or an expert in the different ways in which a marriage can be ended or can be said never to have existed in the first place, some years after people thought that they were involved in a perfectly valid marriage. I know of one couple who married with the intention of making a lifelong union. After some years and some children, they got divorced. Later, one of the parties to the marriage received a letter saying that the Church had decided that the marriage had not taken place in the first place, because one of the parties to the marriage had managed to convince the Church authorities that they had not been capable of making the decision to be married in the first place.

I pay tribute to the Catholic Church's role, from the Holy Father through to the ordinary member of that Church, but, frankly, that example shows how people can change their minds about being capable of making the

[Mr. Peter Bottomley]

decision to get married in the first place. We should therefore accept that they are likely to be capable of changing their minds about the marriage vow they made in church and about the deed they might have signed in contemplation of the new clause.

Four or five hon. Members who have spoken in the debate are among those who voted or who acted as Tellers against the Bill's Second Reading, so we must understand that the proposals in the new clause or the amendment are almost certainly designed to improve the Bill, but that the hon. Members proposing the new clause and amendment wish that the Bill would not go through.

If the Bill did not go through, 75 per cent. of divorces would be quickie divorces on the ground of fault. People say that the idea of no fault is introduced by the Bill, but that is not right. The Bill says that the fault ground cannot be used in future. At present, it is possible to get divorced without fault. The two-year and five-year separations are examples.

We should consider the new clause and the amendment on their merits. The amendment has been supported by the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on the ground that it will help to delay the divorce process. It will not end that process. I may have misheard him, or he may have misspoken, but the point was made that it would make divorce more difficult. It means either that people who may later want to be divorced will be caught and will be unable to be divorced because they have signed up to a deed, or a different form of marriage from the ordinary commitment that the marriage will go on until death, or it does not mean that.

The amendment of my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) proposes an alternative, and takes a different view on hardship. It is difficult to start to bring the hardship argument in. In either case, I should be interested to know whether the traditional reasons or justifications for a legal or an ecclesiastical end to a marriage would apply either in the hardship test that my hon. Friend proposes or in the new clause that my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) has tabled.

It is worth consulting the views of people who have a greater ecclesiastical standing than me—although, over my years here, some of my colleagues have been more forward in mentioning their Church connections than I have. I do not want anyone to believe that those of us who are relatively quiet about our work in the Church have any less strong views than anyone else about the importance of marriage, or about trying to make the marriage process easier, and the process of divorce less frequent.

Mr. Leigh: My hon. Friend asked me a question and I shall try to answer it. The whole essence of my amendment is, that if someone goes to the court to ask for a hardship bar, he will not argue that his divorce should be based on fault or desertion—that is irrelevant. The hardship bar already exists.

All that that person will do is say, "Can I have some more time"—the court may well reject his request—"because I have a deeply held religious view about marriage, and I believe that it is only fair that I be given more time before the divorce takes place?" That person will not go into the nature of the divorce; there will be no argument about adultery, desertion or anything else. I assure my hon. Friend that I am not trying to get anything like that into the Bill.

Mr. Bottomley: I accept that. Some of the issues relating to delay now come under clause 7, which we will consider during our discussions on later amendments.

I have deep sympathy with people who believe that their marriage could have continued, but, because one partner to the marriage decided that it could not, the marriage came to an end. Perhaps a longer delay would have made that more acceptable. I cannot judge that. However, having watched people who have been through that process, my sympathies go in a number of directions, because a number of issues matter.

I want to bring to the attention of the House what has been said by a number of ecclesiastical authorities. The first is:

"The Bill has been strengthened during its difficult passage through Parliament to date in at least three key areas: there is now a longer waiting period in some circumstances"—

in a way, that meets some of the points made by my hon. Friend the Member for Gainsborough and Horncastle—

"which more clearly signals the seriousness of marriage; a greater emphasis on reconciliation, offering a better prospect of saving savable marriages; and a statutory provision for marriage support services."

That was said by His Eminence the Cardinal Archbishop of Westminster in a letter to *The Times* on 28 May.

It is worth noting a letter to the Prime Minister from the Family Law Bill Coalition, which said that the Bill

"offers the best chance for a generation of scrapping a system which is widely misused and frequently harmful to the interests of children adults and families as a whole, and of achieving reforms which have a broad basis of support. This approach has been tried in other jurisdictions and is long overdue here. It would be a lost opportunity if the Bill were to be abandoned or rejected now."

That letter includes among its signatories Christine Eames, worldwide president, Mothers Union; James Richards, the director of the Catholic Children's Society; Rabbi Dr. Julian Jacobs, adviser to the Chief Rabbi on inter-faith matters; and Geoffrey Blumenfeld, the director of the Jewish Marriage Council. I shall not give all the names from the Anglican Church.

I have shown how a number of Church authorities are not arguing the option of a two-tier marriage. There is the marriage ceremony, which a number of us have been through—whether civil or religious—where we say that it is our intention that the marriage should last until death. The option is being put before the House today of a separate commitment, which people could opt into, to strike out a number of reasons for the marriage ending if either or both parties want a divorce.

Mr. Alton: I do not quarrel with the quotations that the hon. Gentleman has cited. However, does he accept that none of them addresses the new clause, because it had not been tabled when those letters were written?

Mr. Bottomley: I accept that. The question that I earlier put to the hon. Gentleman and other hon. Members was whether any of the reasons why people could go to the ecclesiastical authorities and say, "Please tell me in

arrears that the commitment I made was one that I was not capable of making," would be caught either by the amendment or by the new clause?

Until one of those hon. Members who voted against Second Reading but support either the new clause or the amendment can give me the answer to that question, people will still be able to change their minds, either about what they want to do for the rest of their lives, if they believe their marriage has come to an end—which is sad—or that they want in arrears to go back to the ecclesiastical authorities and say, "Can you please be convinced that I was not capable of making a commitment in the first place, either to the deed or to the marriage?"

Mr. Alton: The hon. Member for Gainsborough and Horncastle (Mr. Leigh) earlier made the point about annulment and what is done in accordance with a person's denomination or Church. That is the answer to the hon. Gentleman's question. If, in the covenant at the time of drawing up the deed, someone writes in the proviso that he will be able to avail himself of annulment procedures, that is not a retrospective action—that person is saying in advance that he may seek, through the ecclesiastical authority of his Church, to annul the marriage if it does not succeed.

For someone from the Catholic tradition, that would undoubtedly mean that that person would disavow the right to be married again. That would be a decision entered into freely and fairly at the time of the marriage. That is why it is a matter of conscience—and one that should not trouble the hon. Gentleman too much, because it is something that will be decided by the two people getting married.

Mr. Bottomley: If I understand the hon. Gentleman correctly, I do not think that he can be right. Is it possible for me to say at the time of my marriage in, let us say, the Roman Catholic Church, that the marriage is going to be for life, but then later on to go to the ecclesiastical authorities and try to convince them that I was not capable of making that commitment at the time, as I did not understand the nature of marriage or there was some other bar?

Mr. Alton: There may be a reason.

Mr. Bottomley: There may be a reason. If the hon. Gentleman confirms that it is possible to make a commitment and then later say that I was not capable of making that commitment, would the same thing apply to the deed that is the subject of the new clause?

Mr. Alton: Yes.

Mr. Bottomley: If so, what happens to those who have not made that commitment in the Roman Catholic Church, but, perhaps, in a register office? They would not be able to go to an ecclesiastical authority some years later and ask it to judge their state of mind some years earlier at the time they made the commitment. It shows that the new clause—not the amendment, which approaches the issues in a different way—is not helpful in trying to introduce a two-tier marriage.

What is worse, the new clause basically says to people that, when they are considering marriage, whether civil or religious, they should go through a list of reasons that are traditionally used as justifications for ending a marriage, and knock them out in advance. It is rather like saying, "Do you intend your marriage to be short-term?" I do not think that people know in advance how they will feel later.

Even if we could manage to halve the number of divorces from 160,000 a year to 80,000, which would be highly desirable, we should do it by convincing people that they want their marriages to continue, rather than saying that, when they believe they have come to an end, they are not in a position to remarry.

I want to cite one or two further quotations because they are important for those who follow our debates.

"It would be quite wrong if Catholic MPs were to be swayed in their view of the Lord Chancellor's proposals by incorrect information about the Catholic bishops' view . . . We can point out to legislators the bishops' positive response to the proposals made in the White Paper."

That was said by Monseigneur Kieran Conry of the Catholic Media Office on 20 October 1995. Again, that was before the new clause was tabled, but it gives the Church's view on trying to move forward to a happier way of allowing people to apply for divorce if they so choose.

The last quotation I want to share with the House—there could be more—is:

"should Christians, and Catholics in particular, shun all attempts to reform the present divorce laws on the basis that divorce goes against the explicit statement of Christ: 'What God has joined together, let no man put asunder'."

That was a reference to Matthew 19, verse 6. The quotation continues:

"I think not, because any attempt to lessen the harm done by divorce should be supported. That does not entail approving divorce but rather tolerating it as a lesser evil if it is the only way of ensuring the rights of the parties and the care and protection of children."

That was said by the Right Rev. Peter Smith, the Roman Catholic Bishop of East Anglia, in a letter to *The Times* on 5 November 1995.

All those quotations are in the context of a Church—although I am not of the same denomination, I regard myself as being in the same Church—where people make a commitment that marriage will go on until death ends it. The only occasion when some of the provisions in the Bill come into effect is when people find that their circumstances or their minds have changed. It is on those grounds that I believe that the House should not accept the new clause.

On slightly different grounds, the House should not accept the amendment moved by my hon. Friend the Member for Gainsborough and Horncastle. We should accept the advice of the leaders of our Churches, and get on with trying to take away some of the unnecessary misery caused by the current state of divorce law.

7 pm

Dr. Bray: I have a good deal of sympathy with the new clause moved by the hon. Member for Birmingham, Edgbaston (Dame J. Knight). However, I think that there is a real problem in calling on the apparatus of the state—the courts—to enforce a declaration made privately, or, as she has acknowledged, very privately.

The approach of the hon. Member for Gainsborough and Horncastle (Mr. Leigh) has fewer difficulties about it. There are precedents for the idea of conscientious

[Dr. Bray]

objection as a recourse; the phrase, of course, comes from conscientious objection to military service, for which there is a well-developed apparatus of tribunals to judge whether the complaint is genuine, although there is not an enormous apparatus of appeal through the courts. Presumably such an apparatus could be introduced into a context like this one, although it requires some widening out. The hon. Gentleman's amendment is an interesting suggestion for consideration in the wider context of the law of marriage, rather than as a recourse to deal with some of the Bill's problems.

I am not prepared to go into the Lobby to support the amendment of the hon. Member for Gainsborough and Horncastle, but I think that it has real merit for future consideration.

Mr. Patten: I support my hon. Friends the Members for Birmingham, Edgbaston (Dame J. Knight) and for Gainsborough and Horncastle (Mr. Leigh). It strikes me as political correctness gone mad to seek to deny people, man or woman—in a society in which they have the freedom to do almost anything else they like—the freedom to put in their marriage contract that which my hon. Friend the Member for Edgbaston has proposed, or the provisions that are necessary for the hardship bar to be brought into play, as proposed by my hon. Friend the Member for Gainsborough and Horncastle.

Uniquely in my time in the House, this is the first occasion on which the Government have not stepped forward to support freedom of choice. Uniquely in my experience in the House, this Bill—for the first time—introduces the concept that there should be no fault and no responsibility in English law, in either the criminal code or the civil code. Although the Bill is important, today we are debating principles that go far beyond its provisions. We are saying that, in future—in this law as perhaps in later laws—we may well strip fault and responsibility out of laws when people are brought for judgment in the civil or criminal courts.

Those principles are why I found myself unable to support the Bill in the debate on Second Reading, and they are why I may find myself, uniquely—I use that word again—for me, alone in trying to resist the Bill, perhaps in a Teller-free zone.

The principles contained in the Bill deny freedom of choice, and strip away personal responsibility and fault.

Mr. Llwyd *rose—*

Mr. Patten: No; I am coming to the end of my speech.

We have heard some frightening words. I do not want to terrify my hon. Friend the Minister too much, because he knows that he has my strong personal support, but we have heard many terrifying words today from the hon. Member for Brent, South (Mr. Boateng) about how, unless he gets this, that and the other, he will lead his troops into the Lobby against the Bill. I suspect that that is a political bottle-free series of threats.

It is absolutely right for hon. Members—these amendments have been supported by hon. Members of all political parties—to register their opposition to a landmark change in the way in which we do business and regard criminal and civil law.

I hope that, between now and the close of play today, my hon. Friend the Minister can persuade me; if not, I shall vote against the Bill, if Tellers can be found.

Mr. Boateng: I am rather saddened by the intervention of the right hon. Member for Oxford, West and Abingdon (Mr. Patten), not least because on many issues—I thought also on the issues of the importance of marriage and the importance to society of establishing stable family relationships—it was possible for hon. Members from both sides of the House to make common cause.

I well understand what lies behind this new clause, the amendment, and the concerns of the hon. Members for Birmingham, Edgbaston (Dame J. Knight) and for Gainsborough and Horncastle (Mr. Leigh). I had the opportunity to observe at close hand the commitment of the hon. Member for Gainsborough and Horncastle on this issue in Committee.

The approach of Opposition Members to the new clause and to the amendment is shaped by a desire for the Bill and for the House's deliberations to arrive at a goal and a place that do not undermine the institution of marriage, and that reflect the circumstances in which marriages are brought to an end.

In relation to new clause 9, Opposition Members believe that the creation of what would be—de facto and de jure—a two-tier marriage system is fundamentally corrosive of the institution of marriage. It would put the parties to a marriage in an absolutely impossible position, not least those parties who choose—many still so choose—to make their vows to each other within the context of a Christian or other religious ceremony.

It is quite wrong that couples who make that choice should find themselves faced with a law produced in this place that requires them to consider entering into this type of covenant or deed. That would not promote good marriages or create a good start to marriage.

For those reasons, Opposition Members—although it has found a ready echo among Conservative Members—have always put the emphasis on the importance of the House, at some stage, examining the issue of marriage preparation, and to do so in the most practical way. In view of the Bill's short title, clearly it was not possible to examine the issue during the course of our deliberations on this Bill, but we hope to do so at an early stage.

There are lessons to be learned about such preparation from work being done by various denominations and religious bodies. The work is important, practical and supportive of the institution of marriage, and it is succeeding in keeping people together when strains and stresses in the marriage are manifested.

For that reason, today we shall not join in the Lobby those who put their name to new clause 9.

As for the amendment moved by the hon. Member for Gainsborough and Horncastle, I am bound to say that my experience of family law tells me that it will not in practice make any difference at all to what happens in court or to people's conduct. In those circumstances, I will not be voting for it. The view taken by other Opposition Members is a matter for them, and we shall have a free vote on this amendment.

Mr. Streeter: We have heard yet another interesting and stimulating debate. Once again, I believe that the House is at its best when there are free votes.

I am fully aware of the concerns of many hon. Members, and of many of those in another place about people who have deeply held religious beliefs that marriage is indissoluble. I share that view. The new clause and the amendments can be separated into two groups, which seek to meet this concern in very different ways. I shall deal briefly with each of them in turn.

I deal first with new clause 9 and amendment No. 10. By and large, we have had an interesting and constructive debate on new clause 9, although I did not agree with some of the language used by the hon. Member for Leyton (Mr. Cohen). I am afraid that the Government cannot accept new clause 9 or amendment No. 10, even though I personally have enormous sympathy with the motives of those who tabled them. However, I have grave reservations about their working in practice. My hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) will be reassured to know that this is a matter of conscience, and will certainly be a matter for a free vote on Conservative Benches.

I believe that the marriage contract is already a contract made between one man and one woman for life. The amendment is saying that, in future, only some marriages would be regarded as being for life. Others would be made indissoluble until a particular circumstance occurred. It also implies that, where there was no deed, a couple would regard their marriage as a contract from which they might opt out at any time, and shrug off their responsibilities and walk away.

I can think of no more terrifying statement for the House to make than that the marriage contract made between a husband and wife is not to be regarded by them as being for life when they make it. This is the basis of our current marriage law, and would be seriously undermined by the amendment. People who believe in lifelong marriage have no need for such a deed. Several hon. Members have pointed out that people can already decide that they will not divorce, even if their relationship has broken down.

When I made my marriage vows in accordance with the 1662 Church service, I made them before God, and I meant them. I meant them then, and I mean them now. If I break those vows, I answer to a higher authority—on this occasion, the House will be pleased to hear that I do not mean the Chief Whip. I need say no more than that.

Were the provision included in the Bill, would not at least one half of a couple come under enormous pressure to sign such a deed, because not to do so would imply that that person did not take his or her marriage seriously or did not love their intended partner enough? Would it not be cruel to put young people under that sort of pressure? There might subsequently be disputes about whether the agreement was entered into voluntarily and in full knowledge of the implications. How will it support the institution of marriage to have couples litigating over the extent to which they have agreed to commit themselves to each other?

I agree with the notion that young couples need maximum preparation before marriage, but let us tackle that matter in response to the ideas produced by the working party. If pre-marriage preparation is the idea of the moment, let us embrace it fully.

My biggest concern is that those who do not sign such a deed might come to be regarded by society as having an inferior relationship, a second-class marriage. Couples might come to believe that their marriage was somehow inferior and not worth sustaining. They could simply shrug their shoulders and walk away, saying, "After all, we have only a second-class marriage." That is not the message that we want the House to send. Let us not have first and second-class marriages, but strive to make all marriages first-class.

Hon. Members made a number of interesting points, and I shall deal with them quickly. My hon. Friend the Member for Edgbaston asked what it would mean for marriage vows if the Bill is passed tonight. I can tell her that marriage vows will mean exactly the same. Today, 45 per cent. of all divorces come under the heading of "unreasonable behaviour". Many such claims are exaggerated or fabricated. The current law encourages exaggeration, conflict and deception.

We are told that we have a two-tier marriage system because marriages can take place in a church or a register office, but under the civil law, all marriages are treated exactly the same for all purposes.

I have already mentioned that we shall be allowing a free vote on this matter.

I have enormous respect for the hon. Member for Liverpool, Mossley Hill (Mr. Alton), and usually support much of what he says, but I believe that he is misguided in this instance. He talked about the speeding up of the divorce process. The very point of the Bill is to slow it down, to introduce a period of reflection and consideration, so that couples genuinely think about whether they are doing the right thing.

My hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) intervened to say that we should throw out the Bill lock, stock and barrel. By doing so, she would be throwing out the three-month cooling-off period, the period of reflection and consideration, and all the provisions for marriage counselling, which she supports.

Is it not a tragedy that those who would be attracted by the proposed deed would almost certainly be those who are capable of and more likely to enter into a strong and committed marriage in any event? Those outside it would be in difficulty, or have second-class marriages. The hon. Member for Swansea, East (Mr. Anderson) made a telling point, asking whether it did not denote mistrust if one needed an extra deed to sign to show to what extent one was committed to one's partner.

7.15 pm

My right hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) referred to freedom of choice, but is it right for the House to vote for something that we believe to be harmful to the institution of marriage, which is the very bedrock of our society?

For all the reasons I have outlined, I cannot recommend that the amendment be supported.

Amendment No. 119—

Mrs. Maddock: Will the Minister state clearly how he sees his party voting on the issue? Will there be a free vote on amendment No. 119? There have been rumours that it will not be a free vote, but, if ever there was a matter of conscience, this is it.

Mr. Streeter: Obviously, I am not coming across as I thought I was. I have already said that there is to be a free vote on the first amendment and now on this amendment. The hon. Lady should not listen to rumours.

[Mr. Streeter]

I deal now with amendment No. 119, which concerns an amendment to the hardship bar. Under current legislation, and under the terms of clause 10 as drafted, the court, when considering an application for an order preventing divorce, can already take into account hardship other than purely financial hardship.

However, the amendment clarifies the fact that the definition of hardship in the Bill includes hardship attributable to the fact that a person has a deeply held religious belief that marriage is indissoluble. Bearing in mind the importance of this issue and the fact that it clearly raises issues of conscience, it is appropriate that the amendment is subject to a free vote. On this issue, the Government are neutral.

Personally, however, I should like to support the amendment, and shall do so. There are people with deeply held religious convictions who married in good faith, believing that

"till death us do part"

meant precisely that. The amendment does not, however, create two tiers of marriage, which I believe risks undermining rather than strengthening marriage.

In my view, it is right that "hardship" should include hardship attributable to the fact that a person has a deeply held religious belief that marriage is indissoluble, and that such a person should be able to apply to the court under the hardship provision. It will then be for the court to decide. It will be a stiff test. Although this is a free vote, I shall be voting in the same Lobby as my hon. Friend the Member for Gainsborough and Horncastle.

Dame Jill Knight: Bearing it in mind that we have a long way to go, and having listened to what has been said, particularly by my hon. Friend the Minister, who supported amendment No. 119, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 10

SEPARATE REPRESENTATION OF CHILDREN AND THEIR INTERESTS

'.—(1) The court may, in the exercise of its powers under section (*Welfare of Children*), appoint a guardian ad litem for a child if—

(a) it appears to the court on the evidence before it, that it may be appropriate for an order to be made under section 8 of the Children Act 1989; or

(b) there are existing proceedings in any court in England and Wales under section 8 of the Children Act 1989 in relation to any child of the family in question.

(2) The guardian ad litem shall—

(a) be appointed in accordance with rules of court;

(b) be under a duty to safeguard the interests of the child in the manner prescribed by such rules; and

(c) be appointed from a panel established under section 41(7) of the Children Act 1989.'.—*[Mr. Llwyd.]*

Brought up, and read the First time.

Mr. Llwyd: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss the following: New clause 14—*Provision for separate representation for children (No. 3)*—

'.—(1) The Lord Chancellor may by regulations provide for the separate representation of children in proceedings in England and Wales which relate to any matter in respect of which a question has arisen, or may arise, under—

(a) Part II;

(b) Part IV;

(c) the 1973 Act; or

(d) the Domestic Proceedings and Magistrates' Courts Act 1978.

(2) The regulations may provide for such representation only in specified circumstances.'.

Amendment No. 106, in clause 24, page 16, line 8, leave out 'and' and insert—

'(6B) Where there are one or more children of the family, the code must also require the mediator to have arrangements designed to ensure that the parties are encouraged to consider:

(a) the welfare, wishes and feelings of each child; and

(b) whether and to what extent each child should be given the opportunity to express his or her wishes and feelings in the mediation.

(6C) A contract entered into by the Board for the provision of mediation under this Part must also include.'.

Mr. Llwyd: Madam Deputy Speaker—*[Interruption.]*

Madam Deputy Speaker: Order. It is not fair to the hon. Member who has the Floor if there is a constant buzz of conversation.

Mr. Llwyd: New clause 10 seeks to give the court the power to provide for the separate representation of children and their interests in circumstances when it would appear to the court, on the evidence before it, that the interests of a child may be in conflict with those of either or both parents—*[Interruption.]*

Madam Deputy Speaker: Order. I am sorry to interrupt the hon. Member again, but it is clear that my earlier words were either not heard or not heeded. I should like silence, other than from the hon. Member who has the Floor.

Mr. Llwyd: Thank you, Madam Deputy Speaker, I shall try again.

New clause 10 seeks to give the court the power to provide for the separate representation of children and their interests in circumstances when it would be appear to the court, on the evidence before it, that the interests of a child may be in conflict with those of either or both parents and that such a conflict presents a potential risk to the welfare of the child.

It is clear that in public law there are considerable benefits of separate representation. Under the Bill as drafted, clause 9 addresses the responsibility of the court to satisfy itself as to the arrangements for children under section 41 of the Matrimonial Causes Act 1973. The new clause would provide a bridge between the statement of arrangements for the children and the ability to appoint a guardian to represent their interests. It would cover many circumstances that are not at present covered by section 37 of the Children Act 1989, which allows for the appointment of a guardian only when the court is considering making a public law care or supervision order.

A considerable body of professional opinion—including judges, solicitors, family court welfare officers, guardians and child care social workers—fully supports the view that the lack of availability of a guardian ad litem in proceedings under section 8 of the Children Act 1989 represents a considerable void in the law relating to children who are involved in private law proceedings.

The Children Act advisory committee recommended the extension of the role of the guardian to cover proceedings under section 8 of the Children Act 1989. Indeed, judges have tried to appoint guardians when it is technically incorrect to do so, and many recent examples are available. There is also ample evidence that increasing numbers of children—particularly teenagers—need independent representation, although it is not appropriate to pursue the possibility of a care or supervision order for them. Many require help in protecting their financial, educational and emotional interests.

The new clause would facilitate agreements by diverting proceedings away from the court. It would give the court an independent view of the child's circumstances on which to base decisions about his or her welfare. It would extend the number of specified proceedings in which a guardian ad litem may be appointed, and it would provide a safety net for a relatively small but nevertheless important and vulnerable group of children.

The new clause would constitute a logical extension of the philosophy and principles laid down in the Children Act and would be entirely consistent with the requirements of article 12 of the United Nations convention on the rights of the child, to which the Government are a signatory. During the passage of the Children Act in January 1989, the Government gave a commitment that the review of the arrangements for separate representation of children would be part of the Lord Chancellor's rolling programme of reform of family jurisdiction. The Lord Chancellor gave an undertaking that the arrangements for panels of guardians ad litem and reporting officers would be reviewed in the light of experience, and the debate made it clear that it would be possible to review arrangements for the independent representation of children in all family proceedings.

Of course, my proposal would have a cost implication, but I am sure that it would be relatively modest and not too far reaching. It would introduce a vital provision for vulnerable children and young people who would not otherwise be properly represented, as it would give the court power to make such an order and it would provide for separate representation.

Although section 37 of the Children Act is a potential bridge between private and public law proceedings, it allows for the appointment of a guardian only if it appears to the court that it may be necessary for a care or supervision order to be made in respect of the child. Under the new clause, the court would have the power to do so without that proviso and it is entirely appropriate that it should be extended in that important way.

Experience since the implementation of the Children Act has shown that there are many circumstances in which courts have considered it necessary to appoint guardians in private law proceedings, but have found themselves hamstrung and unable to do so. Judges have gone as far as to try to appoint guardians when it was technically inappropriate.

Recent research by the Children's Society on the separate representation of children in private law proceedings found that the majority of respondents, including judges, felt that there was a conflict of interest between the child and his or her parents. So it is quite obvious that there is a void to be filled.

I fully support the amendment grouped with the new clause, and I should be happy if either was accepted. I commend the new clause to the House.

Mr. Boateng: New clause 10 is a worthwhile amendment, which certainly follows on from our debates in Committee. The impact of divorce on children obviously gives rise to considerable concern. Experience shows clearly that the child's interest is best served when there is an opportunity to focus on his or her needs and for an interventionist role to be played, to ensure that that interest is secured. The new clause seeks to build on the guardian ad litem system and as such has much to commend it.

The resource implications are also worthy of consideration. One issue that the Government need to examine, both in relation to new clause 10 and generally in terms of the way in which resources are raised and applied, is whether there is scope in the system of court fees and payments for the raising of revenue to be applied specifically to that purpose. So the resource implications are modest and there is no reason why they cannot be met from the existing budget and through the capacity of the courts to meet such expenditure.

Experience has shown that the use of guardian ad litem in proceedings where children have an interest, by identifying the issues and seeking to ascertain where intervention by the various agencies can be most usefully applied, contributes to the harnessing and saving of resources.

So on balance, the new clause has a great deal to commend it. We look forward to the Minister's response. If it is not possible to take the matter forward in respect of the Bill, I hope that we shall be able to return to it in other contexts and generally—building on the other amendments and new clauses set down for discussion this evening—to make sure that the special needs and requirements of children are met and respected.

7.30 pm

Mr. Streeter: I should like to express my gratitude to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) for his tireless efforts on behalf of children's organisations. Throughout the Bill's stages, he has spoken thoughtfully and argued persuasively on this vital area, which I know concerns hon. Members on both sides of the House. He has contributed to some significant changes in the Bill—all of which strengthen it—in order to assist the innocent victims of divorce: children.

I should also like to pay tribute to the children's organisations, which have conducted a worthy campaign for the interests of children to be taken into account in the Bill. While we may not always have been able to agree the details of changes, there has been nothing between us on the principles behind them.

The Government believe that the voice of the child should be heard in proceedings regarding his or her welfare. There are already a number of ways in which that is provided for. The voice of the child can be heard

[Mr. Streeter]

through the report of a welfare officer under the Children Act 1989 and through the offices of the official solicitor in private law proceedings in the High and county court, and, under section 10(8) of the Children Act 1989, a child may bring his or her own application, be represented and apply for legal aid for such representation.

Expanding the guardian ad litem service in the way proposed by the hon. Gentleman's new clause, however, would duplicate the work of the family court welfare service, which provides welfare reports to the court in private law proceedings and which may be asked to ascertain and represent to the court the views of the child. Expanding the guardian ad litem service in that way would also require additional resources, as well as duplicating existing ones.

New clause 14, tabled by the official Opposition, which proposes a rule-making power to allow for change, is preferable to new clause 10, because the latter applies only to the court's consideration of the arrangements for the children, and would thus not extend to matters such as domestic violence, separation or divorce proceedings. Nor does it allow for any control of the procedure. For example, it does not express a specific intention on the type of cases in which such an appointment would be appropriate, and would allow for the appointment of both a guardian ad litem and a court welfare officer, who may be performing a similar function.

New clause 10 enables a court to appoint a guardian ad litem if it decides in the course of exercising its power under section 41 of the Matrimonial Causes Act 1973 that it may need to exercise its powers under the Children Act or if there are already proceedings under the Children Act pending in relation to any child of the family. However, it provides for the guardian to be appointed by the court only in exercise of its powers under that new clause—which puts section 41 of the Matrimonial Causes Act in the Bill—and not in exercise of its powers under the Children Act. The court already has the ability to request a welfare report. New clause 10 does not specify whether that or the appointment of a guardian is to be preferred, and there might be duplication if a court welfare officer has already been appointed to report in the pending proceedings.

The Government would also wish to consult the children's organisations and those who currently represent the interests of children in court proceedings, in devising an effective system. That approach would be consistent with new clause 14.

Amendment No. 106 ties in with a number of amendments made to clause 24, which will be considered later. It proposes that the code of practice required for a contract with the Legal Aid Board, which is introduced by later amendments, should stipulate that mediators have in place arrangements designed to ensure that the parties are encouraged to consider whether their children should have an opportunity to speak up during mediation to express their own wishes and feelings. The Government are happy to support the amendment.

Mr. Llwyd: In view of that assurance and the very thoughtful and precise way in which the Minister responded, and as the Government prefer new clause 14, I shall not be boorish and seek to divide the House. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 12

WELFARE OF CHILDREN

'.—(1) In any proceedings for a divorce order or a separation order, the court shall consider—

(a) whether there are any children of the family to whom this section applies; and

(b) where there are any such children, whether (in the light of the arrangements which have been, or are proposed to be, made for their upbringing and welfare) it should exercise any of its powers under the Children Act 1989 with respect to any of them.

(2) Where, in any case to which this section applies, it appears to the court that—

(a) the circumstances of the case require it, or are likely to require it, to exercise any of its powers under the Children Act 1989 with respect to any such child,

(b) it is not in a position to exercise the power or (as the case may be) those powers without giving further consideration to the case, and

(c) there are exceptional circumstances which make it desirable in the interests of the child that the court should give a direction under this section,

it may direct that the divorce order or separation order is not to be made until the court orders otherwise.

(3) In deciding whether the circumstances are as mentioned in subsection (2)(a), the court shall treat the welfare of the child as paramount.

(4) In making that decision, the court shall also have particular regard, on the evidence before it, to—

(a) the wishes and feelings of the child considered in the light of his age and understanding and the circumstances in which those wishes were expressed;

(b) the conduct of the parties in relation to the upbringing of the child;

(c) the general principle that, in the absence of evidence to the contrary, the welfare of the child will be best served by—

(i) his having regular contact with those who have parental responsibility for him and with other members of his family; and

(ii) the maintenance of as good a continuing relationship with his parents as is possible; and

(d) any risk to the child attributable to—

(i) where the person with whom the child will reside is living or proposes to live;

(ii) any person with whom that person is living or with whom he proposes to live; or

(iii) any other arrangements for his care and upbringing.

(5) This section applies to—

(a) any child of the family who has not reached the age of sixteen at the date when the court considers the case in accordance with the requirements of this section; and

(b) any child of the family who has reached that age at that date and in relation to whom the court directs that this section shall apply.'.—*[Mr. Llwyd.]*

Brought up, and read the First time.

Mr. Llwyd: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss the following: Government amendment No. 22, in clause 4, page 2, line 42, at end insert

'once the requirements of section 41 of the 1973 Act have been satisfied.'.

Amendment (a) to the amendment, leave out

'41 of the 1973 Act'

and insert

'*(Welfare of children)*'.

Amendment No. 12, in clause 9, page 7, line 32, leave out from 'section' to 'must' in line 34 and insert

'*(Welfare of children)*'.

Government amendments Nos. 45 and 46.

Amendment No. 13, in schedule 1, page 42, line 6, leave out

'41 of the 1973 Act'

and insert

'*(Welfare of children)*'.

Amendment No. 14, in page 42, line 21, leave out

'41 of the 1973 Act'

and insert

'*(Welfare of children)*'.

Amendment No. 15, in page 42, line 39, leave out

'41 of the 1973 Act'

and insert

'*(Welfare of children)*'.

Government amendment No. 63, in page 42, line 42, at end insert—

'The fourth exemption

3A. The circumstances referred to in section 9(7)(d) are that—

(a) the requirements of section 41 of the 1973 Act have been satisfied;

(b) an occupation order or a non-molestation order is in force in favour of the applicant or a child of the family, made against the other party;

(c) the applicant has, during the period for reflection and consideration, taken such steps as are reasonably practicable to try to reach agreement about the parties' financial arrangements;

(d) the applicant has not been able to reach agreement with the other party about those arrangements and is unlikely to be able to do so in the foreseeable future; and

(e) a delay in making the order applied for under section 3—

(i) would be significantly detrimental to the welfare of any child of the family; or

(ii) would be seriously prejudicial to the applicant.'.

Amendment (a) to the amendment, in sub-paragraph (a), leave out

'41 of the 1973 Act'

and insert

'*(Welfare of children)*'.

Amendment No. 16, in schedule 8, page 72, leave out lines 27 to 46.

Amendment No. 17, in schedule 10, page 86, column 3, leave out lines 43 and 44 and insert—

'In section 41, in subsection (1) the words "divorce or" and "or a decree of judicial separation" and in subsection (2) the words "divorce or" and "or that the decree of judicial separation is not to be granted.".'.

Mr. Llwyd: The new clause sets out the principle that parents who are divorcing should have regard to the interests and views of their children. It enshrines in the Bill a right for children in such circumstances to be consulted about important arrangements that their parents seek to make for their future, which is of vital interest and great importance to children. The views and opinions that children hold should be taken into account when important decisions are made about their lives.

The new clause brings England and Wales into line with the situation pertaining in Scotland under section 6 of the Children (Scotland) Act 1995: the so-called Scottish duty. It is right to consider the interests of children and their views at a very early stage. Indeed, if parents fail to agree arrangements for children and the issue goes to court, the court must consider the children's ascertainable views. It is extremely important that the voice of the child is heard.

The provisions of the new clause were the subject of lengthy discussion in Committee. In effect, the present wording of the Bill draws together several important concepts, which were highlighted and discussed in Committee. We have all heard of the so-called amicable divorce. If such a thing exists, it is a description of the conduct of the divorcing parties towards each other. I do not believe that an amicable divorce exists in the minds of children.

Every year, tens of thousands of children and young persons go through the terrible trauma of divorce—frequently even blaming themselves for the father or mother's inability to make a go of it and stay together. It is therefore vital that children's voices are heard loudly—not in a peripheral manner or as an afterthought, but central to the process. New clause 12 is of such importance because it accords children and young people the right to be heard.

Mr. Rowe: The hon. Gentleman is making a very important point. Does he agree that, on many occasions, parents have very little idea of the children's views—partly because they have been frightened to ask and partly because the children are frightened to say? One of the important elements in what the hon. Gentleman is trying to achieve is that those views, once ascertained, should be relayed back to the parents. I do not know how the system would work, but it is important that at a round table or whatever, the children's views should be made available, not only to the court but to the parents.

Mr. Llwyd: I fully agree with the hon. Gentleman. If he looks at the new clause's wording, he will see that that important aspect is covered. There will be circumstances in which a child feels unable to express a view because he or she does not want to be seen to be siding with one parent or the other. Indeed, a child may be afraid to express a view. Under the new clause, a child would be asked to express a view and would be able to do so if he or she wanted. The new clause also includes references to age, experience and so on, because clearly very young children might not be able to express a view adequately. That is a step forward and I accept the hon. Gentleman's thoughtful intervention.

Sir Jim Lester (Broxtowe): I support what the hon. Gentleman is seeking to achieve, especially in respect of talking to children about what they want. There seems to be a presumption in other legislation that the maternal case should always take priority. Many of us know from practical experience that it is better for children involved

[Sir Jim Lester]

in divorce to have good contact with both parents, and with grandparents, uncles, aunts and the wider family. It is a tragedy that so many fathers lose contact with their children, possibly until they become old enough to want to seek out their fathers. That is one of the sad aspects of divorce and it is certainly harmful, especially to children under 16.

Mr. Llwyd: I agree and I shall discuss that in a moment. New clause 12 accords children and young people rights to be heard on important issues such as schooling, job prospects, where they will reside, with whom they will reside and so on. That provision is qualified in respect of age, experience and intelligence. It will protect children's well-being during and even before family break-up, especially in respect of their relationship with both parents, which the hon. Gentleman rightly mentioned.

Some 40 per cent. of children involved in family break-up lose touch with one parent altogether, which may involve 150,000 children a year. That is one of the most disastrous but routine consequences of divorce and family break-up. A relationship with both parents is a basic right for children. To lose a parent is to lose part of oneself.

The adversarial structure of the courts provides little or no incentive for parents to facilitate the child's relationship with the other parent. Notwithstanding the difficulty of obtaining information on judgments and the reasons for them in private proceedings under the Children Act 1989, it seems that the aim of the Act, which was to give both parents responsibility for the child, is still not generally put into practice by the courts; nor is it fully understood by the public. The public still think that making arrangements for children means deciding which of the parents will "own" the child. Hon. Members have often referred to one parent having custody—a notion that was supposed to have been abolished by the Children Act.

The latest edition of the "Procedural Handbook" to the Children Act, produced by Harris and Scanlan in 1991, states:

> "It is generally accepted that it is in the child's interest to maintain his relationship with both parents and this will not be promoted by an order which may be a formality but which nevertheless appears to favour one parent over the other. Anything which will tend to assist the parties to keep separate the issues of being a spouse in conflict and being parents will better enable a child's relationship with his parents to flourish."

The evidence overwhelmingly points to a lack of concern by the public and the courts about children's loss of parents. Residence orders are often understood as custody and may be in favour of only one parent. The other parent may be given a contact order to visit, or be visited by, the child at weekends, for example. That is not sufficient to exercise meaningful parental responsibility. The courts are often reluctant to enforce that minimal contact.

The new clause would encourage the courts and parents to take the preservation of the child's relationship with both parents much more seriously, by requiring it to be addressed explicitly, rather than implicitly, as seems to be the case at present. Subsection (4)(c)(ii) would ensure the maintenance of the child's relationship with each of its parents. That would encourage both parents and courts to give priority to preserving and enhancing that all-important relationship. The evidence strongly suggests that a continuing relationship with both parents is beneficial to the child, its self-esteem and future well-being.

Continuing relationships with both parents and frequent regular contact, as provided for in subsection (4)(c)(i), should, of itself, limit the sense of loss and damage to children after break-ups. Much else could follow—a more secure child who will achieve more, and who will be less likely to get into trouble and more likely to benefit from greater financial security. We must remember that it is the parents who are getting divorced, not the children.

Subsection (4)(a) adds an extra qualification in respect of the child's wishes and feelings, that they should be considered

> "in the light of . . . the circumstances in which those wishes were expressed".

There are well-known instances where unreliable confessions have been given by adults under pressure. When so much hangs on their wishes and feelings, children may come under severe pressure and may gain the impression that they must choose between two parents whom they love. About 25 per cent. of children may be under an injunction to denounce one parent. The additional qualification will allow welfare officers, mediators and the courts to take into account the known views of the parents in relation to their children's contact with the other parent, and the likelihood that they may be in a position to impose those views on the child, when considering how to interpret the child's wishes.

7.45 pm

I have argued consistently in Committee about every limb of this important new clause. It has the full support of the National Society for the Prevention of Cruelty to Children, to which I am grateful for its assistance, and the Children's Charities Consortium, which has been supportive. Finally, I thank Dr. Andrew Broadbent for his assistance.

I commend this all-important new clause to the House. Without it, the Bill will be deficient. This is a Family Law Bill, which means that it must cover both parents and children. If we do not cater for the children, who are often the victims of divorce, we fail in our duty. I urgently commend new clause 12.

Mr. Boateng: New clauses 12 and 14, with amendment No. 106, are an important package of improvement to the Bill. The Government's response to date gives one cause to celebrate because when we examined the substance of new clause 12 and new clause 14—which the Minister said during the debate on new clause 10 that he will accept—in Committee, the Government's response to them and to amendment No. 106, which deals with mediation, was less than satisfactory.

The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) made a considerable contribution in Committee to protecting and furthering the interests of children. I and my hon. Friends the Members for Hornsey

and Wood Green (Mrs. Roche), for Barking (Ms Hodge), for Hampstead and Highgate (Ms Jackson) and my hon. Friend from Nottingham, Sherwood—

Mr. Peter Luff (Worcester): Just Sherwood.

Mr. Boateng: That is in Nottinghamshire, is it not?

Mr. Paddy Tipping (Sherwood) *indicated assent.*

Mr. Boateng: Quite so. I have not forgotten my Robin Hood and all that flows from that.

In Committee, hon. Members returned repeatedly to the interests of children. We recognised, as the Government have now recognised, the central role of children in the Bill. By the turn of the century 3.7 million children will have experienced at least one parental divorce. The impact on a child of its parents divorcing is considerable. The valuable research that has been carried out in this area highlights the need for effective multi-agency intervention to counter the negative impact of divorce on children. Perhaps in the past too little attention has been paid to supporting children whose parents have separated. All too often it is a neglected family justice matter and a neglected mental health issue. It is good to know that in the House there is at last developing a consensus on the need for intervention and the need for a legislative framework in which that can take place.

The Morton commission, a royal commission on marriage and divorce, concluded that it was right to accept that the breakdown of family relationships could often lead to emotional disturbance in children and could sometimes lead to anti-social behaviour. It concluded that it was essential that after a divorce everything possible should be done to mitigate the effects upon the children of the disruption to family life. It is only now, many years after the deliberations of that commission, that the House is turning its attention to how that might best be achieved.

The White Paper recognised that there was an issue but seemed uncertain, as does the unamended Bill, about how it might best be addressed. I well remember the response of the then Minister when this issue was raised in Committee. There was a willingness to listen but, as was often the case in Government responses at that time, the willingness to listen was not followed by a willingness to act. On the contrary—at that time, for reasons that are not entirely clear but which have become clearer as the hours, minutes and days of this busy week have passed, the Government were strangely unwilling to act to meet the concerns that were expressed in Committee.

There has been, albeit at a late stage, a recognition of the importance of the package that the hon. Member for Meirionnydd Nant Conwy, my hon. Friend the Member for Hornsey and Wood Green and I have constructed, with the active assistance of the Children's Charities Consortium. I, too, should like to associate my party with the words of appreciation from all parts of the House of that body. It has striven with great zeal and diligence to further the interests of children. That is no wonder, because as the National Society for the Prevention of Cruelty to Children study "Children Speak" stated in 1994, all too often what emerges from a study of the divorce system is a feeling by the child that, "Nobody listens to me." At least now, as a result of the House's consideration of the Bill, somebody will be obliged to listen. If there was nothing else—mercifully, much else has been gained from the process—the House could draw a certain degree of satisfaction from that in itself.

The Opposition feel that this issue needs to be kept under constant review. The Government have accepted that an advisory body should be established to advise the Lord Chancellor on these matters. The Opposition welcome the fact that the Government have taken up an idea that we put forward on Second Reading and have established such an advisory body.

Mr. Rowe: The hon. Gentleman says that this issue needs to be kept under constant review. What exactly does he mean? The arrangements that are made at the beginning of a divorce are often made in the shadow of the most extraordinary bitterness and hostility between the parents, and in those circumstances the court flounders. Later, however, when passions have cooled and other arrangements have been made by the parents, it is absolutely indispensable that the voice of the child should be heard again. Is that what the hon. Gentleman means when he speaks about matters being under constant review?

Mr. Boateng: I am happy to address that point. The constant review of which I spoke ought to be carried out to see exactly how the clauses and the regulations that are made under them work in practice in the interests of the child. One of the values of the advisory body that was established under the Children Act 1989 has been the way in which it has been able to examine the legislation in practice and to suggest practical ideas on how it might be improved and how the Government might, where necessary, legislate in future to improve and develop good practice in the light of experience. That is what I meant, and the advisory body ought to be given an important role in that area. We are establishing a welcome framework for regulations and we need to make sure that the content of the regulations is right and apt and that there is a subsequent process of review and monitoring when they are put into effect. I know that in Committee the hon. Member for Mid-Kent (Mr. Rowe) had a particular interest in the role that should be played in relation to children. I take his point entirely.

An important matter that we are not currently debating—I must take care not to stray out of order—is dealt with by amendment No. 106, which helps to assist in the development of how the interests of children should best be catered for within the context of mediation, an issue that considerably exercised the Committee. Much work remains to be done in developing mediation in this area.

Mediation has an enormously important role to play and it has enormous potential, and I want to give credit to the work that has been done. There is a need to build on that work to see how the interests of the child can best be brought to the fore and kept in the frame during the mediation process. Credit should be given to the important work done by National Family Mediation, with support from the Calouste Gulbenkian Foundation, in looking at the rapid development in thinking on the involvement of children in mediation. It looked at the issue of training, so that mediators are better equipped to deal appropriately with the interests of children during mediation. The matter requires attention, resources and a commitment from the Government.

[Mr. Boateng]

The amendments are to be welcomed as part of the package that I outlined earlier, but it is important to state that they are only a beginning. There is still a long way to go before we can be satisfied that everything is being done that ought to be done for children who are the victims of parental separation. It must no longer be a neglected family justice issue, but one that is central to our concerns in this House and outside.

8 pm

Mr. Streeter: I am pleased to respond to the debate, and to pay tribute to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) for his sterling efforts in tabling an amendment that the Government are pleased to accept. I agree that there is no more important task than ensuring that children's interests are protected as fully as humanly possible. The debate was slightly ruined by the rather unfortunate personal attack on my immediate predecessor as Parliamentary Secretary by the hon. Member for Brent, South (Mr. Boateng). My hon. Friend the Member for Brecon and Radnor (Mr. Evans) has been tireless over the years in championing children's causes, and we should pay tribute to him.

Mr. Boateng: I would hate it to go on the record that I had made a "personal attack" on the hon. Member for Brecon and Radnor (Mr. Evans). It was not a personal attack—it was a political attack. There could not have been a more obdurate Minister in relation to the matter. Had he been prepared earlier to take a more conciliatory approach towards the concerns of my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) and the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), we would not have reached the present difficulties. It was not a personal attack, but a political attack—and a well deserved one.

Mr. Streeter: I am delighted to accept the hon. Gentleman's apology.

The amendments make clear in the Bill the links between divorce procedures and procedures under the Children Act 1989. New clause 12 also extends the list of factors currently in section 41 of the Matrimonial Causes Act 1973 that a court should take into account when deciding whether to exercise its powers under the Children Act. These now include: requirements to regard children's welfare as paramount; that the court should have regard to the wishes and feelings of the child concerned; the principle that, in addition to the child's welfare being best served by having regular contact with those with parental responsibility, there should also be regular contact with other members of the family; and the requirement for the court to have particular regard to any risk to the child that may be caused by the actual or proposed arrangements for the child's future.

I understand that the amendments have the full support of the children's organisations. They clarify the court's position and that of children in the divorce process. They provide for even greater protection of children's interests—and children are, of course, the innocent victims of divorce. I am pleased to support these worthwhile amendments.

The Government tabled amendment No. 22 simply to clarify that the requirements of section 41 of the Matrimonial Causes Act 1973—the duty of the court to consider whether there are children of the family and, if there are, the arrangements to be made for them—must have been satisfied before a separation order can be converted into a divorce order under clause 4. The amendment ensures that any children born after a separation order has been made are taken into account by the court when considering the application for a divorce order under clause 4.

Amendments Nos. 45, 46 and 63 introduce into schedule 1 a further exemption to the requirement of clause 9 that financial arrangements must be decided upon before a divorce or separation order can be granted. It will apply where there is an occupation order or a non-molestation order in force and in favour of the applicant for ancillary relief, or a child of the family, against the respondent. For this exemption to apply, the requirements of section 41 of the Matrimonial Causes Act 1973 must have been satisfied, the applicant must have tried to reach agreement relating to the parties' financial affairs but been unable to do so and be unlikely to do so in the foreseeable future, and it must be the case that delay would be significantly detrimental to the welfare of any child or seriously prejudicial to the applicant.

The Government believe that it would be wrong for a divorce to be denied on the ground that financial arrangements had not been settled when domestic violence or other harmful conduct by the respondent is, or has been, present in the family, provided that the applicant has made every effort to comply with the requirements as to the parties' financial arrangements for the future. The applicant for ancillary relief should not have to wait until the molestation causes ill health, disability or injury before he or she can apply for an exemption, as would be the case without the amendments, which I am happy to support.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 14

PROVISION FOR SEPARATE REPRESENTATION FOR CHILDREN (No. 3)

'.—(1) The Lord Chancellor may by regulations provide for the separate representation of children in proceedings in England and Wales which relate to any matter in respect of which a question has arisen, or may arise, under—

(a) Part II;

(b) Part IV;

(c) the 1973 Act; or

(d) the Domestic Proceedings and Magistrates' Courts Act 1978.

(2) The regulations may provide for such representation only in specified circumstances.'.—*[Mr. Boateng.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 15

PROVISION FOR THIRD PARTIES TO ACT ON BEHALF OF VICTIMS OF DOMESTIC VIOLENCE (NO. 3)

'.—(1) Rules of court may provide for a prescribed person, or any person in a prescribed category, ("a representative") to act on behalf of another in relation to proceedings to which Part IV applies.

(2) Rules made under this section may, in particular, authorise a representative to apply for an occupation order or for a non-molestation order for which the person on whose behalf the representative is acting could have applied.

(3) Rules made under this section may prescribe—

(a) conditions to be satisfied before a representative may make an application to the court on behalf of another; and

(b) considerations to be taken into account by the court in determining whether, and if so how, to exercise any of its powers under Part IV when a representative is acting on behalf of another.

(4) Any rules made under this section may be made so as to have effect for a specified period and may make consequential or transitional provision with respect to the expiry of the specified period.

(5) Any such rules may be replaced by further rules made under this section.'.—*[Mr. Boateng.]*

Brought up, and read the First time.

Mr. Boateng: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendment No. 59.

Mr. Boateng: We have now reached that part the Bill that seeks to address specifically an issue that is of considerable concern and reflects a growing phenomenon—that of domestic violence. One in four crimes of violence reported to the police is the result of a woman being assaulted in her home by the man with whom she lives. A woman is four times as likely to be the victim of violence in the home as of mugging, and yet research suggests that only 2 per cent. of attacks on women in the home are reported to the police.

Within the context of those horrific statistics, upwards of 750,000 children are caught in the crossfire of domestic violence. That is the scale of the problem that we are required, as a House, to address. Zero tolerance of domestic violence must become the norm.

I am pleased to say that, throughout the country, examples are multiplying of local authorities developing, in conjunction with a broad cross-section of agencies in the voluntary and statutory sectors, effective policies designed to combat this especially pernicious form of violence—in very many cases, as a result of initiatives taken by Labour-controlled councils. I am glad to say, however, that they are increasingly supported by the cross-party alliance.

I pay tribute to the hon. Member for Batley and Spen (Mrs. Peacock), who was outstanding among her colleagues in Committee for being the only one of their number prepared to support the precursor of the amendment that we are discussing. That is a matter of record, and it is one that the House and the country should note, because the time has come for us to be prepared, as a House, to take strong measures in support of existing multi-agency initiatives and to extend police and other agency powers in that regard.

That is what new clause 15 seeks to do. It seeks to build on a recommendation of the Law Commission, following its consideration of domestic violence, and to build on the work of the Home Affairs Select Committee—on which my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) served with such distinction—to create, on a pilot basis, an opportunity for local strategies to develop geared towards combating domestic violence.

The new clause will enable a third party—usually, but not necessarily, a police service—to take legal action on the part of the victim of domestic violence. The need is obvious, because all too often the victim of domestic violence feels peculiarly vulnerable and therefore unable, because of the oppression she faces daily, to take action herself. It is a radical proposal—a departure from the existing processes and procedures of the court.

Mr. Marlow: I know that the police are very wary of getting involved in domestic disputes. Has the hon. Gentleman any evidence from the police that they would be happy to have this power?

Mr. Boateng: Certainly. Interestingly, when the Home Affairs Select Committee took evidence on that subject, support was expressed, not least, the hon. Gentleman will be pleased to hear, by the Police Federation, the representative of the men and women working on the ground, which said that it would welcome such a power.

The Association of Chief Police Officers properly mentioned resource implications. We have sought to tackle the resources issue as follows. It is our proposal, contained in this amendment, that several pilot schemes should be conducted by the Lord Chancellor at the instigation of his Department. Such schemes would be conducted in areas where there was already good practice, where there was a multi-agency approach involving the local social services, the local police and the refuge movement, and build on the co-operation that is already developing along those lines in many places.

8.15 pm

Obviously, the local authority, the police authority, chief police officers and chief officers of social services would consider their role and take resource implications into account before making an application to the Lord Chancellor for exercise of authority given to the Lord Chancellor under new clause 15. Similarly, the Lord Chancellor would satisfy himself that the resources were in place alongside the policy in order to make the new clause an effective vehicle for bearing down on those who persist in using violence as a means of terrorising and oppressing their partners.

I pay tribute to those working in this area. I am grateful for the advice and briefing given by the Northampton Domestic Violence Forum, which, as the hon. Member for Northampton, North (Mr. Marlow) may know, is working in this area. It has developed an inter-agency strategy group for domestic violence in Northamptonshire. It is designed to provide a variety of co-ordinated responses, including encouraging women to seek advice and support, providing information and advice to victims of domestic violence and protecting women in their homes, as well as providing emergency and longer-term accommodation for victims, recognising

[Mr. Boateng]

the special needs that exist by virtue of disability or cultural or religious distinctions and recognising the importance of working to change the behaviour of violent men.

It was suggested sometimes in Committee that to talk about domestic violence was to be anti-men. Nothing can be further from the truth. To talk about domestic violence and the need to combat violence in the home is to recognise that some men have a real problem about violence against women and need to be set right. They need to understand that, if they persist in beating up on the people with whom they live, they will be subject to the full rigours of the law, that the people they live with are entitled to the full protection of the law and that they need to get help for the problems that they have in that regard.

One of the attractive things about the work being done in Northamptonshire is that it is not only about protection of the woman, vital although that work is and although it must be given top priority; it also recognises that men have a job of work to do in looking at themselves and changing their own conduct so that they do not repeat it with other women in future after the woman they happen to be violent to at the moment has been protected.

Sir Michael Neubert (Romford): If the hon. Gentleman is anxious to make clear that he is not anti-men in the context of violence, will he acknowledge that there are cases where men are the subject of assault and violence by women? One such case has come to my attention in my constituency.

Mr. Boateng: There may well be such cases, but they pale into insignificance when compared with the number of men who beat up women and who get away with it. The hon. Gentleman must excuse me if I do not get in high dudgeon about the number of men who are beaten up by women, because it is a remarkably small number.

Ms Margaret Hodge (Barking): Does my hon. Friend agree that the real concern is that nine out of 10 domestic violence incidents involve violence of men against women? Every week two women are murdered by their husbands. Is it not that concern that should be dominant in our minds?

Mr. Boateng: I endorse wholeheartedly what my hon. Friend has said. I have worked in family law for about 20 years and I began my career by working for a woman called Erin Pizzey, who ran one of the first refuges in west London. It astounds me that it is only when women are beginning to make some considerable gains in this area—in terms of winning public recognition of the fact that this is something that needs to be addressed and that it is important that we take concerted action to bear down on these violent men—that instances of men who have been beaten up by women are brought to the attention of hon. Members. It is rather interesting. The hon. Member for Romford (Sir M. Neubert) must understand that Labour Members would be a little more receptive to his point if it were not made in the context in which it is made—years of shameful neglect by the House of the issue of domestic violence against women.

Sir Michael Neubert: Should not the hon. Gentleman recognise that we are here to oppose, condemn and deplore the act of violence by whomsoever commits it? In labouring the point—with which none of us disagrees—he is making the same mistake as those who talk about terrorists as being exclusively men when, as we know, regrettably, a few are women.

Mr. Boateng: With the utmost of respect, I prefaced my remarks with references to zero tolerance of domestic violence, from whatever source. It was the hon. Gentleman who raised the issue of the number of attacks by women on men. I shall move on, so long as he is prepared, likewise, not to labour this point.

The important work that is being done by the Northampton Domestic Violence Forum involves the police; it involves social services; it involves the magistrates courts, whose powers in this area are extended by the Bill; and it involves the local housing departments. If we are to develop an effective multi-agency strategy, it is necessary for us to harness the resources that are made available to homeless families. The Northampton experience is just one example of good practice that is occurring throughout the country.

I am glad to say that this new clause enjoys the support of the Women's Aid Federation of England, which says that it will contribute to an improved package of care and help from all relevant agencies. It welcomes the capacity of the Lord Chancellor to initiate pilot schemes that maximise the effectiveness of police action and the safety of victims. I thank the federation for the valuable work that it has done in protecting women, day in and day out, from domestic violence and in shaping the Bill. In that spirit, I commend the new clause to the House.

Mr. Streeter: I am delighted to support the amendment enthusiastically. Domestic violence has no place in our society. Domestic violence is primarily an issue where men inflict violence on women—although I take the point made by my hon. Friend the Member for Romford (Sir M. Neubert). Too many men in our society feel that it is their right physically to intimidate or to beat their women. Tonight, we must send a clear signal that this is not acceptable and that it will not be tolerated. Domestic violence is not a right-wing or a left-wing issue; it is not a Conservative or a Labour issue—it is an issue of concern for all hon. Members who serve in the House.

In Committee, the Government resisted calls to give powers to the police and to other authorised persons to act on behalf of the victims of domestic violence. Now that Labour Members have thought again about the wording of their amendment, we are happy to accept it.

I pay tribute to the Women's Aid Federation in Bristol, which I had the privilege of visiting less than two weeks ago. The time that I spent with the federation in discussing this important issue has helped to shape our decision tonight. This does not mean that the concerns expressed by the Government in Committee no longer hold true. The Government have no wish to oppose any measure that would prove an effective weapon in the armoury of those battling against domestic violence.

Our concern arises from the disagreement that exists among those who have considered the question of enabling the police to seek civil remedies on behalf of others as to whether this would prove a useful weapon in the fight against domestic violence. The proposal to grant police powers to seek civil remedies on behalf of those

suffering domestic violence has its origin in the Law Commission report of 1992. However, the Home Affairs Select Committee's inquiry into domestic violence in 1993 rejected the proposal, as did the House of Lords Special Public Bill Committee on the Family Homes and Domestic Violence Bill.

There was, and remains, concern that the police have neither the resources nor the expertise to take on this role. Interest groups were also divided on this issue, some fearing the further disempowerment of women already trapped in situations over which they have little control. In light of these considerations, it was decided not to include such a provision in the Bill. Whatever the pros and cons of the third party approach to attacking domestic violence, it is clear that we are not yet in a position where it is wise to embark immediately on this course. However, the Government readily accept that knowledge and experience in this area is growing all the time. For example, police domestic violence units are now much more developed and expert in the field than they once were.

Mr. Marlow: While I accept everything that has been said and agree that we ought to do what we can to deal with the problem of domestic violence, I am concerned about third parties being involved. It is one thing for the police and for social services to be involved, but is there a possibility that politically correct pressure groups could home in on a victim and use her to make their political points before a court? Is my hon. Friend confident that the amendment could not be used in such a way?

Mr. Streeter: I have no time for political correctness for its own sake. My hon. Friend will be delighted that the Lord Chancellor will shape these rules, with wide consultation—I am sure that he will find that reassuring.

I pay tribute to the efforts of the police in developing domestic violence units. All hon. Members will admit that there is still some way to go in this regard. The Government remain of the view that there may need to be a good deal more thought, discussion and research before any rules are made under the new clause. My hon. Friend's concerns will be listened to carefully.

The Government also accept that the proposers of the amendment appear, at last, to have recognised that the amendment does not prescribe that the police shall act as the representatives, and that others may more appropriately be able to do it in consultation with the police. It makes provision for the piloting of any rules made. It may well be that a measure of agreement will emerge among those concerned with the prevention of domestic violence as to the need for the provision of third party action in the way envisaged by the new clause. In addition, suitable pilot schemes may be devised. It therefore does not seem sensible to have to wait for a further legislative opportunity to provide such a rule-making power.

Government amendment No. 59 simply makes a technical change to clause 60. It makes it clear that the provisions of the clause do not apply to rules of court made under the Act that the Bill will become,

"or any power to make rules of court, for the purposes of this Act."

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Clause 1

THE GENERAL PRINCIPLES UNDERLYING PARTS II AND III

Amendment made: No. 18, in page 1, line 12, leave out 'to save it' and insert

', whether by marriage counselling or otherwise, to save the marriage'.—*[Mr. Streeter.]*

8.30 pm

Mr. Boateng: I beg to move amendment No. 108, in page 1, line 22, after 'end', insert

'; and

(d) that any risk to one of the parties to a marriage, and to any children, of violence from the other party should, so far as reasonably practicable, be removed or diminished.'.

A similar amendment was moved in Committee. The purpose of this amendment is to ensure that all persons exercising any function under parts II and III of the Bill are obliged to take into account, as one of the guiding principles of the legislation, the need to remove or diminish the risk to which it refers.

A number of my hon. Friends who are present now were present when, for the first time, the Committee dealt with the issue of violence. If memory serves me well, we spent more than half a day debating that issue, and the Government took us to task repeatedly for raising it. We were told that it was unnecessary and inappropriate, and had no practical meaning or significance. We were asked for examples of its significance. My hon. Friends the Members for Hornsey and Wood Green (Mrs. Roche), for Barking (Ms Hodge), for Hampstead and Highgate (Ms Jackson)—she is not present now, but she made an important contribution then, and has spoken on related issues today—and for Sherwood (Mr. Tipping) spoke to the amendment, as did I. Each and every one of us gave examples, drawing on the experience of organisations in our constituencies. We sought to develop the argument in favour of a principled stand against domestic violence in connection with parts II and III of the Bill, but on each occasion our arguments were rejected.

We were asked what relevance the amendment had to information meetings. My hon. Friend the Member for Bristol, East (Ms Corston)—who is currently working with a Select Committee outside the House—recounted how she had appeared in court on behalf of a victim of domestic violence. Not only was the perpetrator present in court; he renewed his threats, and his attack on the victim, within the precincts of the court.

Such information sessions represent an innovation. No one quite knows how they will work out in practice. We asked time and again what sort of premises would be used for the purposes of information sessions. We thought—and the Minister specifically declined to rule it out—that the Government might want to use cubicles in social security offices for one-to-one sessions, that being their concession to the need for privacy. Such an idea is ironic in itself: anyone who has ever visited a social security office knows that scant privacy is provided by the cubicles. The experience is very public, and all too often it is humiliating and degrading.

In such circumstances, with direct free public access to the buildings, there is a real danger that domestic violence might occur. Those whom the legislation makes

[Mr. Boateng]

responsible for arranging information sessions must take into account any risk to one of the parties, or the children, from the other party, and such risks

"should, so far as reasonably practicable, be removed or diminished."

I have given one example, but many others can be drawn from the courtroom and, indeed, the Lord Chancellor's Department.

This important amendment sets out our principled opposition to domestic violence, as a House and a society, and our determination—

"so far as reasonably practicable"—

to remove the risk of domestic violence from the parties and the children.

Mr. Streeter: The provision of protection from domestic violence has always been at the heart of the Bill. Indeed, the Government's determination to do something about it is evidenced by the speed with which the provisions of the Family Homes and Domestic Violence Bill of 1995 were largely reintroduced as part IV of this Bill.

In Committee—as the hon. Member for Brent, South (Mr. Boateng) rightly said—the Government rejected the idea of putting this duty into the general principles clause: we felt that domestic violence was catered for adequately in part IV, and indeed it is well catered for. But I am pleased to report that, following my conversations with the various interest groups that are expressing their concerns about domestic violence, we will happily go the extra mile and include a reference to the need to remove or diminish the risk of domestic violence, so far as reasonably practicable, during the divorce process. The Government accept that the potential for domestic violence will be present for some at a number of points in the divorce and separation process, and that it is right for those exercising functions in connection with the process to take that into consideration.

I gained some personal knowledge of the devastation to family life that the presence of violence in the home can bring through church-based counselling in the inner city of Plymouth in the early 1980s. In those days I was able to see life in the raw, and through that experience I developed a deep-seated loathing for what we now call domestic violence. I personally am pleased to support the amendment, and the Government are committed to doing what they can in the Bill to support effective measures to provide protection from domestic violence for all who need it.

Mr. Boateng: The Minister's commitment is well known and undoubted. I appreciate the spirit and tone of his acceptance of the amendment.

Amendment agreed to.

Clause 3

CIRCUMSTANCES IN WHICH ORDERS ARE MADE

Mr. Streeter: I beg to move amendment No. 19, in page 2, line 30, after '(6)' insert 'or (13)'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 20, 21 and 23.

Mr. Streeter: At present, under clause 4, if a court is considering an application for a divorce order and a separation order, it will proceed as if it were considering only the divorce application, except in certain circumstances.

Amendment No. 19 extends those circumstances to include a situation where the period for reflection and consideration in the case of the divorce order has been extended by six months. Under the terms of the amendment, a court would be able to proceed with the separation order in those circumstances. That would also permit a financial provision or property adjustment order to take effect where it could not otherwise do so because there were no exceptional circumstances and it would not have been just and reasonable for it to take effect earlier.

Amendment Nos. 20, 21 and 23 bring the time periods of clause 4 in line with clause 7, which was amended in Committee to provide for a six-month extension to the period for reflection and consideration, in certain circumstances. It ensures that parties cannot circumvent the six-month extension by obtaining a separation order after 12 months and immediately applying to convert it into a divorce order.

Amendment agreed to.

Clause 4

CONVERSION OF SEPARATION ORDER INTO DIVORCE ORDER

Amendments made: No. 20, in page 2, line 35, after 'while' insert

'—

(a)'.

No. 21, in page 2, line 36, at end insert '; or

(b) subsection (3A) applies.'.—*[Mr. Streeter.]*

Amendment proposed: No. 22, in page 2, line 42, at end insert

'once the requirements of section 41 of the 1973 Act have been satisfied.'.—*[Mr. Streeter.]*

Amendment made to the proposed amendment: (a), leave out

'41 of the 1973 Act'

and insert

'*(Welfare of children)*'.—*[Mr. Llwyd.]*

Amendment, as amended, agreed to.

Amendment made: No. 23, in page 2, line 42, at end insert—

'(3A) Subject to subsection (3B), this subsection applies if—

(a) there is a child of the family who is under the age of sixteen when the application under this section is made; or

(b) the application under this section is made by one party and the other party applies to the court, before the end of such period as may be prescribed by rules of court, for time for further reflection.

(3B) Subsection (3A)—

(a) does not apply if, at the time when the application under this section is made, there is an occupation order or a non-molestation order in force in favour of the applicant, or of a child of the family, made against the other party;

(b) does not apply if the court is satisfied that delaying the making of a divorce order would be significantly detrimental to the welfare of any child of the family;

(c) ceases to apply—

(i) at the end of the period of six months beginning with the end of the period of reflection and consideration by reference to which the separation order was made; or

(ii) if earlier, on there ceasing to be any children of the family to whom subsection (3A)(a) applied.'.—*[Mr. Streeter.]*

Clause 5

MARITAL BREAKDOWN

Amendment made: No. 24, in page 3, line 4, leave out from 'statement' to 'has' in line 9.—*[Mr. Streeter.]*

Mr. Streeter: I beg to move amendment No. 25, in page 3, line 27, leave out 'more than one year' and insert 'one year ("the specified period")'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: Amendment No. 105, in page 3, line 27, after 'year' insert

'(or such further period as shall, having regard to the presumption that the divorce process should ordinarily be concluded within a total period of two and a half years, appear to the court in all the circumstances to be just)'.

Government amendments Nos. 26 to 28, 48 to 51 and 53.

Mr. Streeter: I cannot move the amendments formally because it is important to explain their purpose.

Under the Bill as drafted, parties are able to suspend the passing of the period for reflection and consideration by notifying the court that they wish to attempt reconciliation. The amendments provide that the passing of the lapse period following the period for reflection and consideration can also be suspended for the same reason. They will therefore encourage attempts at reconciliation right up until the time of an application for a divorce order.

On amendment No. 105, the statement does not simply lapse at the end of the period for reflection and consideration so as to give extra time to parties for whom the period for reflection and consideration may not have proved long enough to reach decisions about future arrangements, so that they do not have to recommence the divorce process. It is important, however, that there is a set time at which the statement lapses. Allowing proceedings to drag on, with all the inevitable uncertainty, can be very harmful to children, as well as potentially to the parties.

It is also important that people are aware that there is only finite time available to them for making their arrangements. Allowing people to believe that they can apply for an extension to the lapse period if they prevaricate may encourage some people to do just that. That may be the case particularly where negotiations are acrimonious, in the sense that it may be used as a bargaining chip.

Amendment No. 105 would allow the court to extend the lapse period where it appears to the court that to do so would be just in all the circumstances. Under the terms of the amendment, the court would be expected to have regard to the presumption that the divorce process should ordinarily be concluded within two and a half years. It seems to be an attempt to provide parties who have not applied for an extension to the period for reflection and consideration with the same overall time limit for the divorce process as those who are granted an extension to the period.

The six-month extension to the period for reflection and consideration has a specific purpose. It is intended to provide additional time for parties to reconsider the step that they are taking to divorce where one party does not consent, or where they have children under 16. It is not simply an extra six months to enable parties to reach decisions on their future arrangements and it should not therefore be equated with adding on extra time to the lapse period.

The Government intend to make the following provision under rules of court: where the lapse period is likely to apply and ancillary relief proceedings are still pending, parties will make an application for a divorce or separation order. The court will have power to adjourn the application. It is intended that rules of court will provide the circumstances when the court will adjourn the application. It is intended that those circumstances will be where ancillary relief proceedings have not been concluded for reasons that are beyond the control of the applicant or the other party.

Government amendment No. 48 simply rectifies an omission in the Bill as drafted. Under clause 10(4), after cancellation of an order preventing divorce, a divorce order can be made only if a fresh application is made under clause 3. There is, however, the possibility of an application for a divorce order being made under clause 4(3)—hence the need for the amendment.

8.45 pm

Mr. Llwyd: I do not propose to speak to amendment No. 105 as it was discussed at length in Committee. The hour is late and there is much work to get through, so I shall not address the issue at this point.

Amendment agreed to.

Amendments made: No. 26, in page 3, line 30, after 'the' insert 'specified'.

No. 27, in page 3, line 30, at end insert—

'(4A) Subsection (4B) applies if, before the end of the specified period, the parties jointly give notice to the court that they are attempting reconciliation but require additional time.

(4B) The specified period—

(a) stops running on the day on which the notice is received by the court; but

(b) resumes running on the day on which either of the parties gives notice to the court that the attempted reconciliation has been unsuccessful.

(4C) If the specified period is interrupted by a continuous period of more than 18 months, any application by either of the parties for a divorce order or for a separation order must be by reference to a new statement received by the court at any time after the end of the 18 months.'.

No. 28, in page 3, leave out line 32 and insert 'the specified period'.—*[Mr. Streeter.]*

Clause 7

PERIOD FOR REFLECTION AND CONSIDERATION

Sir Jim Lester: I beg to move amendment No. 11, in page 4, line 26, leave out 'one year' and insert 'nine months'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: Government amendment No. 29.

[Mr. Deputy Speaker]

Amendment No. 103, in page 5, line 21, leave out subsection (11).

Government amendments Nos. 30 to 35.

Amendment No. 8, in page 5 line 34, at end insert—

'(14) The Lord Chancellor may make rules prescribing the circumstances in which the court may order the abridgement of the period for reflection and consideration.'.

Sir Jim Lester: I am delighted to move the amendment. It is perhaps the shortest amendment on the amendment paper, but that does not reflect its importance. It is the only way in which we can keep faith with all those who have worked to produce the Bill over 10 years, with all the consultation and procedures, and with the way in which hon. Members voted during the Committee stage on the Floor of the House.

The amendment deals with the period of reflection and consideration, which was thoroughly debated in Committee on the Floor of the House. I speak against the background to the drafting of the legislation, over a long time, of 75 per cent. of divorces going through in seven months, of 20 per cent. going through by agreement within two years and of 5 per cent. going through within five years.

My experience is that, when confronted with a variety of choices on a free vote, hon. Members make a clear and understandable decision. When the House voted on the two-year period, it decisively rejected it. I was a Teller for the other two votes, and as such was able to see how hon. Members voted in the Lobby. In expressing their feelings that there should be a difference between marriages where there is agreement on ending it and those where one of the parties disagrees, hon. Members voted for an additional six months. Despite that, the measure was carried by only four votes. None the less, it was a free vote and those who sought to make more of it, particularly the newspapers, did the House a great disservice. A free vote is a free vote: there is no such thing as a Conservative vote, a Labour vote or a Cabinet Ministers' vote. In a free vote, there is only one vote—that of the individual casting it. The earlier debate was genuine and the House decided on that differentiation.

In Committee, my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) and other Committee members made the argument, which I accept, that if one is to try to save a marriage, the right time is the beginning of the process, not the end. My hon. Friend succeeded in persuading the Committee that after the information session, three months should be allowed—some people call it a cooling-off or waiting period—for the couple to absorb the information that they have been given and to make arrangements for counselling, with a view to reconciliation. Again, the Government have introduced a forward-looking new clause on the value of counselling. The emphasis was wholly changed by offering an early opportunity to couples who could achieve reconciliation.

All that happened in the knowledge that most marriages do not suddenly come to an end, but instead die over a considerable period. The act of seeking information to obtain a divorce is not an instant decision. People do not wake up in the morning and say, "Good gracious me. I think I will go and get divorced." In the majority of cases, that action comes at the end of a protracted and difficult time. We took the view that if there was the hope of saving any marriages through reconciliation, it was worth taking the chance.

The effect of the three-month extension, which was not known to hon. Members in Committee on the Floor of the House, was to extend the 12-month period agreed by the House to 15 months and the 18-month allowance to 22 months. National Family Mediation made it clear that, after the information meeting, couples will have three months to consider. After two weeks, the other party will be notified—then follows the statement and the period for reflection and consideration, which is currently 12 months and 18 months. Securing the divorce order takes one month, which makes 22 and a half months. The NFM pointed out that such delay will do nothing to benefit mediation or reconciliation. In many cases, it could make matters infinitely more difficult because it appears to be a case of marking time.

Mr. Tipping: Perhaps the hon. Gentleman will comment on the effect of a 22-month delay, which in many cases cannot be good for the welfare of the children involved or helpful in planning for their future.

Sir Jim Lester: I accept that point, which was made by many organisations that deal with children and divorce. I make no bones about being opposed to the original extension. I was happy with 12 months, and was a Teller in the Division to try to maintain that period. However, I am also a democrat and totally accept the will of the House. It voted for 12 months and 18 months. I only emphasise that the House did not know at that stage that it was intended to extend the period, with all the consequential problems to which reference has been made.

My amendment will maintain the original overall period that the House found acceptable when the matter was debated in Committee on the Floor of the House. More important, the original time allowed continues to receive the support of many hon. Members who opposed the extension.

Dame Elaine Kellett-Bowman: My hon. Friend is really saying that we should not bother with a Committee stage because we will just shove the whole lot back afterwards.

Sir Jim Lester: I regard this legislation as critically important. I do not know how many times my hon. Friend has taken part in a debate on the Floor of the House involving a free vote on particular information. When a Bill is altered in Committee, it is surely right to think again.

The original documents, Green Papers and endless consultations that contributed to the Bill took 10 years. They all supported the 12-month period, but most of the people involved have accepted the will of the House to provide an extension to 18 months in certain cases. If my amendment is not accepted, the two-year period that the House emphatically refused to endorse will get in through the back door. We must keep faith with court welfare officers, mediators, conciliators and the legal profession, who know much more about the effect of time spent on processing divorces than many hon. Members.

Mr. Julian Brazier (Canterbury): My hon. Friend, who played a distinguished role in Committee, mentioned a

variety of experts. Does my hon. Friend think that those experts have, over the past generation, given the House wise advice on divorce law trends and the steady liberalisation that has occurred over the past 30 years?

Sir Jim Lester: Those experts, who are deeply concerned about existing divorce law, have fully participated in the discussions augmented by the Government to secure approval for the Bill. The experts accepted the Lord Chancellor's original proposal that 12 months was adequate but, following the vote on the Floor of the House, they accepted the six-month extension. They did not have a chance to be consulted or to consider the extension to 15 and to 22 and a half months.

I understand that my amendment is the subject of a free vote for Conservative Members. The guide to this evening's voting produced by the Whips Office makes it clear that there is a free vote, but it refers to an amendment that

"seeks to reduce the 18/12-month period to 15/9 months by incorporating the three-month waiting period."

Any hon. Member who has not followed the Bill or served on the Committee might not appreciate that those are three extra months added in Committee. It is neither my intention nor that of the amendment to reduce the original period for reconciliation for which the House voted. My intention is to maintain that period and to keep faith with the House in the way that it voted when it had all the information available.

Ms Margaret Hodge (Barking): I support the amendment, but shall try to speak only briefly because I am conscious that we still have much work to do tonight. I agree with many of the remarks of the hon. Member for Leicester—*[Interruption.]*

Sir Jim Lester: My name is Lester, but I come from Nottingham.

Ms Hodge: I apologise.

During the passage of the Bill, we improved it by introducing conciliation as a final attempt to save marriages. There is broad consensus on that. The other aspects that introduce mediation are welcome, but one unintended consequence of the new move to have conciliation is that we have prolonged the period during which people would have to be together to take the process of divorce through. One of the consequences is that there will be more litigation. The period is too long and runs counter to the purpose of the original legislation: to reduce litigation in those difficult circumstances and to use mechanisms such as mediation and conciliation.

I respect the democratic will of the House to go for 18 months, but one of the reasons why I support the amendment is that, if we leave the Bill with the additional, unintended three months—with 21 months between a decision to go for divorce and the final divorce—it will be worse for children and for families. The Bill's whole purpose is to improve matters for children and families during the difficult circumstances when a partnership breaks up. Some people will view the Bill as preserving marriage at any price and the cost will be too high for both the children and the family.

I draw hon. Members' attention to the Children Act 1989. Section 1(2) says something that is of importance in our deliberations tonight on this free vote:

"In any proceedings in which any question with respect to the upbringing of a child arises, the court shall have regard to the general principle that any delay in determining the question is likely to prejudice the welfare of the child."

We accepted that during the passage of the Act, which, again, had the support of hon. Members on both sides of the House. It is important to act swiftly in determining children's future, yet, if we do not accept the amendment, we shall delay outcomes for children.

Twenty-one months is a lifetime for a child. Hon. Members' own children see the six weeks of a summer holiday and the year from one birthday to the next as a very long time. We are saying to children that we wish to add another three months to the disturbance and horrors that they go through when their parents' marriage is breaking down.

9 pm

Dame Jill Knight: It is only fair and right to say that there is much disagreement with that view from people who were, as I was, a child of parents who divorced. It was my dearest hope that my parents would not divorce. Every week that they stayed together, I was happy that we were still together and still a family. From my bitter experience, it was not the case that I wanted the whole thing over then and there, perhaps not seeing my father, or whatever arrangements might have been made. It is not automatically the case that all children want the marriage to end.

Ms Hodge: With the greatest respect, let me say that the hon. Lady is misunderstanding me. Of course every child wants his parents to remain together, but if the marriage has broken down and divorce will ensue, on the whole, for most children—although perhaps not for the hon. Lady at that time—it is better that the marriage be brought more swiftly to an end so that they can deal with certainty. In the longer run, dealing with the uncertainty of not knowing whether parents will stay together can be more traumatic and more damaging for children than having to deal with the certainty of knowing, sadly, that the marriage has broken down. Of course it is true that a happy household, with two parents living happily together, is what we all want for all our children. Sadly, that is not always what children have.

Will the hon. Lady reflect that, when their parents split up, many children feel enormous guilt? They feel in some way that they are responsible, although of course they are not. We should not allow that feeling to ensue for a longer period. An additional three months in a child's life is a long period. It would do lasting damage to many children. The first reason why I support the amendment is that I genuinely believe that, where a marriage has irretrievably broken down, it is in children's interests that there is certainty and that children then learn to live with the certainty of their parents splitting up.

Tonight, we have talked a lot about the victims of domestic violence. I am delighted that the Government have accepted our amendments to protect women who have been subject to domestic violence, but such violence is an issue here as well. Many women who go to a refuge will not pursue an injunction to prevent their husbands from re-entering their lives or abusing them again, but will start pursuing the route to divorce. They should not have to wait 21 months to achieve the certainty of divorce. It is a tough decision for a woman to make when she

[Ms Hodge]

is feeling weak, trampled upon and vulnerable. To make women wait the additional three months is a disbenefit for those vulnerable women who are victims of domestic violence.

When the men who are the perpetrators of violence in the marriage suddenly realise that their wives will go for a divorce and that, this time, a bunch of flowers will not resolve the issue, they frequently become even more violent and perpetrate greater abuse—

Mr. Gerald Bermingham (St. Helens, South): I do not dispute the fact that men are violent in marriage—30 years of professional practice has taught me that—but my hon. Friend should accept that there is growing evidence that a number of women are violent in marriage. The problem is that if the couple are kept together for too long, the violence is transmitted to the children.

Ms Hodge: I accept that; indeed, I made that clear earlier when my hon. Friend was not present. Some women are violent towards their husbands, but the reality is that nine out of 10 incidents of domestic violence involve men abusing their wives. Every week two women are murdered by their husbands. One in four murders in Britain is committed by a man against a woman. The enormity of the problem is clear.

Mr. Brazier: I really cannot let that remark go unchallenged. The highest incidence of domestic violence is against children and, as study after study has shown, the most common is violence by the new male partner of the natural mother.

Ms Hodge: As we said in Committee, the issue of child abuse is extremely grave. Indeed, the House discussed it earlier this afternoon. However, it does not help the problem of child abuse to lock women into relationships where they are abused by their husbands and their children witness that and, quite possibly, are being abused themselves. Men who abuse their wives are equally likely to abuse their children. On the ground of domestic violence, it is imperative that we support the amendment to try to contain, in the way originally intended, the length of time it takes a wife who has been subjected to domestic violence to achieve a divorce.

I want to give three or four other examples to show why extending the waiting period by three months could be detrimental to our original intent. A couple may have been living apart for a long time but have not pursued divorce for whatever reason. One of the partners then becomes terminally ill and wishes to make a will and settle his or her property in a way that ensures that it does not go to the estranged husband or wife. If we yet again extend the time that it takes to achieve a divorce, we shall make it difficult for people in their final days in this world to ensure that their wills suit their intent.

Mr. Donald Anderson: Those are interesting arguments, but they are arguments for further and further abridgment. Where would my hon. Friend stop?

Ms Hodge: I have to admit that I would not have amended the Bill in the first place. Like others who have spoken, I accept the democratic will that there should be an 18-month period between starting divorce proceedings and achieving divorce. I am supporting this amendment to ensure that that period is not extended to 21 months, adding a further three months to the period from when people first want a divorce to when they can finally obtain one.

I shall give one final instance of when things could go wrong. Many people who divorce go on to form successful second marriages—second marriages are not always unsuccessful relationships—and those couples may have more children. If they must wait 21 months to secure a divorce, we may unwittingly end up with couples having one or two illegitimate children who are born during the process of securing a divorce.

Once a marriage has irretrievably broken down, it is in no one's interests—it is certainly not in children's interests—to prolong the waiting period, simply to hang on to the marriage. I support this amendment because it is in the interests of children and families to do so. In considering the Bill, I put their interests above all others. I hope that other hon. Members will do the same.

Mr. Michael Alison (Selby): I do not often find that my mental processes depart very significantly from those of my hon. Friend the Member for Broxtowe (Sir J. Lester), but today I feel that he has slightly misinterpreted the significance of what the Standing Committee did in introducing this special, additional three-month period.

I take my position from the advice given to us in the very helpful letter from the former Parliamentary Secretary, Lord Chancellor's Department, who has now gone to the Welsh Office. In his letter of 22 May, he made it very plain:

"Acceptance of these amendments"—

that was the three-month extension, to which my hon. Friend the Member for Broxtowe referred in his amendment—

"was a response to the general concern which has been voiced on all sides of the House about allowing time for parties to contemplate the possibility of reconciliation before the divorce process itself is started and encouraging the use of marriage support services as a means of preventing irretrievable marriage breakdown."

In other words, the period added on is not to be thought of as an extension of the divorce proceedings, because it is not. It is a preliminary, to see whether divorce proceedings should be started at all.

To use an analogy from the world of racing, it is not as if we were turning an 18-furlong race into a 21-furlong race. On the contrary, it is a matter of deciding whether a horse that is due to run in the 18-furlong race should be entered for the race at all, or whether it should scratch before it comes under starter's orders.

Essentially, we are introducing this period of marriage guidance counselling to prevent the horse from coming under starter's orders. That is where the best interests of children—who are so much the concern of the hon. Member for Barking (Ms Hodge), and whose concern for children we so much appreciated in her speech—are served. The horse bearing the child may be scratched before the race begins, and that is exactly what we are trying to secure.

Mr. Bermingham *rose—*

Mr. Alison: I am sorry, but I shall not give way to interventions; I do not want to hold up the House for long.

My hon. Friend the Member for Broxtowe is misinterpreting the significance of the three-month period. The three months are not an extension of divorce proceedings, but an attempt—through the use of professional counsellors, on a one-to-one basis—to examine with a couple, singly or together, whether they really want to go forward with the proceedings. It is not a part of the mediation process, which is a part of the divorce proceedings; it is to discover whether proceedings should be started at all.

I very much hope that the distinction will be borne in mind and that my hon. Friend the Minister will accept that we are not trying to slip in an extension to the divorce proceedings. We are trying to ascertain whether it might be possible to scratch some of the parties running in this horrific race.

For the reasons that I have outlined, I cannot support the amendment.

9.15 pm

Mr. Peter Bottomley: I take a different view from that of my right hon. Friend the Member for Selby (Mr. Alison) and support my hon. Friend the Member for Broxtowe (Sir J. Lester), who proposed that the reflection period should not be added on to the 12 or 18 months. I have to tell the hon. Member for Barking (Ms Hodge) that this does not apply only to marriages where children are involved—it applies whether or not there are children involved. I agree with Lord Habgood that we should not have different laws for marriage, depending on whether or not children are involved. We should ensure that children's interests are fully taken into account before parents can separate and be free to marry again.

I shall speak briefly to amendment No. 103. In Committee of the whole House, we debated whether there should be an extension of six or 12 months on top of the 12 months set out in the Bill by the Lord Chancellor. In reviewing the debates on what is now subsection (11) of clause 7, I found very few references to children. In that debate, my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) said:

"Children want their parents to stay together. We would wholly reject any amendment that would reduce the waiting time to less than 12 months."—[*Official Report*, 24 April 1996; Vol. 276, c. 505.]

There was no significant debate on whether what is now subsection (11), in association with subsection (13), has it right.

Reference has been made to the Children Act 1989. It is worth recalling the success of that Act, which has contributed to a dramatic reduction in the number of children taken into care. Those of us who believe that children should be with their parents wherever possible will regard that fact as a significant success, and one that shows that it ought to be possible by law to remove incentives for families to break up unnecessarily. People who criticise the Act cannot have studied its impact. One of the principles of the 1989 Act is that uncertainty should not remain in children's lives. I agree.

Clause 7(13) states:

"If this subsection applies, the period for reflection and consideration is extended by a period of six months, but without invalidating the application for a divorce order."

There are two sets of circumstances in which subsection (13) comes into play. The first, which I think was the main point that we considered in Committee of the whole House, is when one of the parties involved in an application for a divorce applies to the court within the prescribed period for time for further reflection. That was the House's decision, and I think that we should accept it. When it goes back to another place, I think that it should also be accepted there. It is a way of getting agreement that most of us would go for.

The second is where the children come in. Amendment No. 103 would omit subsection (11), which states:

"Where any application for a divorce order is made, subsection (13) also applies if there is any child of the family under the age of sixteen when the statement is received via the court."

Subsection (12) states:

"Subsection (13) does not apply if"—

I leave out paragraph (a) as it is not relevant to my argument—

"(b) the court is satisfied that delaying the making of the divorce order would be significantly detrimental to the welfare of any child of the family."

I think that we should reverse that, and say that there should be a six-month extension if the court is satisfied that it would be beneficial to the welfare of a child.

That argument did not take place in Committee of the whole House, but I do not think that, after 9 pm, after a fairly full day on Report, it is right to think that, in two or three minutes, probably under pressure from the business managers even though there might be a free vote, we can rehearse all the arguments.

I simply ask that we put this idea to the other place when it considers the amendment we have made and ask whether it might reverse the impact of subsection (12)(b) combined with subsection (11) and make it an option for either party to a marriage to apply for the extra six months if it would be beneficial for any child involved. We should not assume that, whatever the circumstances, it would be in the child's interests to add on six months.

Mr. Llwyd: I am sure that the hon. Gentleman will agree that that part of the Bill does not allow adequate consideration for the rights and welfare of children. Let me say for the record that I agree with him entirely.

Mr. Bottomley: I am grateful to the hon. Gentleman. For those who have not read our Committee proceedings, I recommend the contributions by the hon. Gentleman, who brought his expertise to the way in which the law works in the interests of children.

We can improve on the changes that were made by the House. Although I did not support the addition of six months, I am perfectly willing to accept it, as I have no strong views on the matter. However, we should not automatically assume that, because of the presence of a child under 16, an extra six months on the time in which a divorce can be granted would necessarily be in the interests of that child.

If the House of Lords takes the opportunity to decide whether that presumption should be reversed, when the Bill returns to the House, we should consider that decision with open minds and not look on it as one of the battles

[Mr. Bottomley]

over whether divorce law should be reformed. We should put the interests of the child first and make the change accordingly.

Mrs. Maddock: I entirely agree with the arguments adduced by the hon. Member for Broadstone in moving the amendment.

Sir Jim Lester: Broxtowe.

Mrs. Maddock: I should have stuck to Nottingham, as I probably would have been right.

Joking apart, the hon. Member for Broxtowe (Sir J. Lester) is absolutely right. Hon. Members are concerned about what will happen to children. Whatever we support in the Bill, we all agree that the welfare of children and families is paramount. However, we disagree as to the best way of legislating with that in mind.

The hon. Member for Broxtowe was absolutely right to say that it is wrong to draw out divorce proceedings. I take a different point of view from that of the hon. Member for Birmingham, Edgbaston (Dame J. Knight). My parents divorced, and I could not wait to get away from the endless arguments. It depends on the family how quickly the children may want their parents' marriage to end.

The evidence from a wide range of bodies, and all the research carried out when the Bill originally went to the House of Lords, shows that, on balance, it is better for children if the process is not drawn out. That applies particularly to young children, as 22 months is a long time in the life of a one-year-old.

I made the same point when we discussed the Housing Bill. We are bad at tying up all the different legislation that applies to children. As two hon. Members have already pointed out, what we are doing tonight may not be consistent with the Children Act. The same applies to other legislation. I support the amendment. It is right that the House should have the opportunity to vote on it again. It is in the interests of children and of co-ordinating our legislation.

Mr. Bill Michie (Sheffield, Heeley): I shall be brief, as we debated the matter at considerable length in Committee.

The right hon. Member for Selby (Mr. Alison) likened the measure to a horse race, and said that we should find out whether the horse is fit enough before the race starts. Frankly, that is not a good analogy.

The problem was raised in Committee more than once. Most couples who divorce do not make a sudden decision after a Saturday night tiff. They have often spent a long time trying to resolve their problems before they find out that it is impossible. When they reach the stage of conciliation and decide to separate for the benefit of the children and for their own peace of mind, legislation should assist that process. It should not encourage them to divorce, but should provide the facilities—through conciliation or whatever—to do so in the shortest possible time. I am absolutely convinced from my own experience—never mind that of my family and my constituents—that, the longer the process continues, the worse it is for the children.

I echo the point that has just been made. In a child's life, 21 months is a long time. The process is agony, and does not help the child at all. I have had discussions with the Solicitors Family Law Association in Sheffield, which is absolutely certain that, despite the fact that an 18-month period has been accepted, a 12-month period would be right. Any extra time would not solve any problems but would place greater burdens and pressures, especially on children.

Mr. Bermingham: Does my hon. Friend accept that, in the criminal courts, for example, the delay of the trial of a 13 or 14-year-old by 21 months would almost certainly be ruled an abuse of process? The criminal courts recognise that speed is essential in cases involving children.

Mr. Michie: I thank my hon. Friend for his intervention. He is absolutely right. He knows the law a darned sight better than I do. I am not a lawyer, and therefore speak with much more freedom, if not emotion, on the subject.

I know that the Sheffield Solicitors Family Law Association works very hard to try to ensure that couples and their children genuinely go through a process of conciliation and thoroughly understand the implications involved. I respect it for that. It would find its task more and more difficult if the period was extended. It says:

> "The 12 month period originally proposed struck the right balance between supporting the institution of marriage, giving couples time to consider their decision to divorce, and allowing them to plan their future lives.
>
> 21 months is too long a period for the couple and their children to be left in limbo. The effect of the extended period would be that people would issue proceedings as early as possible to start the clock ticking, thereby threatening any prospects of reconciliation."

I totally agree with the logic of that argument. I hope that the amendment will be supported.

Mr. Rowe: For once in my life, I disagree with my right hon. Friend the Member for Selby racecourse (Mr. Alison). The whole purpose of the change in Committee was to ensure that the first three months of the process after the information session was an opportunity for the couple to consider, in the light of the information that they had received, whether they were taking a step that they really wanted to take. If that process was effective, there is no doubt whatever that, over the following six to nine months, progress would be made, and, by the end of the nine months, they would decide that they did not want to go ahead with their proceedings.

If progress had not been made, and the situation was either static or deteriorating, the idea of lengthening the period still further seems absolutely fatal to the chances of further amicable relations after a divorce, and would be absolutely horrendous for the children. While the process is dynamic, there is everything to be said for giving every form of encouragement and support. Once the dynamism has gone, the idea of lengthening the process purely in order to have it on the statute book for some almost sadistic reason seems misguided.

Mr. Bermingham: I do not intend to speak for long, since I have already made most of the points that I want to make. I declare an interest as a practising lawyer, although rarely in the matrimonial field these days. From

experience, it seems that, the longer the warring parties are kept together, the greater the problems for children. Indeed, from countless children's reports before juvenile courts and so on, it is apparent that, where children have, as it were, been the subject of a battleground, their period of intense distress, upset and anxiety has been during that battle.

I voted for the Second Reading of the Bill. I voted for the 12-month period, but we were beaten on that. I hope that those in another place will bring some common sense to bear. If we were to make the children suffer for any prolonged period, we would not be serving their interests.

The Bill should have been about children. Regrettably, it is not. It is very badly drafted; it is an appalling mess. If it proceeds any further, I hope that those in another place can do something to improve it, because it needs much improvement. Surely the child's interest is first, and surely the child's disturbed period should be kept to a minimum. I therefore urge the House to support the amendment.

Mr. Leigh: My hon. Friend the Member for Broxtowe (Sir J. Lester) correctly outlined what the House decided on the last occasion: that the period for waiting and reflection should normally be 18 months, unless there is consent and there are no children. We in no way seek to extend that period. The time for waiting and reflection will still be 18 months after the statement of marital breakdown.

However, after the House made that decision, a series of amendments were tabled in Committee, not least by the hon. Member for Brent, South (Mr. Boateng) and me. He thought that there should be encouragement to marriage counselling at the information meeting, and a period of at least 28 days after that encouragement before a statement should be filed. I took the view that there should be a longer period of three months. The Government accepted the proposed three-month period, but that period runs after the information meeting and before the statement of marital breakdown.

As my right hon. Friend the Member for Selby (Mr. Alison) said, information meetings will often result in divorce not being proceeded with. They may be held many months before divorce proceedings are taken. The then Minister, my hon. Friend the Member for Brecon and Radnor (Mr. Evans), stated:

> "It has been suggested in some quarters—and, indeed, by the hon. Member for Brent, South—that the introduction of a three-month cooling-off period would necessarily lengthen the process to 21 months. However, parties engaged in the process of divorce tend to have taken their first legal advice 12 months or so before initiating the process, so there is no direct correlation between the time at which they first seek advice and the time at which it is decided to start the process of divorce."—[*Official Report, Standing Committee E*, 7 May 1996; c. 156.]

9.30 pm

The problem with the amendment is that it will shorten the times for waiting and reflection from 18 months and 12 months, as they are at present, to 15 months and nine months. It could have a bad effect in forcing couples to tie up their affairs more quickly than they would otherwise want.

Lord Ackner, who is a leading practitioner in family matters, has explained that, in his experience, if there are contested proceedings on ancillary matters, it can take up to 18 months to sort them out. The amendment could put undue pressure on the parties. On those grounds, and because we accept the verdict of the House that the time for waiting and reflection should be 18 months—no more and no less—I hope that the House will reject the amendment.

Mr. Boateng: We visited this issue at some length in Committee with a view to ensuring that there was a dedicated space during which it was possible for the parties to concentrate on reconciliation. We have considerably improved the Bill in that respect. We have created the opportunity, for those parties who seek it, to find pathways from the information session to one-on-one counselling, with the specific objective of saving marriages that can be saved. I am satisfied that, in so doing, we have fulfilled our responsibility, which was shared by all hon. Members on Second Reading, to strengthen the Bill on reconciliation for saving marriages that can be saved.

We took another decision on the Floor of the House on the length of the period for reflection and consideration. The House had the options of 12, 18 and 24 months. Like the hon. Member for Broxtowe (Sir J. Lester), I took the view that 12 months was right. The majority of Labour Members, on a free vote, took a similar view. However, the House came to a different view and chose 18 months. I respect that. This is not the time to revisit the matter or to seek to go behind that decision. However, we must reflect on the implications of the three months that have been added specifically for the reconciliation exercise that we have created.

I take the view, and the hon. Member for Gainsborough and Horncastle (Mr. Leigh) knows it, that three months is too long. I was concerned about the 28-day option in the light of the House's decision to go for 18 months. I would have preferred 12 months and then 28 days, or two months for the specific reconciliation period. However, the House took a particular view, and it would be quite wrong for us to create, in effect, a period of 21 months on the basis that that somehow underwrote our commitment to marriage.

It would be wrong to think that, by creating an additional hurdle, albeit a time hurdle, we would be bolstering marriage. We would not be doing that, because the reality of human relations and the process as we know it, whether we are lawyers who practise in the field, have been through it ourselves or have friends who have, is that there is only a narrow window of opportunity by which to save a marriage, and that it occurs at the very beginning.

That is why we emphasise this matter, and I pay tribute to the hon. Member for Gainsborough and Horncastle for his role in that. At that stage there is a chance to save the marriage, but beyond that time, the sooner it is brought to an end, consistent with the need to put in place proper, just arrangements for children and finances, the better. Extending that period, which in effect we would be doing if the amendment were passed, does not serve any purpose at all.

I am grateful to the hon. Member for Broxtowe for moving the amendment. It is a free vote, and hon. Members will do as their conscience dictates. I shall vote for the amendment, and I urge my colleagues to do likewise.

The Chancellor of the Duchy of Lancaster (Mr. Roger Freeman): I congratulate my hon. Friend the

[Mr. Roger Freeman]

Member for Broxtowe (Sir J. Lester) on moving the amendment. I agree with its logic. It will be decided on a free vote, but it was important for my hon. Friend and for the hon. Members for Brent, South (Mr. Boateng) and for Barking (Ms Hodge) to remind the House of the substance of the debate when this matter was discussed in Committee of the whole House.

I did not serve on the Standing Committee, but I can see the logic of it adding a specific cooling-off period of three months between the information meeting and the act of filing the statement for divorce. But surely the intention was that that should be a concurrent and not a consecutive period.

I say to my right hon. Friend the Member for Selby (Mr. Alison) that I understand from the then Parliamentary Secretary, Lord Chancellor's Department, my hon. Friend the Member for Brecon and Radnor (Mr. Evans), that there was no intention that this should be a consecutive period. If there was a misunderstanding, I apologise on behalf of the Government. I pay tribute to my hon. Friend the Member for Brecon and Radnor for his sterling work in Standing Committee.

Mr. Leigh: I cannot let this pass. If it was not the intention of the Minister, why on earth did he not make that clear at the time? I have read from the *Official Report* the passage in which the Minister supported my amendment and slapped down the arguments of the hon. Member for Brent, South (Mr. Boateng). That passage is in column 156 of *Hansard*, Standing Committee E. The Minister had a chance to reject my amendment, but he accepted it.

Perhaps the Government changed their mind. I know not why, but they are entitled to do that or to try to get the Bill through Parliament, which is another matter. They should at least accept that, in Standing Committee, they accepted my amendment in its entirety.

Mr. Freeman: A technical explanation may be that the Committee of the whole House debated clause 7 here and not in Standing Committee. I say to my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman), who intervened on that subject during this brief debate, that we could not make the consequential amendment, for technical reasons, because the Committee was not empowered to do so. Only the whole House on Report can address the issue.

Mr. Peter Bottomley: I am grateful to my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) for quoting the column reference of the Standing Committee debate. It is made absolutely plain that the hon. Member for Brent, South (Mr. Boateng) said that we would have to revisit the question of whether the period is 12, 18 or 24 months, or whether it is 15 months for reflection and consideration. It was flagged up in Committee by the hon. Gentleman that we would be coming back to the issue on Report. He said:

"I look forward enormously to the debate on Report."—[*Official Report, Standing Committee E*, 7 May 1996; c. 156.]

It is open to the House on Report to decide whether it is matter of adding in the period for reflection, but not necessarily adding it on.

Mr. Freeman: It is important that the House reaches a conclusion on the merits of the case.

Mr. Alison: My right hon. Friend has been very kind, but he is telling us something that I am finding it difficult to be convinced by. My hon. Friend the Member for Brecon and Radnor (Mr. Evans), the previous Parliamentary Secretary, wrote to all colleagues on 22 May, sating that amendments were accepted in Committee to provide that a statement of marital breakdown could not be made until at least three months had passed from the time when the party making the statement had attended the information meeting. By no means can that be construed as concurrent to the beginning of the divorce proceedings.

My hon. Friend went on to state that acceptance of the amendments would allow time for parties to contemplate the possibility of reconciliation before the divorce process itself started. I do not see how one can have the doctrine of concurrency when so clearly defined is the proposition that the process of reconciliation should be consecutive.

Mr. Freeman: I will not be able to persuade my right hon. and hon. Friends who oppose the amendment. It is important that the House addresses the issue on its merits, which are clear, in my judgment. The House considered carefully whether there should be a total period of 12 months for reflection and consideration, with an additional cooling-off period of three months between the information meeting and the filing of a statement of marital breakdown, during which time guidance, reconciliation and mediation might become available.

The amendment tabled by my hon. Friend the Member for Broxtowe would allow a further nine months for reflection and consideration. This is a free vote, and I shall personally support the amendment.

I briefly wish to refer to amendment No. 103. I am not sure whether my hon. Friend the Member for Eltham (Mr. Bottomley) wishes to press the matter to a vote, but it is important briefly to address his argument.

My hon. Friend argues that the House did not have the opportunity of separating the two issues in the debate—the automatic extension of six months if one party objected, and the separate test if there were children under the age of 16. He said that he wanted to remove the second test, leaving only the automatic extension of six months if either party objected. I am bound to say that the House did have an opportunity to consider the issue, and voted for the amendment—on a free vote—by 200 to 196. The amendment was inserted into the Bill, and my hon. Friend is now seeking to amend it.

My hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) spoke for many when she said that the period of 18 months where children are involved is important. Her arguments were that many children want parents to stay together, but they want the parents to understand their obligations. Parents should be asked to make that extra effort. If I may encapsulate her arguments, they were that many children want parents to stay together, that children want parents to understand the obligations that they have taken on, and that parents should be asked to make that extra effort.

I appreciate that there are arguments on the other side. I have cited the support of the marriage and children's organisations for the arguments of my hon. Friend the Member for Eltham, and we have already passed new clause 12, which provides alleviation in certain circumstances—a new clause to which the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) spoke.

In all the circumstances, although it is a free vote, I take the liberty of saying that, if that amendment is pressed, I will not support it.

9.45 pm

Sir Jim Lester: I need to say two things. First, to protect my hon. Friend the then Minister regarding what happened in Committee, I raised this question with him immediately, and he made it clear in his speech replying to the debate that it would be perfectly acceptable to return to this matter on Report. Any idea that he was committed to this being an addition rather than a part is wrong, and obviously it is up to him, on a free vote, to express what he feels.

Secondly, I believe my right hon. Friend the Member for Selby (Mr. Alison) misunderstands. I supported the changes proposed by my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) because I understood that it was important to have the three months at the beginning; but he may underestimate the purpose of the Bill, which has a period for reflection and consideration that was never available before. Throughout the period of the proceedings, people are able to reflect and consider. Help is available, and they can withdraw their divorce proceedings at any time during the entire period.

Question put, That the amendment be made:—

The House divided: Ayes 312, Noes 154.

Division No. 146] **[9.46 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Allen, Graham
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atkinson, David *(Bour'mouth E)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Tony *(Newham NW)*
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Biffen, Rt Hon John
Boateng, Paul
Body, Sir Richard
Boswell, Tim
Bradley, Keith
Brandreth, Gyles
Brooke, Rt Hon Peter
Brown, N *(N'c'tle upon Tyne E)*
Browning, Mrs Angela
Burden, Richard
Butler, Peter
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Carrington, Matthew
Channon, Rt Hon Paul
Chapman, Sir Sydney
Chidgey, David
Chisholm, Malcolm
Churchill, Mr
Clapham, Michael
Clark, Dr David *(South Shields)*
Clark, Dr Michael *(Rochford)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coe, Sebastian
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cope, Rt Hon Sir John
Corbett, Robin
Couchman, James
Cousins, Jim
Cox, Tom
Cummings, John
Cunningham, Rt Hon Dr John
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dalyell, Tam
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Devlin, Tim
Dewar, Donald
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Dykes, Hugh
Eastham, Ken
Eggar, Rt Hon Tim
Etherington, Bill
Evans, John *(St Helens N)*
Evans, Jonathan *(Brecon)*
Fabricant, Michael
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fishburn, Dudley
Fisher, Mark
Flynn, Paul
Forman, Nigel
Forth, Eric
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Freeman, Rt Hon Roger
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garel-Jones, Rt Hon Tristan
Garrett, John
Gerrard, Neil
Gillan, Cheryl
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Goodlad, Rt Hon Alastair
Gordon, Mildred
Gorman, Mrs Teresa
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hampson, Dr Keith
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heppell, John
Heseltine, Rt Hon Michael
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Rt Hon Douglas *(G'tham)*
Hogg, Norman *(Cumbernauld)*
Hoon, Geoffrey
Horder, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Illsley, Eric
Ingram, Adam
Jack, Michael
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jackson, Robert *(Wantage)*
Jamieson, David
Janner, Greville
Jenkin, Bernard
Jenkins, Brian *(SE Staff)*
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B *(W Hertfdshr)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knox, Sir David
Lait, Mrs Jacqui
Lester, Sir James *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lloyd, Tony *(Stretford)*
Loyden, Eddie
Luff, Peter
Lynne, Ms Liz
McAllion, John
McCartney, Ian
McFall, John
MacKay, Andrew
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
MacShane, Denis
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marland, Paul
Marshall, Jim *(Leicester, S)*
Marshall, John *(Hendon S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Mellor, Rt Hon David
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan

Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Moss, Malcolm
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Needham, Rt Hon Richard
Newton, Rt Hon Tony
Nicholson, Emma *(Devon West)*
Norris, Steve
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
Oppenheim, Phillip
Ottaway, Richard
Pawsey, James
Pickles, Eric
Pickthall, Colin
Pike, Peter L
Pope, Greg
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rathbone, Tim
Raynsford, Nick
Rendel, David
Renton, Rt Hon Tim
Robertson, Raymond *(Ab'd'n S)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowe, Andrew *(Mid Kent)*
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Sheerman, Barry
Shephard, Rt Hon Gillian
Shore, Rt Hon Peter
Short, Clare
Sims, Sir Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Speed, Sir Keith
Spellar, John
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spring, Richard
Squire, Rachel *(Dunfermline W)*
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Streeter, Gary
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thurnham, Peter
Tipping, Paddy
Touhig, Don
Townsend, Cyril D *(Bexl'yh'th)*
Trickett, Jon
Turner, Dennis
Waldegrave, Rt Hon William
Walley, Joan
Wardell, Gareth *(Gower)*
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Wicks, Malcolm
Wiggin, Sir Jerry
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Wolfson, Mark
Wood, Timothy
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Peter Bottomley and
Mr. Elfyn Llwyd.

NOES

Aitken, Rt Hon Jonathan
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Bonsor, Sir Nicholas
Booth, Hartley
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brazier, Julian
Bright, Sir Graham
Brown, M *(Brigg & Cl'thorpes)*
Bruce, Ian *(South Dorset)*
Burns, Simon
Burt, Alistair
Butcher, John
Carlisle, John *(Luton North)*
Clappison, James
Clifton-Brown, Geoffrey
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Dafis, Cynog
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Dixon, Don
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Evans, David *(Welwyn Hatfield)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Forsyth, Rt Hon Michael *(Stirling)*
Fox, Dr Liam *(Woodspring)*
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Gill, Christopher
Goodson-Wickes, Dr Charles
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Hague, Rt Hon William
Hamilton, Neil *(Tatton)*
Hardy, Peter
Hargreaves, Andrew
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Horam, John
Howard, Rt Hon Michael
Hughes, Robert G *(Harrow W)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kirkhope, Timothy
Knapman, Roger
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lang, Rt Hon Ian
Leigh, Edward
Lidington, David
Lord, Michael
McAvoy, Thomas
Macdonald, Calum
Maclean, Rt Hon David
McLoughlin, Patrick
McNamara, Kevin
Maitland, Lady Olga
Marshall, David *(Shettleston)*
Martin, Michael J *(Springburn)*
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Sir Cranley
Page, Richard
Paice, James
Paisley, The Reverend Ian
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Pendry, Tom
Porter, David *(Waveney)*
Powell, Sir Ray *(Ogmore)*
Powell, William *(Corby)*
Redwood, Rt Hon John
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rumbold, Rt Hon Dame Angela
Shaw, David *(Dover)*
Shepherd, Sir Colin *(Hereford)*
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, The Reverend Martin
Soames, Nicholas
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Steinberg, Gerry
Stephen, Michael
Stewart, Allan
Sumberg, David
Sweeney, Walter
Taylor, Sir Teddy *(Southend, E)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Tredinnick, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Wallace, James
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Widdecombe, Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Yeo, Tim

Tellers for the Noes:
Mr. Michael Alison and
Mr. David Alton.

Question accordingly agreed to.

It being after Ten o'clock, further consideration of the Bill stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the Family Law Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Bates.]*

Question agreed to.

As amended (in the Committee and in the Standing Committee), again considered.

Amendments made: No. 29, in page 5, line 2, leave out 'give joint' and insert 'jointly give'.

No. 30, in page 5, line 22, leave out

'any child of the family'

and insert

'a child of the family who is'.

No. 31, in page 5, line 23, leave out

'statement is received by the court'

and insert 'application is made'.

No. 32, in page 5, line 27, leave out from 'family' to 'or' in line 28.

No. 33, in page 5, line 28, leave out '; or' and insert

'made against the other party; or'.

No. 34, in page 5, line 33, leave out 'without invalidating the' and insert

'—

(a) only in relation to the application for a divorce order in respect of which the application under subsection (10) was made; and

(b) without invalidating that'.

No. 35, in page 5, line 34, at end insert—

'(14) A period for reflection and consideration which is extended under subsection (13) and which has not otherwise come to an end, comes to an end on there ceasing to be any children of the family to whom subsection (11) applied.'.—*[Mr. Streeter.]*

Clause 8

ATTENDANCE AT INFORMATION MEETINGS

Mr. Streeter: I beg to move amendment No. 36, in page 6, line 6, leave out

'the party or parties attending with relevant information'

and insert

', in accordance with prescribed provisions, relevant information to the party or parties attending'.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss Government amendments Nos. 41 to 44.

Mr. Streeter: Amendments Nos. 42, 43 and 44 were tabled in response to hon. Members' concerns. My predecessor, my hon. Friend the Member for Brecon and Radnor (Mr. Evans), agreed in Committee that he would further consider the inclusion of references to support for victims of domestic violence, to the availability of legal representation and to the provisions of the legal aid scheme in the list of matters on which information would be provided at information meetings held under clause 8.

It has always been the Government's intention that information about legal aid, legal services and protection from violence should be made available at information meetings, but concern was expressed that the list in primary legislation should not become over-detailed.

In proposing the amendments, however, the Government are seeking to address the strong concern felt by Opposition Members, by many Conservative Members and by people with experience in the field, who believe that the need to provide information about support for domestic violence and about the availability and workings of the legal aid scheme should be emphasised on the face of the Bill.

I have met representatives of the Women's Aid Federation, and I understand that they strongly support an amendment to provide information on what protection is available against violence and on how to obtain support and assistance. I believe that the amendments will improve the provisions of clause 8.

As has been emphasised on many occasions, the Government intend to pilot the workings of the information meetings. The list in primary legislation of the information that must be provided is not exhaustive and the Lord Chancellor has the power to add other provisions in regulations. It will be necessary to establish through the pilot exactly what information should be made available, the nature of its presentation, the content of any written information that should be given to parties and the necessary provisions to ensure that information giving is of the highest standard.

Amendments Nos. 36 and 41 ensure that the Lord Chancellor can set and maintain standards in relation to the quality of information and information giving. The information meeting is an important introduction to the divorce process. It may provide the assistance that couples need to re-evaluate their relationship and to take steps to save their marriage. Consequently, it is vital that the information meetings and information givers meet an approved standard.

Mrs. Barbara Roche (Hornsey and Wood Green): This is my first opportunity to congratulate the Minister on his promotion to the Front Bench. In Committee, he served with great distinction as a member of the Whips Office, so he will recall that I proposed a number of amendments relating to information meetings. We are pleased that the Government, at this extremely late stage, have come round to our way of thinking and are fleshing out the purpose of information meetings.

Such meetings are a radical departure in family law and must be treated carefully. As much information as possible about the pilot projects should be given to the House so that it can make a proper evaluation, because it is charged with the heavy duty of passing the legislation. Couples will often be required to attend information meetings when they are in difficult situations, so they may find the experience traumatic. In Committee, we proposed that meetings should be held in a location compatible with the dignity of marriage. Although such a provision is not part of the Government amendments, I hope that the Minister will reflect the spirit of my comments and make sure that pilot project meetings take place in suitable surroundings.

Understanding is also important, which means, in a multi-ethnic, multi-culture Britain, the provision of information in ethnic minority languages. I shall be interested to hear the Minister's comments on that.

It is important that information meetings are conducted in such a way that those attending them feel safe, enjoy privacy and are respected. We welcome the fact that information about access to legal aid will be provided. We welcome also the Government's climbdown. Having been a Whip myself, I know that it made sense for the Minister to hold that office, because he had the opportunity to hear the Opposition's recommendations in Committee. As soon as he became a Minister, he decided to implement them.

Amendment agreed to.

Mr. Streeter: I beg to move amendment No. 37, in page 6, line 12, leave out 'is'.

Madam Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 38 to 40.

Mr. Streeter: The amendments make minor drafting changes to tidy up clause 8 and assist in giving effect to amendments Nos. 36 and 41 to 44.

Amendment agreed to.

Amendments made: No. 38, in page 6, line 13, at beginning insert 'is'.

No. 39, in page 6, line 15, leave out 'a person who'.

No. 40, in page 6, line 21, leave out 'and'.

No. 41, in page 6, line 24, at end insert—

'(d) for information of a prescribed kind to be given only with the approval of the Lord Chancellor or only by a person or by persons approved by him; and

(e) for information to be given, in prescribed circumstances, only with the approval of the Lord Chancellor or only by a person or by persons approved by him.'.

No. 42, in page 6, line 34, at end insert—

'( ) protection available against violence, and how to obtain support and assistance;'.

No. 43, in page 6, line 36, at end insert 'and representation'.

No. 44, in page 6, line 36, at end insert—

'( ) the principles of legal aid and where the parties can get advice about obtaining legal aid;'.

No. 104, in page 6, line 40, at end insert—

'( ) A meeting with a marriage counsellor arranged under this section—

(a) must be held in accordance with prescribed provisions; and

(b) must be with a person qualified and appointed in accordance with prescribed provisions.'.—*[Mr. Streeter.]*

Clause 9

ARRANGEMENTS FOR THE FUTURE

Amendment made: No. 12, in page 7, line 32, leave out from 'section' to 'must' in line 34 and insert

'(*Welfare of children*)'.—*[Mr. Llwyd.]*

Mr. Frank Field (Birkenhead): I beg to move amendment No. 98, in page 7, line 34, at end insert—

'(5A) Where the court considers that there is a child of the family under the age of nineteen years, a certificate must be produced to the court, in a form to be prescribed, stating that the Secretary of State is satisfied that the relevant information he requires under the provisions of the Child Support Act 1991 has been provided by the parties.'.

Madam Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 99, in page 7, line 43, at end insert—

'(8) If the court is satisfied, on an application made by one of the parties after the end of the period for reflection and consideration, that the circumstances of the case are those set out in paragraph 3A of Schedule 1, it may make a divorce order or a separation order even though the requirements of subsection (5A) above have not been satisfied.'.

No. 101, in clause 10, page 8, line 20, after 'dissolved', insert

'or

'(c) that subsection (3A) below applies'.

No. 102, in page 8, line 20, at end insert–

'(3A) This subsection applies where an applicant or either of the applicants for the cancellation of an order preventing divorce has failed to comply with the requirements of section 9(5A).'.

No. 100, in schedule 1, page 42, line 42, at end insert—

'Exemption from child support requirements—

3A. The circumstances referred to in section 9(8) are that–

(a) the applicant has, during the period for reflection and consideration, taken such steps as are reasonably practicable to comply with the requirements of the Child Support Act 1991 as applied by section 9(5A);

(b) the other party has deliberately delayed in complying with the requirements of the 1991 Act as applied by section 9(5A) or has otherwise been obstructive or has failed to communicate with the applicant or the relevant authorities.'.

Mr. Field: This is also the first occasion when I have spoken to the Minister across the Dispatch Box, so I welcome him to his new post and congratulate him. It is not the first time that I have spoken since the hon. Gentleman has been on the Treasury Bench, because as a Whip, he occasionally growled approval or disapproval at my comments. I hope tonight that his bite will be a lot worse than his bark—*[Interruption.]* If hon. Members think about it, it is that way round, given what I am going to say.

I do not intend to press the amendments to a vote. I hope to persuade the Minister, by the force of the argument, that he should concede the amendments that we wish to make. When members of the Committee decided to table the amendments, we wrote to the Secretary of State for Social Security to ask what he thought of them, as they clearly affect one aspect of his Department's work: the Child Support Agency. I expect to receive his letter in tomorrow's post. That suggests that he does not want me to be able to use anything in his letter to support my argument.

In this major reform of the divorce laws, the words "Child Support Agency" are absent. Members of the Committee thought it worth tabling the amendments so that those words, which dared not speak their name in Committee, could at least be debated and suggestions made.

I shall briefly tell the House what the amendments mean. Amendment No. 98 literally brings into call the CSA. It says that, before proceedings for divorce can be completed, the court should be satisfied that all the information that the CSA would require is available to the court and therefore to the CSA.

Amendment No. 99 does three things. It accepts that the principle of the Bill is that the clock for divorce ceases to tick away unless the mediation process has gone through. We are suggesting that, similarly, the clock should be stopped if the information wanted by the CSA is not available. We then suggest that, if that information is available, the clock should start ticking again. Amendment No. 100 proposes that, because there could be some instances when one of the parties deliberately withholds information to obstruct the spirit and the letter

of the Bill, shortly to become an Act, the court will have discretion to set child support requirements to one side. That is the kernel of our amendments.

I know that we tabled the amendments late in the proceedings, but unless they are on the record when the Bill returns to the other place, there will be no chance for the other place or for the Government further to consider them. After this short debate, after the Government have had more time to take representations and to consider outside views, and after we have had a staged debate in the other place, the Government may still decide that it is not advisable to press ahead with the amendments, should they be part of the record. In those circumstances, I expect the Minister to say that those of us who have tabled the amendments expect the Government to suggest that the amendments will be defeated, but unless we pass the amendments tonight and unless they are on the record, the possibility of strengthening the position of children and of ensuring the payment of maintenance to them will be lost.

It is in that spirit that the amendments have been tabled. We do not believe with certainty that we have drafted them in a way that could not be improved, but we are anxious that that aspect be opened up. It can be considered further only if the Government give way tonight, so that a final decision can be taken in another place.

I have said how openly I would support the Government even if, in the other place, they thought that we should not proceed with the amendments, but it is worth our debating them tonight. I hope that the Government will give way and support and improve them in the Lords, but I wait with interest to hear what the junior Minister says and to learn in tomorrow's post what the Secretary of State says.

10.15 pm

Mr. Bermingham: I support these amendments for the one simple reason that there cannot be a Member of this House who does not have a postbag full of complaints about the Child Support Agency, about the arbitrary way it performs, about the lack of information disclosed and about the ridiculous way that it treats Members of Parliament, lawyers and the people from whom it seeks to obtain money.

When the CSA was set up, no one objected to the principle of support for the child of a liaison or a marriage or that that support should be both justifiable and reasonable. What none of us expected was the monolithic bureaucracy that we got. It will be a long time before the House examines the depth of the damage that the CSA has caused to families throughout the land. I could continue for some considerable time—but I will not—citing example after example from my constituency of marriages that have broken up and where the children who are being supported through the CSA are in a better financial position than the children of the second marriage, and where the wife of the second marriage has to go to work and utilise all her earnings and part of her husband's to meet the demands of the CSA—which, when it is shown to be wrong at tribunals, takes months to rectify mistakes—*[Interruption.]* When we are talking about people's lives and when children's interests are at risk, I sometimes wonder why it is so necessary for hon. Members to discuss the racing at Sandown or Ascot or other matters.

There will come a time when the CSA formula will need to be examined. Indeed, it needs to be reviewed. These amendments could be considered in the other place as a means to examine the settlements—*[Interruption.]* Has the Minister finished? *[Interruption.]* Perhaps the hon. Member for Birmingham, Edgbaston (Dame J. Knight) will listen for a moment. If she had listened to what my hon. Friend the Member for Birkenhead (Mr. Field) had to say, she would understand that the proposal is that a divorce should not be completed until such time as the financial settlement is completed and that that financial settlement should be based on the CSA formula. That suggestion makes a good deal of sense. It will enable us, at some stage, to examine how the CSA formula is compiled and whether, in the context of divorce, it is fair.

My hon. Friend said that he will not press the amendment to a vote. What he is trying to ensure is that if the calculation of maintenance is to be based on the CSA formula, we should look again at the formula, because it has been proved to cause great hardship throughout the land. That is the point behind the probing amendments—

Mr. David Faber (Westbury): They are not.

Mr. Bermingham: They are probing amendments. The hon. Gentleman should note that my hon. Friend the Member for Birkenhead is nodding, so I am right.

We are saying that the way in which maintenance is calculated is wide open to abuse and, even more important, is causing grave hardship for the children of first, second and third relationships. That is why I support the amendments.

Mr. Streeter: I listened carefully to the arguments deployed by the hon. Members for Birkenhead (Mr. Field) and for St. Helens, South (Mr. Bermingham), but I am afraid that I shall disappoint them. The Government have some sympathy with the motives underlying the amendments, but cannot accept them. It is clearly right that parents should make proper provision for the maintenance of their children. Clause 9 already provides that parties must decide their rights and liabilities in relation to the maintenance of children. The amendments are unnecessary, and the arguments that I shall deploy will persuade the hon. Member for Birkenhead, who is a very fair-minded man, of that fact.

The Child Support Agency already has the necessary powers to require information to be provided, and it has strong enforcement powers. The Child Support Act 1991 requires absent parents to provide the required information to ensure that a proper maintenance assessment is carried out when the parent with care—usually the mother—is in receipt of a relevant benefit. That requirement exists whether or not the parents are divorced. When there is an absent parent and the parent with care is in receipt of an appropriate benefit, the CSA will normally have become involved long before we reach the stage at which the amendments would bite.

Who are the people on whom the amendments would bite? The CSA seeks to make and enforce maintenance orders whether or not parents are married. We suspect that most of those about whom the agency is currently unable to gain full information—as to who was at some time married and who is not already divorced—have simply gone to ground. The amendments will not help in catching them.

[Mr. Streeter]

Ninety per cent. of absent parents are fathers, but currently about 70 per cent. of petitioners for divorce are women. The amendments include an exemption such that a divorce or separation order may not be refused if the applicant has made every effort to comply with the CSA's requirements but has been unable to do so because of non-co-operation of the other party. Therefore, under these provisions, absent fathers who are not co-operating with the CSA are given no greater incentive to co-operate than they are now.

Only absent fathers who do not co-operate with the CSA and who wish to apply for a divorce will be caught by the provisions. But they will not be able to do so in secrecy, because a statement of marital breakdown will have to include an address for contact. The respondent can whip that off to the CSA, and existing provisions of the Child Support Act 1991 can be brought into play.

In short, the Government consider that only a handful of absent parents will be caught by the amendments—but at what cost? I shall deal with that shortly.

The amendments are inconsistent with the Child Support Act 1991. They relate to all divorcing or separating parents with a child under 19. Currently, the CSA usually becomes involved only when the parent with care of the child has applied for an income-related benefit, and it is concerned only with children of 16 or older in full-time education.

The amendments will, therefore, place an added burden on many people who, in the normal course of events, would not have to go anywhere near the CSA. Parents who were able and willing to reach their own agreement on child maintenance will have to apply to the agency for a certificate in every case, perhaps involving correspondence, telephone calls or an interview, which will create delay and inconvenience. That is unlikely to prove popular.

The amendments would also have significant implications for the CSA. In 1994, there were about 88,000 divorces of couples with children under 16. That means that similar numbers of certificates might have to be produced each year by the CSA. The CSA has estimated that up to 50,000 certificates would have to be issued relating to the children of people in marriages who currently would not be considered by the CSA at all. The CSA decided only recently to limit the scope of its operations, to concentrate on its core activity of basic child support work. The proposed certification process would prove a distraction for the CSA from that core work, and it would be unlikely to deal with the points made by the hon. Member for St. Helens, South.

The amendments are a sledgehammer to crack a nut. As I said, we expect the impact on non-compliance to be minimal. However, the agency estimates the cost of administering the proposed certification system at roughly £7 million per annum. If we are to spend £7 million, I could suggest more pressing priorities.

Mr. Bermingham: The Minister makes my point. There will be two groups of people: those who are in work and who agree the figures on maintenance for the wife and children between themselves, or through their lawyers; and those who are not in work, with one party—the wife, for example—in receipt of income-related benefit, when the CSA will certify the amount to be paid for the wife and children. The tragedy is that experience has already shown that, in monetary value, the orders made by the CSA far outweigh the orders made between consenting parties. So we have two levels of maintenance, one of which is grossly unfair to a working partner—male or female.

Mr. Streeter: I am not persuaded by the force of the hon. Gentleman's arguments.

Mr. Malcolm Wicks (Croydon, North–West): Given that one in four children will have parents who divorce, is the Minister seriously saying that in future policy there should be no interface between the new divorce law reform and the operation of child maintenance?

Mr. Streeter: For the reasons that I have given, yes.

To summarise, I sympathise with the thought behind the amendment, but the Government do not accept that it is an appropriate or cost-effective way to go about realising it. I listened with sympathy to the case made by the hon. Member for Birkenhead. I recognise that he has requested that we leave something in the Bill, for it to be considered further in another place. There is no hon. Member whose request I would rather accommodate, but I regret that, on this occasion, I am unable to do so.

Mr. Frank Field: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 45, in page 7, line 40, leave out 'or'.

No. 46, in page 7, line 41, at end insert—

', or

(d) those set out in paragraph 4 of that Schedule,'.—*[Mr. Streeter.]*

Amendment proposed: No. 47, in page 7, line 43, at end insert—

'(8) If the parties' arrangements for the future include a division of pension assets under section 25B of the 1973 Act or section 10 of the Family Law (Scotland) Act 1985, any declaration under subsection (2) must be a statutory declaration.'.—*[Mr. Streeter.]*

Amendment made to the proposed amendment: (a), after 'assets', insert 'or rights'.—*[Mrs. Roche.]*

Amendment, as amended, agreed to.

Clause 10

HARDSHIP: ORDERS PREVENTING DIVORCE

Amendment made: No. 48, in page 8, line 22, leave out from 'if' to 'after' in line 23 and insert

'an application is made under section 3 or 4(3)'.—*[Mr. Streeter.]*

Amendment proposed: No. 119, in page 8, line 27, after 'includes', insert

'—

(a) hardship attributable to the fact that the person concerned has a deeply held religious belief that marriage is indissoluble; and

(b)'.—*[Mr. Leigh.]*

Question put, That the amendment be made:—

The House divided: Ayes 138, Noes 260.

Division No. 147] **[10.26 pm**

AYES

Aitken, Rt Hon Jonathan
Amess, David
Anderson, Donald *(Swansea E)*
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Bendall, Vivian
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bowden, Sir Andrew
Boyson, Rt Hon Sir Rhodes
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Burns, Simon
Campbell, Ronnie *(Blyth V)*
Carlisle, John *(Luton North)*
Chapman, Sir Sydney
Clappison, James
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Day, Stephen
Deva, Nirj Joseph
Dixon, Don
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Evans, David *(Welwyn Hatfield)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Gill, Christopher
Goodlad, Rt Hon Alastair
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Hamilton, Neil *(Tatton)*
Hannam, Sir John
Hargreaves, Andrew
Hawksley, Warren
Horam, John
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Hunter, Andrew
Jenkin, Bernard
Kellett-Bowman, Dame Elaine
Kirkhope, Timothy
Knight, Dame Jill *(Bir'm E'sh'n)*
Kynoch, George *(Kincardine)*
Leigh, Edward
Lidington, David
Lord, Michael
Luff, Peter
McAvoy, Thomas
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Malone, Gerald
Marshall, David *(Shettleston)*
Marshall, Sir Michael *(Arundel)*
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Neubert, Sir Michael
Nicholson, David *(Taunton)*
Paice, James
Paisley, The Reverend Ian
Patten, Rt Hon John
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, Sir Ray *(Ogmore)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Rumbold, Rt Hon Dame Angela
Sainsbury, Rt Hon Sir Timothy
Shaw, David *(Dover)*
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, The Reverend Martin
Speed, Sir Keith
Spencer, Sir Derek
Spink, Dr Robert
Sproat, Iain
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Taylor, Sir Teddy *(Southend, E)*
Thompson, Patrick *(Norwich N)*
Townend, John *(Bridlington)*
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Widdecombe, Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. Michael Alison and
Mr. David Alton.

NOES

Adams, Mrs Irene
Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Allen, Graham
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Banks, Tony *(Newham NW)*
Barron, Kevin
Batiste, Spencer
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Biffen, Rt Hon John
Boateng, Paul
Body, Sir Richard
Bottomley, Rt Hon Virginia
Bradley, Keith
Brandreth, Gyles
Bright, Sir Graham
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Ian *(South Dorset)*
Burden, Richard
Butcher, John
Butler, Peter
Butterfill, John
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Carrington, Matthew
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clark, Dr Michael *(Rochford)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Coe, Sebastian
Coffey, Ann
Cohen, Harry
Corbett, Robin
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr John
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dalyell, Tam
Davies, Chris *(L'Boro & S'worth)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Devlin, Tim
Dewar, Donald
Donohoe, Brian H
Dorrell, Rt Hon Stephen
Dunwoody, Mrs Gwyneth
Eastham, Ken
Eggar, Rt Hon Tim
Etherington, Bill
Evans, Jonathan *(Brecon)*
Fabricant, Michael
Fatchett, Derek
Fishburn, Dudley
Fisher, Mark
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garel-Jones, Rt Hon Tristan
Garrett, John
Gerrard, Neil
Gillan, Cheryl
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hague, Rt Hon William
Hampson, Dr Keith
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hogg, Rt Hon Douglas *(G'tham)*
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Horder, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howells, Dr Kim *(Pontypridd)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Illsley, Eric
Ingram, Adam
Jack, Michael
Jackson, Helen *(Sheff'ld, H)*
Jackson, Robert *(Wantage)*
Jamieson, David
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Khabra, Piara S
Kirkwood, Archy
Knight, Rt Hon Greg *(Derby N)*
Knox, Sir David
Lait, Mrs Jacqui
Lester, Sir James *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Lynne, Ms Liz
McCartney, Ian
McFall, John

MacKay, Andrew
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
MacShane, Denis
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Marshall, John *(Hendon S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Mellor, Rt Hon David
Michael, Alun
Milburn, Alan
Miller, Andrew
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Moonie, Dr Lewis
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Moss, Malcolm
Mudie, George
Mullin, Chris
Needham, Rt Hon Richard
Nelson, Anthony
Newton, Rt Hon Tony
Nicholson, Emma *(Devon West)*
Norris, Steve
O'Brien, William *(Normanton)*
Oiner, Bill
Oppenheim, Phillip
Ottaway, Richard
Patnick, Sir Irvine
Pendry, Tom
Pickles, Eric
Pike, Peter L
Pope, Greg
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rathbone, Tim
Raynsford, Nick
Reid, Dr John
Rendel, David
Robinson, Mark *(Somerton)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowe, Andrew *(Mid Kent)*
Rowlands, Ted
Scott, Rt Hon Sir Nicholas
Sheerman, Barry
Shepherd, Sir Colin *(Hereford)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Spring, Richard
Squire, Rachel *(Dunfermline W)*
Squire, Robin *(Hornchurch)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Sykes, John
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Tipping, Paddy
Touhig, Don
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trickett, Jon
Turner, Dennis
Walker, Rt Hon Sir Harold
Walley, Joan
Ward, John
Wardell, Gareth *(Gower)*
Whittingdale, John
Wicks, Malcolm
Wiggin, Sir Jerry
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wolfson, Mark
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Bottomley and
Ms Janet Anderson.

Question accordingly negatived.

Clause 15

DIVISION OF PENSION ASSETS

Amendment made: No. 109, in page 11, leave out lines 1 to 18.—*[Mr. Boateng.]*

Clause 18

TIME WHEN PROCEEDINGS FOR DIVORCE OR SEPARATION BEGIN

Amendments made: No. 49, in page 12, line 40, after '4' insert '(3)'.

No. 50, in page 13, line 3, after second 'the' insert 'specified'.

No. 51, in page 13, line 8, after '4' insert '(3)'.—*[Mr. Conway.]*

Clause 20

FUNDING FOR MARRIAGE SUPPORT SERVICES

Amendment made: No. 52, in page 13, line 22, at end insert—

'(3) In exercising his power to make grants in connection with the provision of marriage support services, the Lord Chancellor is to have regard, in particular, to the desirability of services of that kind being available when they are first needed.'.—*[Mr. Conway.]*

Clause 21

INTERPRETATION OF PART II ETC.

Amendment made: No. 53, in page 13, line 30, at end insert—

' "non-molestation order" has the meaning given by section 39(1);

"occupation order" has the meaning given by section 36;'.—*[Mr. Conway.]*

Clause 24

PROVISION AND AVAILABILITY OF MEDIATION

Mrs. Roche: I beg to move amendment No. 110, in page 15, line 39, leave out from beginning to 'the' in line 43 and insert—

'(6) Any contract entered into by the Board for the provision of mediation under this Part must require the mediator to comply with a code of practice.

(6A) The code must require.'.

Madam Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 111, in page 16, line 1, at end insert—

'( ) that parties participate in mediation only if willing and not influenced by fear of violence or other harm;

( ) that cases where either party may be influenced by fear of violence or other harm are identified as soon as possible;'.

No. 112, in page 16, line 4, leave out from beginning to 'and' in line 6.

Government amendment No. 54.

No. 4, in clause 26, page 18, line 14, after 'prescribed.', insert—

'(3G) Notwithstanding subsection (3F) above, for the purposes of determining whether to grant representation for the purpose of any proceedings, taking proceedings is to be considered, to the extent that the proceedings relate to family matters, as more appropriate than recourse to mediation where harm or ill-treatment is an issue between the parties except where—

(a) a mediator has certified that each party has separately stated a wish to have recourse to mediation; and

(b) the mediator has certified that he has taken all reasonable steps to satisfy himself that each such statement has been made voluntarily.'.

Mrs. Roche: Members of the Standing Committee will remember that we spent much time discussing mediation. Those discussions were helpful because several hon. Members had considerable experience of mediation schemes, either from a national perspective or from their role as constituency Members. Mediation is an important part of the Bill.

The Opposition were concerned about the suitability of mediation in cases of domestic violence. The amendments seek to ensure that mediation does not take place where violence to the parties or their children is involved, and that it is voluntary. They would ensure that the parties are informed at information meetings that mediation is not suitable in such cases so that the picture is clear from the start.

In Committee, it was felt that we did not want a two-tier system where some people would be able to get legal advice because they could afford it or were eligible for it, while people who did not fall in into either of those categories might feel that the only thing that they could use was mediation, which might not be suitable in all circumstances. The amendments would ensure that mediators screen all potential clients to establish whether violence is an issue between the parties, that that is kept under review throughout mediation and that mediation is safely terminated if it becomes apparent that violence is an issue.

The issue concerns those who are involved professionally with mediation. Research by mediation agencies shows that it is both unsafe and inappropriate in most cases in which there is a history of abuse. Sadly, as has been said, in far too many marriages there are incidents of abuse, in most cases—not exclusively, but in most cases—involving abuse of the wife. A background of violence and threats can significantly affect the victim's ability to contribute effectively or to negotiate a fair settlement. Experience with the Children Act 1989 shows that many women feel pressured into agreeing to joint meetings, or even mediation, with their abusers because they fear losing their children if they do not. Research shows that that has happened in numerous cases, even though joint meetings are not compulsory.

It must be made clear to the parties in divorce that mediation is unlikely to be the best method of resolving arrangements fairly and safely when there is violence. It must also be made clear to mediators that they have a duty to investigate the possibility of harm to, or ill-treatment of, a party to ensure that parties are not inappropriately referred to mediation and denied access to legal aid or representation.

Some women escaping violence may choose third-party mediation, but the amendments seek to ensure that there is a clear choice and that people know what the situation is. As the Minister knows, that was extensively canvassed in Committee. It is one of the most important issues dealt with by the Bill. The Opposition believe that the amendments are crucial to ensure that there is a level playing field for the victims of violence, both women and children. I look forward to the Minister's reply.

10.45 pm

Mr. Streeter: When I rise to speak and my wife is present, she always says to me, "Keep it short," but that is as nothing compared with what the Whips have been saying to me over the past few minutes.

Amendments Nos. 110, 111 and 112 amend clause 24 and provide a number of important safeguards and a strengthening of the provisions in relation to the provision of publicly funded mediation. In particular, they stress the voluntary nature of mediation—that where parties are influenced by fear of violence or harm, the mediator should be in a position to identify this at an early stage and mediation should not continue.

These are in addition to the requirements that mediators must have arrangements in place to ensure that the possibility of reconciliation is kept alive throughout mediation and to keep the parties informed about the availability of independent legal advice. They provide that the Legal Aid Board's contracts with mediators will require mediators to be working under, and complying with, a code of practice setting out the requirements that I have described.

Additionally, the code will require arrangements to be in place that are designed to encourage the parties to consider the welfare, wishes and feelings of each child and to what extent each child should be allowed to express their wishes in the mediation. I understand that the major mediation organisations already have in place such codes of practice, and it must be right to ensure that standards of excellence are maintained. The amendments are important and worth while and the Government are pleased to support them.

Amendment No. 54, which is a Government amendment, and amendment No. 4, are both concerned with clause 26, the presumption in favour of mediation. I ask the House to support the Government's amendment, which addresses the same issues as amendment No. 4, but provides a neater solution. Amendment No. 54 provides for the removal of the presumption in favour of mediation, which had aroused concern among many hon. Members in all parts of the House. However, amendment No. 4 retains the presumption in favour of mediation. It was made clear by hon. Members in all parts of the Committee that this was not desirable. Furthermore, it adds a new presumption in favour of representation in cases where harm or ill-treatment are an issue. This sets up a potentially confusing conflict for the board, the mediator and the client when suitability for mediation is being considered.

The requirement to attend the meeting will not apply if there are proceedings under part IV of the legislation—that is to say, applications for remedies in cases of molestation and violence, section 37 of the Matrimonial Causes Act 1973 emergency applications for freezing of assets where there are assets about to be removed from the jurisdiction, and public law Children Act 1989 cases.

The amendments will provide the necessary protection for vulnerable parties and those for whom mediation is not suitable while safeguarding public funds from the expense of unnecessary litigation. They demonstrate the Government's commitment to the development of mediation in family matters and I commend them to the House.

Government amendment No. 54 deals with the concerns raised in Committee and provides that there will be no presumption in favour of either mediation or representation. This seems to be a more effective and simpler way of achieving the even-handed approach for which amendment No. 4 appears to strive. We therefore reject amendment No. 4 and support the other amendments.

Mrs. Roche: I welcome the Minister's remarks and his support for our amendments, apart from amendment No. 4. We shall not press amendment No. 4, but will support Government amendment No. 54.

Amendment agreed to.

Amendments made: No. 111, in page 16, line 1, at end insert—

'( ) that parties participate in mediation only if willing and not influenced by fear of violence or other harm;

( ) that cases where either party may be influenced by fear of violence or other harm are identified as soon as possible;'.

No. 112, in page 16, line 4, leave out from beginning to 'and' in line 6.

No. 106, in page 16, line 8, leave out 'and' and insert—

'(6B) Where there are one or more children of the family, the code must also require the mediator to have arrangements designed to ensure that the parties are encouraged to consider:

(a) the welfare, wishes and feelings of each child; and

(b) whether and to what extent each child should be given the opportunity to express his or her wishes and feelings in the mediation.

(6C) A contract entered into by the Board for the provision of mediation under this Part must also include.'.—*[Mr. Streeter.]*

Clause 26

MEDIATION AND CIVIL LEGAL AID

Amendment made: No. 54, in page 18, leave out lines 7 to 14 and insert—

' "(3F) A person shall not be granted representation for the purposes of proceedings relating to family matters, unless he has attended a meeting with a mediator—

(a) to determine—

(i) whether mediation appears suitable to the dispute and the parties and all the circumstances, and

(ii) in particular, whether mediation could take place without either party being influenced by fear of violence or other harm; and

(b) if mediation does appear suitable, to help the person applying for representation to decide whether instead to apply for mediation.

(3G) Subsection (3F) does not apply—

(a) in relation to proceedings under—

(i) Part IV of the Family Law Act 1996;

(ii) section 37 of the Matrimonial Causes Act 1973;

(iii) Part IV or V of the Children Act 1989;

(b) in relation to proceedings of any other description that may be prescribed; or

(c) in such circumstances as may be prescribed.

(3H) So far as proceedings relate to family matters, the Board, in determining under subsection (3)(a) whether, in relation to the proceedings, it is reasonable that a person should be granted representation under this Part—

(a) must have regard to whether and to what extent recourse to mediation would be a suitable alternative to taking the proceedings; and

(b) must for that purpose have regard to the outcome of the meeting held under subsection (3F) and to any assessment made for the purposes of section 13B(3).'".—*[Mr. Streeter.]*

Clause 32

ONE FORMER SPOUSE WITH NO EXISTING RIGHT TO OCCUPY

Mrs. Maddock: I beg to move amendment No. 115, in page 23, leave out lines 17 to 25 and insert—

'(1) This section applies if—

(a) one cohabitant, former cohabitant, or former spouse is entitled to occupy a dwelling house by virtue of a beneficial estate or interest or contract, or by virtue of any enactment giving him the right to remain in occupation;

(b) the cohabitant, former cohabitant or former spouse is not so entitled; and

(c) the dwelling house—

(i) in the case of the cohabitants or former cohabitants, is the home in which they live together as husband and wife or a home in which they at any time so lived together or intended so to live together, or

(ii) in the case of a former spouse, was at any time their matrimonial home or was at any time intended by them to be their matrimonial home.

(2) The cohabitant, former cohabitant or former spouse not so entitled may apply to the court for an order under this section against the other cohabitant, former cohabitant or former spouse ("the respondent").'.

Madam Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 116, in clause 33, page 25, line 15, leave out from beginning to end of line 13 on page 27.

Government amendment No. 55.

No. 117, in clause 34, page 27, leave out lines 14 to 21 and insert—

'(1) This section applies if—

(a) one spouse, former spouse, cohabitant or former cohabitant and the other spouse, former spouse, cohabitant or former cohabitant occupy a dwelling house which—

(i) in the case of cohabitants or former cohabitants, is the home in which they live or have lived together as husband and wife, or

(ii) in the case of spouses or former spouses, is or was the matrimonial home; but

(b) neither of them is entitled to remain in occupation—

(i) by virtue of a beneficial estate or interest or contract; or

(ii) by virtue of any enactment giving him the right to remain in occupation.'.

No. 118, in clause 35, page 27, line 39, leave out from beginning to end of line 36 on page 28.

Government amendments Nos. 56 to 58.

Mrs. Maddock: I am aware that the hour is late and that everybody is attempting to hurry. I will do my best, but these are important amendments concerning domestic violence—the one thing that we thought we were going to lose when the Bill fell before Christmas. The purposes of the amendments are to restore the provisions of the Family Homes and Domestic Violence Bill in relation to occupation rights, to give equal rights to cohabitants for protection from violence and to restore the principal criteria for eligibility between different types of occupation orders to the applicant's status in relation to their existing rights to occupy.

Clauses 33 and 35 are to be deleted, and the provisions for cohabitants and former cohabitants reinstated within clauses 32 and 34 so that, irrespective of marital status, the court should have a requirement to include an exclusion provision in the occupation order if the applicant and any relevant child is at greater risk of harm

than the respondent and any relevant child. In other words, the balance of harm test should be reinstated as the paramount consideration in determining the matter. Occupation orders under all the clauses should be able to be extended in the time period and the stages set within the different clauses for an unlimited period, bearing it in mind that the court has complete discretion over the length of orders according to all the factors in the case.

Many people are concerned that the amendments to the Family Homes and Domestic Violence Bill—as set out now in part IV of the Family Law Bill—deny equal rights to protection from violence to those cohabitees with no existing legal right to occupy. Clauses 33 and 35 are very unfair, and will create hardship for those experiencing violence in longer-term common law relationships. That is what we are talking about.

Mrs. Peacock: The hon. Lady states that she is looking at longer-term cohabiting relationships. Can she give some idea of the length of time she is referring to? Although we condemn violence against any person, many of us are concerned that it is possible that someone in a short-term relationship could seek an ouster order and take over a property.

Mrs. Maddock: The very next part of what I was going to say deals with that issue. Discretion is needed by the courts to deal fairly with cohabitees on the basis of the nature and length of their relationship. That was present in the original drafting of the Bill, which would have allowed for extremely limited rights of occupation for temporary relief from violence to be granted where the relationship between an applicant and a respondent was recent and unstable. The original Bill provided only limited rights.

The newspapers and other media blew this matter up and misrepresented the facts. I merely wanted to go back to where we were originally, because the newly redrafted clauses discriminate against many common law wives who have had a long-term relationship and who are sometimes legally entitled to an interest in the home in any case. We want to go back to the original drafting of the Bill.

Clauses 33 and 35 limit occupation rights to a maximum period of one year. In certain circumstances—particularly where alternative housing options are poor, or where there is illness—there may be insufficient time in which to find alternative accommodation for a mother and her children. My amendment seeks to delete those clauses, but does not stop the courts saying that the period should be only a short one.

It may help if I explain how clauses 33 and 35 would undermine just and fair resolutions. For example, a woman may have experienced violence after moving in with a common law partner several years ago when he was the original owner or tenant. They may have moved in together, but he may have insisted that the property be put in his name. If there are children of the relationship, the woman will find it harder to leave to escape violence, and she will frequently try hard to make the relationship work, especially for the children. She may also be directly contributing to the rent or the mortgage. She is likely to be contributing to household overheads and she will be very likely to have invested earned income or the value of her unwaged work in the household economy.

A woman in that position may be able to make a legal claim for recognition of her contribution if the relationship breaks down irrevocably, but that may take years and it will not help her with protection from violence in the immediate future. It may well be that her common law partner has refused to marry her, and has refused to put her name on the rent book or the mortgage deeds, precisely because that leaves him with all the financial cards in the relationship and therefore more power and control over the family. We know that that sort of thing happens. Limiting rights of protection from abuse for women in that position is unlikely to create more incentives for such men to marry. That is one of the key points. The current re-drafting of part IV completely fails to address that aspect of domestic violence as it manifests itself in many relationships today.

The Bill purports to be gender neutral, but the example that I have given of a woman in a long-term cohabiting relationship reveals how frequently power and financial advantage within the family are not gender neutral and may provide greater incentives for men not to marry. Women need protection by law from violence. In many cases, commitment to the welfare of the children and the creation of a stable family does exist outside marriage, but the protection of children and of the non-abusing parent, who is often a woman, at risk from violence, should be the paramount consideration.

We have heard people say that passing such an amendment will undermine marriage, but I look at it differently. If we do not pass it, we are saying that people who live together and have children do not have the same responsibilities as married people and that in some ways it is not so bad if they commit violence against the people they live with. We should be saying that, regardless of whether people are married or in a long-term relationship and not officially married, violence is unacceptable and the woman deserves to be protected. It sends a message to men that they cannot avoid their responsibilities to women by not marrying.

I urge the House to support the amendments.

Mr. Streeter: The intention behind amendments Nos. 115 to 118 is to remove any differences between the way in which spouses and cohabitants are treated when applying for occupation orders. To that extent, I believe that the hon. Member for Christchurch (Mrs. Maddock) is misguided.

The amendments will have the effect of removing two of the changes made in part IV. First, in the case of cohabitants who have no entitlement to occupy the property, there is a restriction on the length of time for which they can receive the benefit of an occupation order. The limit in the Bill is six months, renewable only once. The amendment would allow indefinite renewals at the discretion of the court, which is the position of non-entitled spouses. The Government believe that an occupation order in favour of a person not entitled to occupy the property should essentially be to provide short-term protection for the victim while they seek

[Mr. Streeter]

alternative accommodation. A year should be sufficient to do so. It is important to recognise that, during that time, a person who is entitled to occupy the property will be prevented from doing so. In the case of marriage, which has involved a lifelong commitment, there may be instances where the court feels that it is just to make a longer order in favour of the non-entitled spouse, but such cases must be left to the discretion of the court.

Secondly, the clauses were redrafted to adjust the operation of the balance of harm test. There was widespread opposition to the suggestion that the court be placed under a duty to grant an occupation order with a restriction or exclusion provision in favour of a non-entitled cohabitant. That is reflected in the clauses as drafted. The amendments would place on the court the same duty in respect of the balance of harm test for both non-entitled spouses and cohabitants. The Government believe that they have ensured that the question of harm to non-entitled cohabitants and to relevant children will be fully considered by the court, by placing in the Bill as drafted an explicit duty on the court to consider that question. The court is not fettered in any way from acting as it sees fit, having considered the question of harm and all the other circumstances of the case.

In considering the circumstances of the case in deciding whether to make an order in favour of an applicant who is a non-entitled cohabitant or former cohabitant under clause 33, the court is required to have regard to the nature of the parties' relationship and to the length of the time during which they have lived together as husband and wife—the very point that the hon. Member for Christchurch seeks to address. The amendments would also remove this requirement. As I mentioned before, the Government believe that there is a difference between cohabitation and marriage, and we believe that it is proper that the difference is reflected in the considerations of the court. We believe that that is the overwhelming view of the House. However, that does not mean that the court will necessarily come to different conclusions in the two cases, given the concern of the court in these matters to afford effective protection from domestic violence.

The amendments almost completely eradicate the differences between those who have given the commitment of marriage and those who have not. They are not acceptable to the Government and I ask the House to reject them. Government amendments Nos. 56 to 58 are acceptable and I urge the House to support them.

11 pm

Mrs. Maddock: I anticipated the Minister's reaction to the amendments and I maintain that the Government are wrong on this. They are encouraging men not to commit themselves to long-term relationships and denying help to women who are in long-term cohabiting relationships where men hold all the cards. If the amendments are not passed, the principle of men holding all the cards will be upheld. The Government's attitude is disappointing and I hope that many hon. Members will support the amendments.

Question put, That the amendment be made:—

The House divided: Ayes 207, Noes 261.

Division No. 148] **[11.00 pm**

AYES

Ainger, Nick
Alton, David
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Banks, Tony *(Newham NW)*
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Boateng, Paul
Bradley, Keith
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr John
Currie, Mrs Edwina *(S D'by'ire)*
Dalyell, Tam
Davies, Chris *(L'Boro & S'worth)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eastham, Ken
Fatchett, Derek
Field, Frank *(Birkenhead)*
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jenkins, Brian *(SE Staff)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Lewis, Terry
Liddell, Mrs Helen
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*

Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Emma *(Devon West)*
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Sheerman, Barry
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Mr. Archy Kirkwood and Ms Liz Lynne.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Amess, David
Anderson, Donald *(Swansea E)*
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Hague, Rt Hon William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kirkhope, Timothy
Knapman, Roger
Knight, Ms Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Malone, Gerald
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Paisley, The Reverend Ian
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter

Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Derek Conway.

Question accordingly negatived.

Clause 31

EFFECT OF ORDER UNDER S. 30 WHERE RIGHTS ARE CHARGE ON DWELLING-HOUSE

Amendment made: No. 55, in page 26, line 31, leave out '(e)' and insert '(d)'.—*[Mr. Streeter.]*

Clause 38

ADDITIONAL CONSIDERATIONS IF PARTIES ARE COHABITANTS OR FORMER COHABITANTS

Amendments made: No. 56, in page 29, line 37, leave out from beginning to 'have', in line 39, and insert—

'(2) Where the court is required to consider the nature of the parties' relationship, it is to have regard to the fact that they'.

No. 57, in page 29, leave out line 41.—*[Mr. Streeter.]*

Clause 45

REMAND FOR MEDICAL EXAMINATION AND REPORT

Amendment made: No. 58, in page 33, line 31, leave out from 'issued' to end and insert

'on an application made under section 44(8)'.—*[Mr. Streeter.]*

Clause 60

RULES, REGULATIONS AND ORDERS

Amendment made: No. 59, in page 41, line 23, at end insert—

'( ) This section does not apply to rules of court made, or any power to make rules of court, for the purposes of this Act.'.—*[Mr. Streeter.]*

Clause 62

SHORT TITLE, COMMENCEMENT AND EXTENT

Mr. Streeter: I beg to move amendment No. 60, in page 41, line 35, after 'that' insert

'—

(a)'.

Madam Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 61, 62, 77 to 86 and 96.

Mr. Streeter: These are minor, technical and consequential amendments to clause 62 and schedules 3, 8 and 10. They do not make policy changes, and I commend them to the House.

Amendment agreed to.

Amendments made: No. 61, in page 41, line 37, leave out 'and'.

No. 62, in page 41, line 39, at end insert

'; and

(iii) the amendments of the Maintenance Orders Act 1950, the Civil Jurisdiction and Judgments Act 1982, the Finance Act 1985 and sections 42 and 51 of the Family Law Act 1986 extend also to both Northern Ireland and Scotland; and

(b) in Schedule 10, the repeal of section 2(1)(b) of the Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 extends also to Scotland.'.—*[Mr. Streeter.]*

Schedule 1

ARRANGEMENTS FOR THE FUTURE

Amendments made: No. 13, in page 42, line 6, leave out

'41 of the 1973 Act'

and insert

'*(Welfare of children)*'.

No. 14, in page 42, line 21, leave out

'41 of the 1973 Act'

and insert

'*(Welfare of children)*'.

No. 15, in page 42, line 39, leave out

'41 of the 1973 Act'

and insert

'*(Welfare of children)*'.—*[Mr. Llwyd.]*

Amendment proposed: No. 63, in page 42, line 42, at end insert—

'The fourth exemption

3A. The circumstances referred to in section 9(7)(d) are that—

(a) the requirements of section 41 of the 1973 Act have been satisfied;

(b) an occupation order or a non-molestation order is in force in favour of the applicant or a child of the family, made against the other party;

(c) the applicant has, during the period for reflection and consideration, taken such steps as are reasonably practicable to try to reach agreement about the parties' financial arrangements;

(d) the applicant has not been able to reach agreement with the other party about those arrangements and is unlikely to be able to do so in the foreseeable future; and

(e) a delay in making the order applied for under section 3—

(i) would be significantly detrimental to the welfare of any child of the family; or

(ii) would be seriously prejudicial to the applicant.'.—*[Mr. Streeter.]*

Amendment made to the proposed amendment: (a), leave out

'41 of the 1973 Act'

and insert

'*(Welfare of children)*'.—*[Mr. Llwyd.]*

Amendment, as amended, agreed to.

Schedule 2

FINANCIAL PROVISION

11.15 pm

Mr. Streeter: I beg to move amendment No. 64, in page 45, leave out lines 9 to 12.

Madam Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 113, in page 46, line 14, at end insert—

'(1A) No financial provision order, other than an interim order, may be made under section 22A above before the end of the first six months of the period for reflection and consideration, unless—

(a) it is an order in the terms applied for to which the other party agrees; or

(b) it takes effect, in accordance with subsection (1), before the making of a divorce order or separation order, and the court is satisfied—

(i) that there are exceptional circumstances, and

(ii) that it would be just and reasonable for the order to be made earlier.'.

No. 120, in page 46, line 14, at end insert—

'(1A) No financial provision order, other than an interim order, may be made under section 22A above before the end of the first three months of the period for reflection and consideration, unless—

(a) it is an order in the terms applied for to which the other party agrees; or

(b) it takes effect, in accordance with subsection (1), before the making of a divorce order or separation order, and the court is satisfied—

(i) that there are exceptional circumstances, and

(ii) that it would be just and reasonable for the order to be made earlier.'.

Government amendments Nos. 65 and 66.

No. 114, in page 48, line 45, at end insert—

'(1A) No property adjustment order may be made under section 23A above before the end of the first six months of the period for reflection and consideration, unless—

(a) it is an order in the terms applied for to which the other party agrees; or

(b) it takes effect, in accordance with subsection (1), before the making of a divorce order or separation order, and the court is satisfied—

(i) that there are exceptional circumstances, and

(ii) that it would be just and reasonable for the order to be made earlier.'.

No. 121, in page 48, line 45, at end insert—

'(1A) No property adjustment order may be made under section 23A above before the end of the first three months of the period for reflection and consideration, unless—

(a) it is an order in the terms applied for to which the other party agrees; or

(b) it takes effect, in accordance with subsection (1), before the making of a divorce order or separation order, and the court is satisfied—

(i) that there are exceptional circumstances, and

(ii) that it would be just and reasonable for the order to be made earlier.'.

Government amendments Nos. 67 to 76 and 87 to 92.

Mr. Streeter: Amendments Nos. 64 to 76 make drafting changes and minor corrections to schedule 2 but make no policy changes, and I commend them to the House.

If my hon. Friend the Member for Canterbury (Mr. Brazier) moves amendments Nos. 120 and 121, which relate to the making of three-month restrictions on the making of property and other orders, I can accept them. That restriction may be of some benefit to couples who want to reconcile from the time of attending the information session to the time that the court can make a contested order. There will generally be six months to seek a reconciliation before a contested order is made. Once the court has made an order, reconciliation is still facilitated by the power of the court to vary orders on reconciliation. The court also has power to vary all types of property adjustment orders, and lump sum orders, made before a divorce or separation order is made. I cannot accept amendments Nos. 113 and 114 and ask my hon. Friend not to move them.

Amendments Nos. 87, 91, 92, 88, 89 and 90 are technical and sensible, and I commend them to the House.

Mr. Brazier: Amendments Nos. 120 and 121 would provide three months' extra reflection and consideration in certain circumstances before final financial and property orders can be made. That provision has nothing to do with the total time taken before a divorce is granted but everything to do with trying to save marriages that may still be saveable after the couple have begun the divorce process.

In cases of domestic violence, eviction orders would be totally unaffected. In the same way, where there is genuine financial need, interim financial orders will also be unaffected.

The amendments would assist in saving saveable marriages because once the family home is broken up in a property order or financial orders have been made, the couple in question are a long way down the road of a marriage break-up. The House has made it absolutely clear that it wants pause for thought in divorce and has voted for, in most cases, 18 months to achieve it. It would be strange if it were possible in all circumstances after just three months for couples to start the machinery that will effectively break up their marriage.

This modest pair of amendments provide for three additional months, making six months, before the final property or financial order can be negotiated—subject to a string of let-outs. The Conservative Family Campaign's legal advisers say that those let-outs will probably apply in the majority of cases. There will be a let-out in cases that are uncontested and in which the court rules that exceptional circumstances make that just and reasonable—and the courts are only too willing to allow exceptional circumstances. None the less, in the residue of cases where divorce is contested and there are no special circumstances, people will be required to reflect for six months before they set their decision in concrete. That can only be a good thing and in line with the wishes of the House—which voted for a much longer period for divorce. I urge the House to support both amendments, which would halt the machinery of divorce a little longer.

Mr. Boateng: We well understand what motivates the hon. Member for Canterbury (Mr. Brazier) in tabling the amendments. In the real world, however, it is not possible for the parties to be held, as it were, frozen in suspended animation while the world goes on around them. That is not how it happens in the divorce process. As we have

[Mr. Boateng]

consistently said, we need to intervene early by pathways to reconciliation. Once those pathways have been explored, there is no point in freezing the machinery any further. If reconciliation is not possible, in the children's interests, the impulse must be to move quickly to agreement in relation to property and to children.

Therefore, we will with regret, but absolute certainty vote against the amendments. They do not promote reconciliation or assist the process. On the contrary, they present yet another element of complexity that will create only uncertainty and do harm. We will oppose the amendments.

Mr. Brazier *rose—*

Madam Deputy Speaker: Order. The hon. Gentleman has already spoken.

Mr. Brazier: With the leave of the House,

Hon. Members: No.

Madam Deputy Speaker: I am sorry. I know that the hon. Member for Canterbury (Mr. Brazier) was seeking to intervene, but, as the hon. Member for Brent, South (Mr. Boateng) had already sat down, the situation cannot arise.

Mr. Streeter: With the leave of the House, I have noted carefully what the hon. Member for Brent, South (Mr. Boateng) has said. He is wrong.

Mr. Brazier: Will my hon. Friend give way?

Mr. Streeter: Of course.

Mr. Brazier: I am most grateful to my hon. Friend for allowing me to intervene. The hon. Member for Brent, South (Mr. Boateng) has effectively made a case for abridging the total divorce process. I ask the House to think what possible logic there is in having a total divorce process that takes 18 months, but, if people want, in setting it all in concrete in every case after three months.

Mr. Streeter: My hon. Friend makes a good point. The amendments are modest and sensible and I urge my colleagues to support them.

Amendment agreed to.

Amendment proposed: No. 120, in page 46, line 14, at end insert—

'(1A) No financial provision order, other than an interim order, may be made under section 22A above before the end of the first three months of the period for reflection and consideration, unless—

(a) it is an order in the terms applied for to which the other party agrees; or

(b) it takes effect, in accordance with subsection (1), before the making of a divorce order or separation order, and the court is satisfied—

(i) that there are exceptional circumstances, and

(ii) that it would be just and reasonable for the order to be made earlier.'.—*[Mr. Brazier.]*

Question put, That the amendment be made:—

The House divided: Ayes 169, Noes 223.

Division No. 149] **[11.25 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Alton, David
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Bellingham, Henry
Bendall, Vivian
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bowden, Sir Andrew
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Bruce, Ian *(South Dorset)*
Burns, Simon
Burt, Alistair
Butcher, John
Carrington, Matthew
Chapman, Sir Sydney
Clappison, James
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Currie, Mrs Edwina *(S D'by'ire)*
Day, Stephen
Deva, Nirj Joseph
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Emery, Rt Hon Sir Peter
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Forsyth, Rt Hon Michael *(Stirling)*
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
Gallie, Phil
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Hague, Rt Hon William
Hampson, Dr Keith
Hargreaves, Andrew
Hawkins, Nick
Hawksley, Warren
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hill, Sir James *(Southampton Test)*
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Knapman, Roger
Kynoch, George *(Kincardine)*
Lamont, Rt Hon Norman
Leigh, Edward
Lennox-Boyd, Sir Mark
Lidington, David
Lord, Michael
Luff, Peter
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Malone, Gerald
Marlow, Tony
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Paice, James
Paisley, The Reverend Ian
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas

Spencer, Sir Derek
Sproat, Iain
Stanley, Rt Hon Sir John
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Ward, John
Waterson, Nigel
Watts, John
Wheeler, Rt Hon Sir John
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Dr. Robert Spink and
Mr. Michael Brown.

NOES

Ainger, Nick
Ainsworth, Peter *(East Surrey)*
Allen, Graham
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Barron, Kevin
Batiste, Spencer
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Boateng, Paul
Bottomley, Peter *(Eltham)*
Bradley, Keith
Brown, N. *(N'c'tle Tyne E)*
Burden, Richard
Butterfill, John
Byers, Stephen
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Churchill, Mr
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr John
Curry, David *(Skipton & Ripon)*
Dalyell, Tam
Davies, Chris *(L'Boro & S'worth)*
Davies, Ron *(Caerphilly)*
Davis, David *(Boothferry)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Evans, Jonathan *(Brecon)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fishburn, Dudley
Fisher, Mark
Flynn, Paul
Forman, Nigel
Forth, Eric
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garel-Jones, Rt Hon Tristan
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Hayes, Jerry
Heald, Oliver
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hunt, Sir John *(Ravensbourne)*
Illsley, Eric
Ingram, Adam
Jack, Michael
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Jenkins, Brian *(SE Staff)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Knight, Rt Hon Greg *(Derby N)*
Knox, Sir David
Lait, Mrs Jacqui
Lester, Sir James *(Broxtowe)*
Lewis, Terry
Liddell, Mrs Helen
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
MacKay, Andrew
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, John *(Hendon S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Nicholson, Emma *(Devon West)*
O'Brien, Mike *(N W'kshire)*
Olner, Bill
Oppenheim, Phillip
Ottaway, Richard
Pickles, Eric
Pickthall, Colin
Pike, Peter L
Pope, Greg
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rathbone, Tim
Raynsford, Nick
Reid, Dr John
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Sheerman, Barry
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Spring, Richard
Squire, Rachel *(Dunfermline W)*
Squire, Robin *(Hornchurch)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wells, Bowen
Whitney, Ray
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Worthington, Tony
Wright, Dr Tony
Young, Rt Hon Sir George

Tellers for the Noes:
Ms Janet Anderson and
Mrs. Jane Kennedy.

Question accordingly negatived.

Amendments made: No. 65, in page 46, line 18, leave out from 'consideration' to end of line 19 and insert

'is interrupted under section 7(8) of the 1996 Act.'.

No. 66, in page 46, line 34, at end insert—

'(5) In this section, "period for reflection and consideration" means the period fixed by section 7 of the 1996 Act." '.

No. 67, in page 48, line 48, leave out from 'consideration' to end of line 49 and insert

'is interrupted under section 7(8) of the 1996 Act.'.

No. 68, in page 49, line 10, leave out '22A' and insert '23A'.

No. 69, in page 49, line 15, at end insert—

'(5) In this section, "period for reflection and consideration" means the period fixed by section 7 of the 1996 Act." '.

No. 70, in page 49, line 43, after '(b)' insert

'above, unless sub–paragraph (ia) below applies,'.

No. 71, in page 49, line 44, at end insert—

'(ia) where the order is made by virtue of section 22A(2)(b) above and the application for the divorce order was made following cancellation of an order preventing divorce under section 10 of the 1996 Act, than the date of the making of that application;'.

No. 72, in page 49, line 45, leave out 'or (d)' and insert 'above'.

No. 73, in page 50, line 16, after 'above' insert

', except where paragraph (aa) below applies,'.

No. 74, in page 50, line 17, at end insert—

'(aa) in the case of an order made by virtue of section 22A(2)(b) above where the application for the divorce order was made following cancellation of an order preventing divorce under section 10 of the 1996 Act, the date of the making of that application;'.

No. 75, in page 50, line 18, leave out 'such'.

No. 76, in page 50, line 18, leave out 'or (d)'.—*[Mr. Streeter.]*

Schedule 3

STAY OF PROCEEDINGS

Amendments made: No. 77, in page 51, line 43, after 'means' insert

'—

(a)'.

No. 78, in page 51, line 44, at end insert 'or

(b) if the proceedings are for the conversion of a separation order into a divorce order under section 4 of the Family Law Act 1996, the statement of marital breakdown by reference to which the separation order was made.'.—*[Mr. Streeter.]*

Schedule 8

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 79, in page 66, line 37, leave out from 'In' to 'section'.

No. 80, in page 66, line 38, after 'applies)' insert

'—

(a) in subsection (2)(a)(i),'.

No. 81, in page 66, line 39, leave out 'and'.

No. 82, in page 66, line 39, at end insert '; and

(b) in subsection (2)(c)(v), after "Matrimonial Causes Act 1973" insert "(as that Act had effect immediately before the passing of the Family Law Act 1996)".'.

No. 83, in page 67, leave out lines 4 to 13.

No. 84, in page 67, line 46, at end insert—

'Proceedings after decree nisi: general powers of court

15B.—(1) Where a decree of nullity of marriage has been granted under this Act but not made absolute, then, without prejudice to section 15A above, any person (excluding a party to the proceedings other than the Queen's Proctor) may show cause why the decree should not be made absolute by reason of material facts not having been brought before the court; and in such a case the court may—

(a) notwithstanding anything in section 15 above (but subject to section 41 below) make the decree absolute; or

(b) rescind the decree; or

(c) require further inquiry; or

(d) otherwise deal with the case as it thinks fit.

(2) Where a decree of nullity of marriage has been granted under this Act and no application for it to be made absolute has been made by the party to whom it was granted, then, at any time after the expiration of three months from the earliest date on which that party could have made such an application, the party against whom it was granted may make an application to the court, and on that application the court may exercise any of the powers mentioned in paragraphs (a) to (d) of subsection (1) above.'.

No. 85, in page 67, line 47, after 'divorce' insert 'to'.

No. 86, in page 67, line 48, leave out from '19)' to end of line 6 on page 68 and insert

'—

(a) for "1(5), 8 and 9" substitute "15, 15A and 15B"; and

(b) for "divorce" in both places substitute "nullity of marriage".'.

No. 87, in page 69, line 10, at end insert

'and, if the first party has already applied to the court for the making of such an order, it may dismiss the application.'.

No. 88, in page 69, line 25, leave out from beginning to 'substitute' in line 26 and insert—

'—(1) Section 27 (financial provision orders etc. in case of failure to provide proper maintenance) is amended as follows.

(2) In subsection (5)—

(a) after "an order requiring the respondent" insert "—

(a)"; and

(b) at the end insert ", or

(b) to pay to the applicant such lump sum or sums as the court thinks reasonable."

(3) For subsection (6)'.

No. 89, in page 69, line 31, at end insert—

'(4) In subsection (7), for "(6)(c) or (f)" substitute "(6)".'.

No. 90, in page 72, line 9, at end insert

', so far as it requires the making of periodical payments." '.—*[Mr. Streeter.]*

Amendment made: No. 16, in page 72, leave out lines 27 to 46.—*[Mr. Llwyd.]*

Amendments made: No. 91, in page 73, line 22, after '22A' insert 'or 23'.

No. 92, in page 75, line 35, leave out from 'etc.)' to end of line 45 and insert

'—

(a) after paragraph (b), insert—

"(bb) is executed in pursuance of an order of a court which is made at any time under section 22A, 23A or 24A of the Matrimonial Causes Act 1973, or"; and

(b) in paragraph (c), for "or their judicial separation" substitute ", their judicial separation or the making of a separation order in respect of them".'.—*[Mr. Streeter.]*

Schedule 9

MODIFICATIONS, SAVING AND TRANSITIONAL

Amendment made: No. 107, in page 83, line 15, at end insert—

'Transitional arrangements for those who have been living apart

.—(1) The Lord Chancellor may by order provide for the application of Part II to marital proceedings which—

(a) are begun during the transitional period, and

(b) relate to parties to a marriage who immediately before the beginning of that period were living apart,

subject to such modifications (which may include omissions) as may be prescribed.

(2) An order made under this paragraph may, in particular, make provision as to the evidence which a party who claims to have been living apart from the other party immediately before the beginning of the transitional period must produce to the court.

(3) In this paragraph—

"marital proceedings" has the same meaning as in section 21;

"prescribed" means prescribed by the order; and

"transitional period" means the period of two years beginning with the day on which section 3 is brought into force.'.—*[Mr. Nicholas Brown.]*

Amendments made: No. 93, in page 84, line 13, leave out from 'affects' to end of line 14 and insert

'—

( ) any decree granted before the coming into force of the provision;

( ) any proceedings begun, by petition or otherwise, before that time; or

( ) any decree granted in any such proceedings;'.

No. 94, in page 84, line 19, after first 'proceedings' insert 'or decree'.

No. 95, in page 84, line 20, leave out from 'any' to third 'or' and insert 'such proceedings or decree;'.—*[Mr. Streeter.]*

Schedule 10

REPEALS

Amendment made: No. 96, in page 86, column 3, leave out line 18 and insert—

'Sections 9 and 10'.

—*[Mr. Streeter.]*

Amendment made: No. 17, in page 86, column 3, leave out lines 43 and 44 and insert—

'In section 41, in subsection (1) the words "divorce or" and "or a decree of judicial separation" and in subsection (2) the words "divorce or" and "or that the decree of judicial separation is not to be granted.".'.—*[Mr. Llwyd.]*

Order for Third Reading read.

Motion made, and Question put, That the Bill be now read the Third time.—*[Mr. Streeter.]*

The House divided: Ayes 427, Noes 9.

Division No. 150] **[11.38 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Allen, Graham
Amess, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Arbuthnot, James
Armstrong, Hilary
Arnold, Jacques *(Gravesham)*
Ashdown, Rt Hon Paddy
Ashton, Joseph
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Barron, Kevin
Batiste, Spencer
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bellingham, Henry
Bennett, Andrew F
Benton, Joe
Beresford, Sir Paul
Berry, Roger
Biffen, Rt Hon John
Boateng, Paul
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Bradley, Keith
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Ian *(South Dorset)*
Burden, Richard
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Byers, Stephen
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Chidgey, David
Chisholm, Malcolm
Churchill, Mr
Clapham, Michael
Clappison, James
Clark, Dr David *(South Shields)*
Clarke, Rt Hon Kenneth *(Ru'clif)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clifton-Brown, Geoffrey
Clwyd, Mrs Ann
Coe, Sebastian
Coffey, Ann
Cohen, Harry
Congdon, David
Connarty, Michael
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Corbett, Robin
Couchman, James
Cousins, Jim
Cox, Tom
Cran, James
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr John
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David
Dalyell, Tam
Davies, Chris *(L'Boro & S'worth)*
Davies, Ron *(Caerphilly)*
Davis, David *(Boothferry)*
Davis, Terry *(B'ham, H'dge HT)*
Day, Stephen
Denham, John
Deva, Nirj Joseph
Dewar, Donald
Donohoe, Brian H
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dowd, Jim
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Dunwoody, Mrs Gwyneth
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Emery, Rt Hon Sir Peter
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Field, Frank *(Birkenhead)*
Fishburn, Dudley
Fisher, Mark
Flynn, Paul
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
Fyfe, Maria
Galbraith, Sam
Gale, Roger
Gallie, Phil
Galloway, George
Gapes, Mike
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Garrett, John
Gerrard, Neil
Gillan, Cheryl
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Graham, Thomas
Grant, Bernie *(Tottenham)*
Greenway, Harry *(Ealing N)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Peter *(Portsmouth, N)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hague, Rt Hon William
Hain, Peter
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hanson, David
Hardy, Peter
Hargreaves, Andrew
Harman, Ms Harriet
Harvey, Nick
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles

Heppell, John
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howell, Rt Hon David *(G'dford)*
Howells, Dr Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Robert G *(Harrow W)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Illsley, Eric
Ingram, Adam
Jack, Michael
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian *(SE Staff)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B *(W Hertfdshr)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Liddell, Mrs Helen
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lord, Michael
Luff, Peter
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
MacKay, Andrew
McKelvey, William
Mackinlay, Andrew
Maclean, Rt Hon David
McLeish, Henry
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
MacShane, Denis
Madden, Max
Maddock, Diana
Mahon, Alice
Maitland, Lady Olga
Malone, Gerald
Mandelson, Peter
Marek, Dr John
Marland, Paul
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Merchant, Piers
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Paul
Nelson, Anthony
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
O'Brien, Mike *(N W'kshire)*
Oiner, Bill
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Pickthall, Colin
Pike, Peter L
Pope, Greg
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Rathbone, Tim
Raynsford, Nick
Redwood, Rt Hon John
Reid, Dr John
Rendel, David
Renton, Rt Hon Tim
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowe, Andrew *(Mid Kent)*
Rowlands, Ted
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Sheerman, Barry
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Short, Clare
Sims, Sir Roger
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Sir Dudley *(Warwick)*
Smith, Llew *(Blaenau Gwent)*
Soames, Nicholas
Soley, Clive
Spellar, John
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Rachel *(Dunfermline W)*
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Steinberg, Gerry
Stephen, Michael
Stevenson, George
Stewart, Allan
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Streeter, Gary
Sutcliffe, Gerry
Sweeney, Walter
Sykes, John
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Tipping, Paddy
Touhig, Don
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Trickett, Jon
Turner, Dennis
Twinn, Dr Ian
Vaughan, Sir Gerard
Vaz, Keith
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Wallace, James
Walley, Joan
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Wicks, Malcolm
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wolfson, Mark
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Michael Bates and
Mr. Timothy Wood.

NOES

Alton, David
Cann, Jamie
Lewis, Terry
Neubert, Sir Michael
Paisley, The Reverend Ian
Patten, Rt Hon John
Skeet, Sir Trevor
Skinner, Dennis
Townend, John *(Bridlington)*

Tellers for the Noes:
Dr. Jeremy Bray and
Mr. Edward Leigh.

Question accordingly agreed to.

Bill read the Third time, and passed, with amendments.

Cornton Vale Prison (Suicides)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Brandreth.]*

11.52 pm

Mr. John McFall (Dumbarton): I am privileged to have this debate on suicides at Cornton Vale prison. The latest case concerned a young constituent of mine, Angela Bollan, aged 19.

I well remember the evening of Friday 26 April. I was organising a dance in my constituency when I was telephoned by the media at 6 pm to be told that one of my young constituents had committed suicide. I know her parents, Jim and Ann Bollan, very well. I went to visit them that evening to offer my condolences. It was no surprise that, when I visited them, they were devastated, distraught and numb at what had happened. They kept asking why it had happened to their daughter.

Angela was a bubbly teenager. Her mother told me that she had telephoned her the previous day. She said that Angela was a vibrant 19-year-old girl with an outgoing personality who never dwelt on problems or held grudges. She saw the good side of everyone and could with ease bridge the generation gap with her elders.On the day she died, she wrote a letter to her parents in the usual upbeat terms. She was looking forward to release. Her parent said that her letter stated:

"she had just been to the gym, telling us she had her hair cut and styled and asking us to bring some clothes up later that week."

Her parents cannot accept Angela's death, and feel that there is culpability on the part of the Scottish Prison Service for her death.

It is important to remember that Angela was on remand in Cornton Vale prison, and that the issue of remand prisoners in Scotland should be subjected to increasing focus by the Government. In Scotland, the number of such prisoners in recent years has increased. In any one year, 20 per cent. of the 5,500 Scottish prison population are on remand, and between 1990 and 1994 there was a staggering increase of 35 per cent. in the number of prisoners held on remand. In 1990, there were 771 people in that category, and by 1994 the figure had risen to 1,015.

I have spoken to Clive Fairweather, Her Majesty's Inspector of Prisons in Scotland, and I know that he is concerned about the number of prisoners on remand. Among such prisoners there is a prevalence of mental disorder and drug and alcohol dependency. I should like to quote a parliamentary answer by a Home Office Minister that was given to a colleague. It states:

"researchers from the Institute of Psychiatry recently undertook for the Prison Service a study aimed principally at measuring the prevalence of mental disorder amongst the remand population in England and Wales. They considered that 66 per cent. of the adult males, 53 per cent. of the young men and 77 per cent. of the women in a large and broadly representative sample could be diagnosed as suffering from some form of mental disorder, a term which includes in this context harmful or dependent substance misuse."—[*Official Report*, 18 April 1996; Vol. 275, c. *566.*]

I do not think that the situation is any different in Scotland.

My young constituent, Angela Bollan, was drug-dependent, but, with parental help and encouragement, she was making every attempt to overcome that. On the day of her funeral, the minister who conducted it, the Rev. Ian Millar, in an eloquent homily, said that there was little doubt that, of late, Rainbow house—that is the drug unit to which Angela went in Glasgow—was an immense influence in her life. He said:

"It was her solace and there she made so many very special friends. There she found love that asked no questions. Love that accepted and love that made no judgments. There she made the first of those faltering 12 steps to health."

The minister went on to widen the issue of the problem that confronted Angela and many other young people. He commented that, in our community, in Dumbarton and the Vale of Leven area—it is no different in many other communities—

"many hundreds of good and decent children are thrown on to the scrapheap of unemployment. The future to them seems devoid of any worth and meaning. Is it any wonder that many seek alternatives which might lift the gloom even if only for a moment."

He went on:

"I see a metamorphosis before my eyes. That catastrophic change which occurs when the bright and smiling youngsters of the primary school realise that their hopes and dreams of early years cannot be fulfilled. Despite the positive efforts of the school to promote their self-esteem, cynicism enters their soul and they give up on the system."

He mentioned the anger and the affront that that caused. It causes anger because he and other people in the community, and her parents, thought that Angela might have been saved from the demons that haunted her, and saved from herself within the prison system.

I am not here to blame the Cornton Vale staff, because I have visited the prison and seen for myself the good efforts that have been made there. The system is to blame—it dehumanises.

In the previous year, another young constituent of mine—an 18-year-old called Gerry Deary—committed suicide in Greenock prison. I visited his parents and relatives in their home on the following Saturday. His uncle told me that, if the authorities had allowed Gerry's relatives to visit him and tell him to wisen up, not to be so silly, and to prepare himself to come home soon, they could have done something for him. But they were separated from him for a vital few days, and never had that opportunity.

The fatal accident inquiries into the other deaths in Cornton Vale—those into Arlene Elliot and Kelly Holland—have highlighted the deficiencies. I will not go into the details of the cases, but it is obvious that there were faults in communication both within and outside the prison, and in the expertise of prison officers. In one case, a psychiatrist—Dr. Hunter—went to see Arlene Elliot, but he was not allowed into the prison because his visit coincided with the tea break of the prison officers. That matter was referred to by Sheriff Principal John Maguire in his fatal accident inquiry report.

Dr. Kevin Power and Professor Gunn have been commissioned by the Scottish Prison Service to look at the deficiencies in identification, communication and care, and they have made a number of recommendations. I have had the opportunity to see the bare recommendations, but not the report. I want the Minister to focus on the recommendations, and give us an assurance that something is now happening.

That is why I support the plea from my constituents Jim and Ann Bollan for a public inquiry and full disclosure. Alarm bells are ringing: there have been four

[Mr. John McFall]

suicides in Cornton Vale over a 10-month period. There were 16 suicides in Scottish prisons in 1994, 10 in 1995, and this year to date there have been four. That contrasts with a yearly average of 6.5 over the previous 10 years. Something is going wrong.

Mr. Michael Connarty (Falkirk, East): My hon. Friend has raised the very statistics that he and I have discussed, which highlight what I call the explosion of suicides in Scottish prisons. Is not the lack of communication between the medical practitioners and the custodial officers at the root of many of the suicides of people who are infirm, psychologically disturbed and not supervised properly?

Mr. McFall: That is correct, and Professor Gunn in particular has addressed that matter. The service needs increasing expertise and resources. If the Government are to take people's liberty away from them, they have an obligation to ensure that they are cared for within prison. I can offer a way forward in a number of areas to the Minister.

First, I refer to the issue of drug offenders. Most of the young girls in Cornton Vale and other prisons are there for the most petty offences. During my visit, I met a young girl who had broken bail three times. I asked her what her original offence had been, and was told that she had stolen a £40 jumper from Marks and Spencer to feed her drug habit.

The question has to be asked—is prison the proper place to put young individuals with a drug dependency? Is there not a better community alternative? Could they be sent to an intensive treatment clinic as an alternative to gaol? Perhaps they could receive intensive treatment for, say, 12 weeks, followed up by work in the community. That is a way forward, and the Government should be looking at such proposals which could also help to reduce reoffending and ease prison overcrowding.

In addition, the Government must end the practice of sending young girls on remand. I am aware that Her Majesty's inspectorate of prisons has been to Cornton Vale and reported on 31 May. That report has not yet been made public, but I hope that the inspectorate will recommend a course of action such as that, because it is totally inappropriate for young girls to be in such an alien and oppressive situation where they may suffer bullying and then try to take their own lives.

Angela Bollan's case illustrates that situation. Although the previous day she was, in her parents' word, "upbeat", she committed suicide a short time later. We cannot prevent every suicide in prison, but we must have a proper regime. The deficiencies need to be tackled.

I wish the Minister to elaborate on the Gunn and the Power recommendations.

Cultural change is important. Any profession may become preoccupied with a feeling of being beleaguered, misused and misunderstood. I do not want that to happen to the prison service, because it will do the interests of the prison service and prisoners no good, but a fundamental precondition is for the Scottish Prison Service constantly to recall the injunction in its mission statement to treat prisoners with humanity. The Government should give high priority to achieving some of the improvements in the name of humanity and justice.

With regard to the families—it is important to remember that I initiated this debate as a response to family pressure—crime prevention should concern itself with improving moral and material support to the family unit, as a place where most people receive love, psychological security and care, and civilised values are transmitted from one generation to another.

We know that the average prison population for females increased by 25 per cent. between 1992 and 1995. About half those women have dependent children. Most are non-violent offenders, and many have committed minor offences. Can it possibly be the best way to proceed to keep them in prison? I ask the Minister to consider that question very seriously.

Research in the United States of America shows that a prisoner without family support is six times more likely to reoffend in the year after release than one who has maintained close family links. We therefore pay a heavy price if we discard mechanisms that tend to keep family relationships intact.

We all bear responsibility for sending people to prison and for what goes on there. Therefore, the climate should be one in which we rise above the attitudes and vocabulary of revenge, war or punishment for its own sake, and speak instead the language of justice. The hon. and learned Member for Fife, North-East (Mr. Campbell) eloquently did so today in the Scottish Grand Committee, and that principle should be adopted by the Government with regard to the Scottish Prison Service.

We should create a climate in which we pay more attention to moral and social relationships. Sadly, for Jim and Ann Bollan, that is lost now, but we must look to the future and make our prisons a more secure and humane environment.

I appeal to the Minister by quoting one of his heroes, Winston Churchill, who said in 1910 of the principles that should underlie penal policy:

"a constant heart-searching by all charged with the duty of punishment, a desire and eagerness to rehabilitate in the world of industry all those who have paid their dues in the hard coinage of punishment . . . and an unfaltering faith that there is a treasure, if you can only find it, in the heart of every man"—

and in the heart of every woman.

12.7 am

The Minister of State, Scottish Office (Lord James Douglas-Hamilton): I am grateful to the hon. Member for Dumbarton (Mr. McFall) for the opportunity to place on record the policy of the Scottish Prison Service regarding suicide prevention.

No one can be anything but extremely concerned about suicides in prison. The loss of lives, especially young lives, in any circumstances is a matter of the greatest regret to us all, and I wish to take this opportunity to offer my condolences to the families of those who have taken their lives while in custody at Cornton Vale, at Greenock, and at those other prisons where there have been such deaths in recent months.

The hon. Gentleman referred to his constituent, Angela Bollan, who died in custody in Cornton Vale on 26 April 1996. I offer my deepest sympathy to Miss Bollan's family. A fatal accident inquiry will be held into the circumstances surrounding her death, and I can assure the hon. Gentleman that any recommendations made by the sheriff will be considered very seriously by the Scottish Prison Service and by Ministers.

There will always be a fatal accident inquiry after any death in custody, unless there is a murder case. I am aware that, only today, a fatal accident inquiry has begun into the death of another young woman at Cornton Vale prison.

There are no easy answers to suicides in prisons—however, that is not to say that there is little that can be done about suicides. The staff of the Scottish Prison Service do a difficult job on behalf of society and they deserve the support of all law-abiding citizens. They take seriously their duty of care to those committed to custody, they identify those at risk of self-harm, and they do whatever they can to minimise that risk. There is much that can be done, and there is much that is being done.

There is no quick-fix solution to suicide, whether in prison or in the community. As the hon. Member will be aware, suicides in the community have also been rising. An increase in prison suicides is all the more likely when significant numbers of those committed to prison have a history of drug misuse, the withdrawal from which brings with it a range of problems with which prison medical staff and ordinary prison officers have to deal.

The Scottish Prison Service's suicide prevention strategy has three main strands: screening to encourage the identification of prisoners at risk, the provision of appropriate care, and good communications by all those involved. It recognises the problems prisoners bring with them into prison or develop while in prison, and it aims to engage medical staff, prison nurses and all other people working in prisons to identify prisoners at risk and to provide appropriate care.

Guidance is available to all prisons on how to deal with prisoners at risk, which takes account of good practice in other institutional settings and which also recognises the reality of the prison situation. However, it is important to remember that prisons are places of secure custody for those who have broken the law and who are deemed by the courts to be in need of such custody for the protection of the public, either because of the nature of their offences or because of the frequency of their offending. Being in prison is certainly no joy ride.

The public have a right to protection from those who, through their anti-social behaviour, consistently infringe the liberty of law-abiding people. There are very few offenders who find themselves in prison as a result of only one brush with the law or one court appearance. For the majority—this applies to women as well as to men—a whole variety of alternatives to custody will have been experienced before a custodial sentence is imposed.

The hon. Gentleman hinted—if I understood him correctly—that there is a place for bail hostels. The Government recognise that supervised and supported accommodation can make a contribution. I appreciate that, for some young people, being remanded in a prison or young offenders institution will be a troubling and difficult experience. However, the court has to achieve a proper balance between the risk that the alleged offender may pose to the community and the risk to the young person. Sometimes, remand in custody is the only option.

Breaches of bail are a serious problem. The public find it difficult to understand why an habitual offender can appear in court one day, only to be released on bail to commit further offences, to cause further distress to victims and to use up police resources. I accept that supervision in the community also has an important role to play in tackling reoffending while on bail.

Three years ago, we widened the scope of those services receiving 100 per cent. central Government funding to incorporate two pilot bail supervision projects in Lothian and Strathclyde. The projects will be evaluated to assess the impact of bail supervision on the behaviour of those who are subject to it.

It is our policy to promote the development, within 100 per cent. funding of criminal justice social work services, of a sufficient network of supervised criminal justice accommodation to enable courts or the Parole Board to impose conditions of residence where they think it necessary in the public interest. Offenders could be on bail, on probation or on supervision after release from custody. Development of the network will be phased over a number of years. An offer in principle has been made to the relevant local authority—Dundee council—for the establishment of a new bail hostel in Tayside.

Whatever the alternatives to prison, however, there will continue to be a need for certain people to be remanded in or committed to prison in the interest of protecting the public, and we need to be realistic about what prisons are. As a sheriff recently observed, prisons are not hospitals; nor are they schools. Identification of those who are at risk is not easy for the professional psychiatrist, far less the ordinary gallery officer. Without that identification, the provision of appropriate care—even within the limitations of the prison environment—is doubly difficult.

Having said that, I do not wish to underestimate the commitment of the Scottish Prison Service to developing and managing a strategy for the care of prisoners at risk that is effective and humane. I am, of course, aware of the criticisms that have been made of the workings of that strategy, but I wish to put on record that the findings of fatal accident inquiries into the deaths of two young women at Cornton Vale, and other recent deaths, have attributed no blame to the staff or management of the Scottish Prison Service.

Like any policy for dealing with human behaviour, the suicide prevention strategy of the Scottish Prison Service will adapt to changing circumstances. The recommendations of Professor Gunn and Dr. Kevin Power are being carefully considered, and a number of their recommendations can readily be taken on board. Others will require more careful thought.

A recurring theme from those who have studied the difficult issue of suicides in prison—from Dr. Chiswick, who investigated suicides at Glenochil in the 1980s, to Professor Gunn and Dr. Power—is the criticism, including criticism by some staff of the Scottish Prison Service, of the use of isolation and seclusion as a response to the apparently suicidal. By "isolation and seclusion", I mean the practice—which is found in virtually all prison systems—of isolating the apparently suicidal in a cell in which the means of self-harm are not available.

I readily accept that that practice, if applied day and night, is unlikely to address the underlying mental and psychological disturbances that may precipitate the suicidal tendency in the prisoner; but it is nevertheless a fact that those who are so isolated do not in general succeed in taking their own lives. In general, it is not prisoners who are under suicide supervision who do so.

Professor Gunn and others have recommended over the years that isolation and seclusion in so-called stripped cells should not be used, at least during the day. They recommend a more therapeutic approach, with, in

[Lord James Douglas-Hamilton]

appropriate cases, 24-hour surveillance of those who present as potentially suicidal. Professor Gunn has suggested that every Scottish Prison Service custodial establishment—that is, some 19 separate institutions—should have an observational ward for the potentially suicidal, staffed for 24 hours a day.

I do not dispute the value of 24-hour surveillance, but careful consideration must be given not only to the resource implications but to the practicality, in a prison setting where the prospect of a period in a hospital environment runs the risk of being an irresistible temptation to those who pose no suicide risk but who, by presenting as suicidal, would seek to manipulate the authorities into removing them from normal circulation for their own ends.

That is one of the dilemmas facing prison staff—the identification of the genuinely suicidal, and distinguishing them from those who would and do use the threat of suicide to achieve an advantage of some kind. I do, however, agree that proper emphasis should be placed on care for the genuinely suicidal, and I know that the Scottish Prison Service will be considering the recommendations that have been made in that regard very carefully.

The Prisons Board will be considering Professor Gunn's recommendations later this week. Both Professor Gunn and Dr. Power have emphasised the need for more staff training. I assure hon. Members that particular attention will be paid to what further steps can be taken to improve staff's understanding of the suicide prevention strategy, and to professional training.

A number of steps have been taken to improve the professionalism of staff. Forty per cent. of nurses working in the Prison Service now have registered mental qualifications, compared with fewer than 10 per cent. three years ago. In recent weeks, the service has embarked on a major campaign to increase the volume and quality of psychological services through a major recruitment campaign, and a rolling programme of training with at-risk prisoners is under way for prison nursing staff.

At Cornton Vale, specific measures have been taken. Staffing levels within the remand unit have been raised to improve supervision and interaction. Prisoners within the unit are out of cell to the maximum extent possible during the daytime, and work is in hand to improve the activities available to them. It should be remembered, of course, that remand prisoners are not required, under the present rules, to work. The provision of purposeful activity for such prisoners is a major challenge for prison management.

I do not believe that the recent cluster of suicides at Cornton Vale is attributable to shortcomings on the part of prison staff or to fundamental failures in the Scottish Prison Service's suicide prevention strategy. Neither Professor Gunn nor Dr. Power concluded that the strategy is not working. I must make it clear to the hon. Gentleman that any recommendations made by fatal accident inquiries will be taken extremely seriously, as will any of their observations.

I stress that everyone has a part to play in the prevention of suicide, including prisoners. The listener scheme at Edinburgh prison, in which designated volunteer prisoners provide confidential support to those who come to them for help, has been widely praised, and has been commended by Professor Gunn. It is being extended to other prisons, with the assistance of the Samaritans. Families and friends also have a role, and I urge any who have reason to be concerned about the possibility of self-harm by a prisoner to contact the governor of the prison concerned.

The staff of the Scottish Prison Service have the most important part to play—by staff, I mean all staff. Suicide prevention is not the preserve of doctors, nurses or other professionals. All staff must be alert to risk, and discipline staff in the galleries are perhaps better placed than most to pick up the signals.

I am grateful to the hon. Gentleman for highlighting this distressing matter. Where further training is required, it will be provided. Where communications need to be improved, they will be. There is no lack of commitment to the task by the management and staff of the Prison Service, and I am sure that the hon. Gentleman will join me in wishing them well in the difficult job they do.

The hon. Gentleman made an important point: that less serious offences do not necessarily merit imprisonment. I agree. He has said before that fine defaulters should not necessarily be imprisoned, and that there should be better ways of dealing with them. We should explore those matters, but the public need to be protected from dangerous criminals—we are not in dispute over that. These matters need to be studied carefully in the light of the findings and recommendations of the fatal accident inquiries.

As the hon. Gentleman knows—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned accordingly at twenty-two minutes past Twelve midnight.

House of Commons

Tuesday 18 June 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

ALLIED IRISH BANKS BILL

Read the Third time, and passed.

Oral Answers to Questions

HEALTH

Travel Vaccines

1. **Mr. Canavan:** To ask the Secretary of State for Health if he will ensure that travel vaccines continue to be made available on the NHS. [31694]

The Parliamentary Under-Secretary of State for Health (Mr. John Bowis): Yes.

Mr. Canavan: Is the Minister aware that last year alone 39 million British people made overseas visits, 16 per cent. of them to areas with a high risk of infection? Will he resist any suggestions that vaccination should cease to be available on the NHS? If he does not, many people may not get vaccinated, which would lead to an increase in the number of infected travellers returning to Britain, thereby increasing costs to the national health service and having a detrimental effect on many people's health.

Mr. Bowis: The hon. Gentleman makes a fair case for the economic health of the nation that enables so many people to travel abroad, and a good point about travellers needing to take precautions. Just as they need to take out travel insurance, they should consider their health protection. I hope that they will read the "Health Information for Overseas Travel" booklet produced by the Government. The position of successive Governments has been that immunisations are free for travellers where there is considered to be a real risk to public health if a disease is brought back to the United Kingdom. That remains the case. I am happy to join him in resisting any change to that.

Mr. Fabricant: Before my hon. Friend is overcome by generosity, will he bear in mind that many business travellers have their vaccinations paid for by their companies? It is difficult to have sympathy with people who go on exotic holidays to Australia and Thailand who say that they cannot afford to pay for their vaccinations.

Mr. Bowis: My hon. Friend makes a fair point. That is why there is a balance in the system whereby vaccinations for diseases that would not be a threat to the remainder of the population if someone were to bring them back from abroad are the responsibility of the individual. As he said, they may be paid for by a company, but the cost is small compared with the overall cost of travel abroad, certainly to the remote places that he mentioned. Where there is a potential public health risk, it is right that the NHS system should be able to provide the service through doctors or clinics.

Purchasing Contracts

2. **Mr. Touhig:** To ask the Secretary of State for Health when he last met the chairmen of NHS trusts to discuss the administrative costs of purchasing contracts. [31695]

7. **Mr. Bennett:** To ask the Secretary of State for Health what representations he has received about administrative costs in the NHS. [31700]

The Secretary of State for Health (Mr. Stephen Dorrell): I meet NHS trust chairmen regularly. The Government are committed both to the effective management of the NHS and to the reduction of unnecessary bureaucracy.

Mr. Touhig: While I recognise that an extra £1.4 billion was put into the national health service in 1993-94, every penny of it went on administrative costs. Is that obsession with bureaucracy, as opposed to front-line services, the reason why three quarters of NHS trusts have yet to make a local pay offer to nurses four months after Ministers pledged action on the matter? Is that another broken Tory promise?

Mr. Dorrell: The Opposition's concern about bureaucracy would be a great deal more convincing if they had not voted against the abolition of the regional health authorities, which was the biggest single element in the £300 million programme for shifting resources out of unnecessary bureaucracy into front-line patient services.

The Government have made it clear that nurses' pay arrangements are a matter for local agreement between employers and local nurses groups, against the guarantee of a minimum increase of 2 per cent. on a national basis.

Mr. Bennett: Will the Secretary of State now confirm that there are 20,000 extra NHS managers and 50,000 fewer nurses as a result of the Government's programme? Is that by design on the part of the Government or by accident?

Mr. Dorrell: The hon. Gentleman persists in deliberately misreading figures, despite repeated explanations of what the figures he quotes mean. He might do well to remember the words of the previous shadow health spokesman, who said:

"I don't think it's really in question any more that the NHS has been under-managed in the past."

That is why the Government strengthened NHS management and why the NHS is now delivering more patient care to higher quality more efficiently than it has ever done before.

Sir Sydney Chapman: Does my right hon. Friend agree that administrative costs in the health service should be kept in proportion? Does he further agree that, if increased administrative costs result in more medically qualified people undertaking less administrative work, and in the more effective targeting of the ever-increasing funding of our national health service for the benefit of patients, they are justified.

Mr. Dorrell: My hon. Friend is on a very important point. He underlines the interest that every taxpayer and every patient of the NHS has in its efficient management. The question that should be asked of the Opposition Front-Bench team, particularly of the hon. Member for Darlington (Mr. Milburn) in the light of press reports at the weekend, is why the Labour party wishes to disfranchise 6.5 million people who take out private health insurance and prevent them ever playing any part in the management of NHS trusts and health authorities.

Mr. Thomason: Can my right hon. Friend confirm that the proportion of NHS staff who are involved in the direct care of patients has increased in the past decade?

Mr. Dorrell: My hon. Friend is on to an important point. We have increased commitment to front-line services, delivering more treatment to more patients than ever before in the history of the NHS. The Labour party is more concerned with dogma. *[Interruption.]* The hon. Member for Darlington says that I should not believe everything that I read in the newspapers. Perhaps he would like to deny the story in the weekend newspapers, since it appeared in quotation marks, attributed to him.

Ms Harman: Can the right hon. Gentleman confirm that the bill for bureaucracy for his NHS internal market is an extra £1.5 billion every year? Is he aware that, because of the market, St. Thomas's and Guy's hospitals now have to send out 57,000 invoices every year? How can he justify children being turned away from intensive care and their parents being told, "Sorry, there is no bed"? How can he justify patients waiting for hours on trollies? How can he justify patients being told at the last minute, "Sorry, we are cancelling your operation"? How can he justify any of that while he squanders precious NHS resources on red tape to run the market?

Mr. Dorrell: Rather than uttering these repetitive soundbites, the hon. Lady might do better to explain to the NHS and to the public what she means when she says that she will abolish the internal market. Her policy document is clear. She retains the purchaser system. She retains the principle that purchasers should be free to place their contracts where their patients' advantage lies. How will she do that while delivering the commitment that she professes to abolish an internal market?

Mr. Congdon: Does my right hon. Friend agree that one of the benefits of the internal market is that it has enabled health authorities to focus on the real issues of health need and effectiveness of health care? Does he agree that it is nonsense for people to pretend that the NHS can be managed without managers, and managed on a system based on ignorance? Have not the changes led to real improvements in the quality of health care given to the people of this country?

Mr. Dorrell: My hon. Friend is right. The interest of every patient and every taxpayer is that the health service should be efficiently managed and that health resources should be targeted at real health need. That is the purpose of NHS management. The hon. Member for Peckham (Ms Harman) professes to mean that, but consistently commits herself to undermining the structure that makes it possible.

Community Care

3. **Mr. Purchase:** To ask the Secretary of State for Health when he last met representatives of local authorities to discuss the provision of care to the elderly people living in the community. [31696]

Mr. Bowis: I meet them on a wide range of formal and informal occasions and discuss with them an equally wide range of issues.

Mr. Purchase: Is the Minister aware of the considerable confusion that exists in local authorities and in other agencies, such as Age Concern and widows' associations, and the tremendous anxiety that many older people now feel about their future and about the Government's plans, which seem to be aimed at further commercialising and privatising the health services that older people have a right to rely on, having paid for them all their working lives?

Mr. Bowis: In that case, I am sure that, if the hon. Gentleman has discerned this concern, he will reassure those people by pointing out that 40 per cent. of NHS health care spending is spent on people over 65, despite the fact that they are only 16 per cent. of the population. I am sure that he will also have reassured them by pointing out that the present Government have enabled social services departments to spend £5.7 billion on their community care needs.

I am sure that the hon. Gentleman will have noticed—although he does not appear to wish to notice it at this moment—the considerable increase in contact hours for people receiving care in their own home, up 42 per cent. in the past three years. Those are measures of success and care, and show that the Government do care about the future of the increasing numbers of elderly people in this nation—people who can rely on our policies, although, when it comes to the Opposition's policies, they will have to wait for a royal commission.

Dame Jill Knight: Does my hon. Friend agree that one of the most important things that helps elderly people living in their own homes is the home help service? Is he aware that many local authority social services departments now state that doing the shopping should be top priority for home helps, but that the people they help need a reasonably clean home, whereas neighbours and relatives will often do the shopping? Can he do something about that?

Mr. Bowis: My hon. Friend is right to suggest that local authorities, which are responsible for arranging social care when that is needed, should listen carefully to the users of those services and their families to discover what type of services they should be purchasing on their behalf. I believe that the Community Care (Direct

Payments) Bill, which is passing through the House, will also help people in the coming years as more and more people are able to benefit from that. It does, however, as the Audit Commission pointed out, depend also on the efficient use of the substantial resources that the taxpayer is providing for local government and social services in particular. It is no good, as Liverpool is doing, spending £500 a week on each person in its own care homes compared with the £198 a week that it spends on independent homes, and then wondering why there is not enough for other services.

General Practitioner Fundholding

4. **Mr. Chisholm:** To ask the Secretary of State for Health what recent monitoring he has undertaken of GP fundholding. [31697]

The Minister for Health (Mr. Gerald Malone): Throughout the country, general practitioner fundholders are improving services to patients through effective management of resources. Health authorities monitor them monthly, in accordance with the accountability framework; and the national health service executive monitors both health authorities and fundholders through its regional offices.

Mr. Chisholm: What assessment has the Minister made of the recent Audit Commission report on GP fundholding? Can he confirm that the report vindicates the long-standing criticisms that Labour has made of the scheme, and does he agree that fundholding involves massive duplication of bureaucracy without any significant benefits to patients?

Mr. Malone: No, of course not. Unlike the hon. Gentleman, I have read the report from beginning to end. It shows that every fundholder has brought benefits to patients. It also says that some, who have not brought as many benefits to patients as others, should be encouraged. I would expect the hon. Gentleman to support that idea.

This is an investment in patient care which has brought about a better quality of patient care for more than 50 per cent. of the population in England. In the interests of his own constituents, I hope that the hon. Gentleman will ensure that that is emulated in Edinburgh.

Sir James Hill: Does my hon. Friend agree that the difference between a single GP and a group of fundholding GPs is the collective amount of money available? I already know of several individual GPs in Southampton who have run out of funds long before their group counterparts. Would it be possible to send teams to the new unitary authorities—now in the middle of the reorganisation—to advise GPs and social workers of the benefits of GP fundholding?

Mr. Malone: It is never very gracious to disagree with a knight of the realm—I congratulate my hon. Friend on that distinction—and in any event I do not disagree with the substance of his question. We certainly expect health authorities to work with fundholders and non-fundholders to build better care for patients. I am sure that that is happening in my hon. Friend's local health authority.

Mr. Milburn: Does the Minister agree with the Audit Commission's conclusion that GP fundholding has added to management costs in all parts of the NHS? How does he justify wasting £260 million a year on red tape for fundholding when it produces no gains for patients? Will he now accept that the replacement of fundholding by GP commissioning will not only give all family doctors a say in shaping hospital services for their patients but will shift NHS resources from back-line bureaucracy to front-line patient care?

Mr. Malone: The hon. Gentleman makes exactly the same mistake as his hon. Friend the Member for Edinburgh, Leith (Mr. Chisholm)—not reading the report or understanding its conclusions. The report clearly points out that, for an on-going payment of some two per cent. of total budget, there is a four per cent. gain in patient care efficiency. The hon. Gentleman persistently refuses to understand that that is a benefit for patients. I am glad that he and his hon. Friends have now clearly told the world that that is an advantage that they would abolish—that is their firm policy. The 50 per cent. or so who are GP fundholders will understand that it is the Labour party's intention to abolish them if it ever comes to power, as will the 53 per cent. of the population who benefit from GP fundholding.

Mr. Anthony Coombs: Contrary to the drivel talked by the Opposition spokesman, is my hon. Friend aware that giving decision-making powers to GPs in my constituency has produced a better standard of primary health care than ever before? Is it not disgraceful that the Labour party should now decide to take away those powers from GPs and give them to the party's own bureaucrats, quangos and councillors? Such a move would be bad for primary care in my constituency.

Mr. Malone: My hon. Friend is right. The point that he rightly makes is that it is the effective purchasing power of general practitioners which has brought about change. Conservatives welcome the fact that other GPs are becoming involved in the purchasing process, but it has been driven by GP fundholding—the true success story which has brought far better patient care to all constituents, including those of my hon. Friend.

Private Finance

5. **Mr. Martlew:** To ask the Secretary of State for Health what assessment he has made of the progress of schemes costing over £10 million using private finance. [31698]

Mr. Dorrell: The full potential of the private finance initiative is now being realised. Since the initiative started, seven schemes valued at more than £10 million each have been approved, with a total capital value of £394 million. Another 50 schemes worth between £1 million and £10 million have been approved, with a total capital value of £130 million, and 40 schemes with an estimated capital value of £1.5 billion are currently being tested for private finance.

Mr. Martlew: The Minister will be aware that we have been waiting for a new hospital in Carlisle for more than 20 years. Is he aware that, for the past two years, the

private finance initiative has delayed that hospital? There are currently 556 beds in Carlisle, but the PFI scheme will reduce that number to 274. I understand that AMEC, the only bidder for the scheme, is talking about reducing the number of beds to 400. Will the Minister give us an assurance that 474 beds will be the minimum? Can he confirm that the price of the scheme is still £43 million?

Mr. Dorrell: The hon. Gentleman understates the extent to which the PFI is bringing forward the hospital. It is not 20 years since the idea was first tabled—it is almost 30 years. The Cumberland infirmary project was first tabled in 1968. It is a source of considerable pride to me that the PFI is making it possible to turn that idea, of almost 30 years standing, into a firm project for the benefit of the hon. Gentleman's constituents. I hoped that the hon. Gentleman would welcome that. As he knows, the project design is the subject of continuing local discussions.

Mrs. Roe: Is my right hon. Friend aware that the trade union Unison vigorously opposes any use of the private finance initiative in the national health service? Does he believe that there is a link between Unison's continuing financial support for the Labour Front Bench and their attempt to claim that on the PFI they will be able to face both ways?

Mr. Dorrell: My hon. Friend raises an important point. There is no doubt where Unison stands on this issue—the doubt rests with where the Labour Front Bench stands. The Leader of the Opposition says that the PFI is right in principle and the hon. Member for Peckham (Ms Harman) says that the PFI is a new trick to privatise the health service—both propositions cannot be the Labour party's policy.

Mr. Barron: Will the Minister confirm the number of hospitals that have been approved and have signed contracts? The people of Norwich and Swindon have consistently had their new hospitals approved, but no contracts have been signed. Earlier this year, the Minister rushed legislation through the House to try to bail out the Government's PFI initiative. Yesterday, in the *Financial Times*, Martin Laing of the Laing Construction Group attacked the Bill. He said that he wanted more assurances and guarantees from the Government before PFI could go ahead.

The latest row that besets the Tory ranks is Edgware hospital. The services that will be lost at Edgware hospital should be transferred to Barnett, which has been delayed for the past two years because of the PFI. When will we get some common sense in the debate? When will the Government get proper private and public partnerships that look after the interests of the British people, instead of the dogma that is floating around in the debate?

Mr. Dorrell: In order to appeal to the hon. Gentleman, I will offer a sotto voce reply. The hon. Gentleman and his hon. Friends simply have to answer the following question: are they in favour of the PFI? Introducing all kinds of questions and red herrings will not get them off the hook. Are they in favour of the Leader of the Opposition's policy or are they in favour of the shadow health spokesman's policy? It is a simple question and the Labour Front Bench has to sort it out.

South Humber Health Authority

6. **Mr. Michael Brown:** To ask the Secretary of State for Health what is the current number of patients on the waiting list for the South Humber health authority. [31699]

The Parliamentary Under-Secretary of State for Health (Mr. John Horam): Provisional figures show that at 30 April 1996 there were 6,919 South Humber residents waiting for admission to hospital, all but seven of whom had been waiting for less than 12 months. This is a significant improvement on recent figures.

Mr. Brown: Will my hon. Friend confirm that, in the 1970s, approximately 20 per cent. of the patients were on the waiting list for more than 12 months? Does not his answer indicate that we have made dramatic improvements in South Humber? I refer to one point of concern to local residents: yesterday there was a report that too many operations are being cancelled at the last minute. Will the Minister assure me and my constituents that he will look into this matter, as there is nothing more distressing for a patient than being called to hospital only to have an operation cancelled?

Mr. Horam: I agree entirely with my hon. Friend's latter comment: there is nothing more distressing than having an operation cancelled at the last minute. There has been a problem in my hon. Friend's area due to the illness of one consultant combined with a sudden increase in the number of emergency admissions. However, all but one of the people whose operations were cancelled were admitted within a month—which is within patients charter standards. Given the excellent performance of South Humberside in reducing its waiting list—my hon. Friend paid tribute to that record—I know that it will make every effort to ensure that it does not happen again.

Basildon Hospital

8. **Mr. Amess:** To ask the Secretary of State for Health if he will make a statement on his Department's recent inspection of facilities at Basildon hospital. [31701]

Mr. Malone: There has been no recent departmental inspection but, as my hon. Friend knows, I recently visited Basildon hospital where I was able to see the new Mary Wright unit for general practitioner referrals. I was impressed by the way that the unit speeds up the entry of patients to hospital and reduces the pressure on the accident and emergency department.

Mr. Amess: Does my hon. Friend agree that the local hospital has been able to develop and enhance services since obtaining trust status? Will he join me in celebrating Hospice Fortnight and in congratulating the staff of St. Luke's hospice in my constituency, of Fair Haven in the constituency of my right hon. Friend the Member for Southend, West (Mr. Channon) and of Little Haven in the constituency of my hon. Friend the Member for Castle Point (Dr. Spink) on their magnificent work?

Mr. Malone: I am happy to join my hon. Friend in his remarks. The trust in his area has an extremely impressive record. Day case activity has increased by 25.9 per cent. and the trust achieved a maximum wait of 12 months for

all day cases and in-patient treatments by the end of March 1996. No patient waits for more than 13 weeks for a routine first out-patient appointment. I also remember visiting the trust when it was awarded a citizens charter mark for excellence in service provision—which is much appreciated by all patients.

Mr. Mackinlay: Does the Minister visit hospitals prior to their being awarded charter marks or hospitals that are not awarded charter marks? If he did, he might have visited Basildon during the bad times that were endured by my constituents in Thurrock and by the people of Basildon who suffered inordinate waiting times in the accident and emergency department because of the closure of the accident and emergency department at Orsett hospital. The people of Edgware are soon to suffer a similar experience. The fact is that the Minister turns up when there is good news but he is not prepared to face patients during the bad times like those suffered by the people of Thurrock and of Basildon.

Mr. Malone: I visited the Basildon trust within a few weeks of being appointed Minister in order to see how our policies were affecting it. The hon. Gentleman is quite right: there were bad times. However, the bad times have gone and the good times are here as a result of our policies which the hon. Gentleman has persistently opposed.

Creutzfeldt-Jakob Disease

9. **Mrs. Gorman:** To ask the Secretary of State for Health if he will make a statement on the reported incidence of CJD worldwide since 1986. [31702]

Mr. Dorrell: Creutzfeldt-Jakob disease occurs worldwide at an average incidence of up to one case per million people.

Mrs. Gorman: Given the disgraceful way in which the Opposition—particularly the hon. Member for Peckham (Ms Harman)—sought to exploit the alleged connection between bovine spongiform encephalopathy and CJD, will my right hon. Friend confirm the latest results which show that the new strain of CJD is occurring in countries that are BSE-free, including many European countries? Does he agree with Dr. Paul Brown, the director of the United States Health Authority and a world expert on the subject, who has said that the incidence of three or four cases of the new strain of CJD in Europe will blow out of the water the thesis that the new strain is caused by BSE? The hon. Member for Peckham will then have to apologise.

Mr. Dorrell: I entirely agree with my hon. Friend about the disreputable behaviour of the hon. Member for Peckham in seeking to feed public fears during the early stages of the argument. As to the incidence of the new strain of CJD, so far there has been one confirmed case outside the United Kingdom in France, although, as my hon. Friend rightly says, it is important that we continue to cast the net widely. That approach was supported by the World Health Organisation in May. The work is being co-ordinated from the British Government CJD surveillance centre in Edinburgh, which is recognised as a world centre of expertise in the matter.

Mr. Wigley: Does the Secretary of State recall that, when he made his statement on this issue in March, I pressed him about resources for research into CJD? Does he therefore understand my surprise at discovering, when I visited the Western general hospital in Edinburgh a week last Friday, that, although verbal promises have been made about additional resources, it has received nothing in writing and, basically, it has the same team as was working in March; that those doctors still have to carry out their responsibilities without the certainty of additional hands to share the work; and that, in the past fortnight, only advertisements have appeared—produced jointly by the Department for Health and the Medical Research Council—for research to be undertaken by those who are dedicated to the work? Is it not time that we gave priority to that work and made resources available? It is a scandal that, three months on, that is not being done.

Mr. Dorrell: The hon. Gentleman is absolutely right to say that the people doing the work are leading practitioners in the relevant medical fields. I make no apology for that, since they are best placed to make the necessary judgments to ensure that we understand the issue properly. On resources and the development of the research programme, I announced to the House in March that the Government support such development, and the hon. Gentleman has just reported the fact that that development is going ahead.

Mr. John Marshall: Will my hon. Friend confirm that the European country that has the highest incidence of CJD is Austria, and that international studies indicate that there is no correlation between the incidence of CJD and behavioural patterns, such as whether one eats beef or meat or is merely a stupid vegan?

Mr. Dorrell: My hon. Friend expresses his own views about vegans or—possibly—a particular sub-group of vegans. He underlines the fact that any link between beef eating and CJD has not been proven. Indeed, it is some way from being proven.

Prescriptions

10. **Mr. Pike:** To ask the Secretary of State for Health what percentage of prescriptions issued in the last 12 months were for more than one item. [31703]

Mr. Bowis: It is estimated that 40 per cent. of prescription forms dispensed in the past 12 months were for more than one item.

Mr. Pike: Does the Minister recognise that many people on low incomes who have to pay full prescription charges for two items every month have considerable difficulty meeting that cost? They cannot afford to pay for pre-payment certificates and there is a problem. Does he also recognise that there is a particular problem with dual packs, for which people have to pay two prescription charges?

Mr. Bowis: The hon. Gentleman referred to people on low incomes. If they are on income support, they do not have to pay for prescriptions. I remind him that, when the Labour Government reintroduced prescription charges, exemptions ran at 42 per cent. The rate is now 85 per cent. A further 5 per cent. of people benefit from pre-payment certificates, to which he referred.

He can set those people's minds at rest. It is true that there are two charges for a combination pack. That is because two drugs are packed together. If it were otherwise, it would be quite unfair on people who pay for multiple prescriptions. Curiously, any change would also be a perverse incentive to manufacturers to package their drugs in combination packs.

Mr. Bellingham: I am grateful to my hon. Friend for spelling out the exemptions. Will he explain the different categories of people who get free prescriptions?

Mr. Bowis: Yes, I will. Those who are exempted from prescription charges are men and women aged 60 and over, children under 16, students under 19, a person or partner receiving income support, family credit or disability working allowance, people entitled to full help under the NHS low income scheme, pregnant women and women who have had a child in the previous 12 months, and people who receive a war or Ministry of Defence disablement pension who need medication for that disablement. In addition, some medical conditions carry exemption. A tremendous number of people are exempt. We have one of the most generous exemption systems in Europe, which is why we can say that the vast majority of people who cannot afford to pay are well covered by it.

Mrs. Mahon: Is it not the case that many students, even those below income support level, do not receive free prescriptions? Would the Minister like to comment on that?

Mr. Bowis: If the hon. Lady is saying that people below income support level are not receiving free prescriptions, they are entitled to do so. The hon. Lady has only to add up the numbers about which we are talking—*[Interruption.]* I am sure that she can add up. If the total adds up to the 85 per cent. of British people who are entitled to free prescriptions, and a further 5 per cent. who benefit from the pre-payment certificates, she will see that there is not a problem. She will also see that it is a much more generous system than it was when the Labour Government reintroduced prescription charges.

Mrs. Mahon: On a point of order, Madam Speaker.

Madam Speaker: Order. I take points of order after Questions.

Mrs. Mahon: In view of the unsatisfactory nature of that reply, I give notice that I intend to raise the matter on the Adjournment—

Madam Speaker: Order. The hon. Lady did not ask the substantive question, so I am afraid that she does not have the opportunity to do that.

Private Finance Initiative

11. **Mr. Rowe:** To ask the Secretary of State for Health how many private finance initiative projects have been approved in respect of national health service trust hospitals; and how many are awaiting approval. [31704]

Mr. Horam: Since the launch of the private finance initiative, 41 national health service trust schemes valued at £1 million or above have been approved, with a total capital value of £472 million. Forty more projects, with a total value of approximately £1.5 billion, are testing for private finance as part of the procurement process.

Mr. Rowe: I thank my hon. Friend for that encouraging reply. Will he undertake to do two things? First, as the experience of his excellent scheme grows, will he make every effort to ensure that the rules governing it become much simpler for trusts and others to understand? Secondly, will he review again the balance between the advantage that the trusts obtain from skilful use of their capital assets and the amount that the central authorities take from those capital assets for their own purposes?

Mr. Horam: I understand my hon. Friend's points. It is not only a question of making the rules simpler, but of making the contract shorter as well. I am sure that my hon. Friend, with his interest in small companies, will agree that we must make it a process that is as available to them as it is to the large conglomerates. I certainly give him that assurance.

Mr. Burden: If the Minister thinks that the PFI is as successful as he says, would he care to comment on the position of the Rubery Hollymoor primary health care centre in my constituency? It was promised to local people four years ago, they were told that the money was available from the NHS two years ago, it was trumpeted as a great new project by the then regional health authority, but it has been held up by the PFI and not one stone has yet been laid. Does the hon. Gentleman think it right that the working of the PFI should deny local people the services that the Government promised them?

Mr. Horam: I do not know the particular scheme to which the hon. Gentleman refers, but I shall look into it. None the less, the PFI is accelerating the process. We are breaking out of the traditional system whereby everyone has to wait for the Treasury—waiting for Godot, one might say. If the scheme is good and provides value for money, and the risk is properly apportioned, it can obtain private sector finance. We are talking about a new era for hospital building in Britain, yet we still do not know what the Opposition think about it.

Mr. Jacques Arnold: Is my hon. Friend encouraged by the splendid progress being made by the £100 million PFI project for a new hospital at Darenth Park to serve the people of Gravesham and Dartford? Will he do the best he can to sweep out of the way any obstacles that might arise, particularly those that might arise from the scaremongering of the Labour party and the hon. Member for Peckham (Ms Harman)?

Mr. Horam: Yes, I confirm to my hon. Friend that that is an important scheme, which I am anxious should go ahead and to which I am giving constant attention.

Dentists

12. **Mr. Gordon Prentice:** To ask the Secretary of State for Health what steps he is taking to increase the number of dentists offering treatment in the national health service. [31705]

Mr. Malone: There are nearly 16,000 dentists on health authority lists in England—an increase of 500 since 1992 alone. The reforms that I announced in the House last week should provide a further boost to NHS dentistry by removing uncertainty for the dental profession and creating a firm foundation for future development.

Mr. Prentice: That answer will be cold comfort for my constituents in Barnoldswick. The Minister will recall that, last Wednesday, I told him that there was one NHS dentist in Barnoldswick—a town of 10,000 people. Today, there is not one NHS dentist in that town. Are not the Government's proposals to revitalise NHS dentistry a complete sham? Is it not the case that they are, as I described them last Wednesday, fraudulent?

Mr. Malone: The hon. Gentleman's point is as absurd today as it was last week because, by implication, he is saying that dentists, who are self-employed practitioners, had been nationalised under a Labour Government and directed to work in certain places where he wished them to work. I have examined the situation in his constituency, and in Barnoldswick. Dental treatment is available in Colne, some five miles away, or in Burnley or Nelson.

He and his right hon. and hon. Friends say that the service has been destroyed. I must say that they have some argument. We have allegedly killed off NHS dentistry since 1979—by spending 57 per cent. more on it in real terms than was being spent then. We have also increased the number of dentists who provide general dental service by 3,500. If the hon. Gentleman could get such a pledge from his Front Bench about funding the service, he might have a point to make.

PRIME MINISTER

Engagements

Q1. **Mr. Berry:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June. [31724]

The Prime Minister (Mr. John Major): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

Mr. Berry: Is the Prime Minister aware that he spoke for the whole nation on Friday when he said that he had had "a bellyful" of the Tory party?

The Prime Minister: I have to tell the hon. Gentleman that his quotation is inaccurate, but it could certainly be applied to questions such as that.

Mr. Peter Ainsworth: Is my right hon. Friend aware that more and more people in Germany wish that their economy was run like ours—with low inflation, steady economic growth, flexible labour markets and falling unemployment? Will he take an early opportunity to invite the leaders of the German opposition parties to Britain so that they can see what can be achieved with Conservative policies?

Mr. Faulds: More, more.

The Prime Minister: I am glad to see that it evokes such approval on the Opposition Benches.

It is certainly true that we have at the moment the most competitive economy in western Europe, that we are in a very good position on inflation, and that unemployment is a good deal lower—and we are at the top of the growth league. That, as my hon. Friend says, is an enviable position, and I know that it is envied by many of my European partners.

Mr. Blair: Will the Prime Minister join me in condemning the appalling outrage of Saturday in Manchester and send our thanks to the emergency services and our sympathy to the victims? Is this not a moment of truth for Sinn Fein? Does it not show the wisdom of demanding a ceasefire before Sinn Fein participates in any talks? Does not the responsibility now lie squarely on it if it is to play any part in the future progress of peace?

The Prime Minister: I agree entirely with the right hon. Gentleman. Saturday's bomb in Manchester was a callous and inhuman act. It is a miracle that many more people were not injured and that many people were not killed. What is so startling is the total indifference of the people who left that bomb to what could well have happened to many people who have no connection whatever with the disputes in Ireland or the disputes that the IRA may have with the British Government or others.

The right hon. Gentleman is right. The time has come for Sinn Fein to make up its mind. Either it will be a democratic organisation taking part in democratic politics or it will stay side by side as the reverse side of the coin to the IRA, with intermingled membership, in which case it has no part in democratic politics whatever. I believe that, when the right hon. Gentleman says that the moment of truth is here, it is for Mr. Adams and his colleagues, and everybody wishes to hear precisely what their views are—and let us have no more of the measly nonsense that we have had from them in recent years.

Mr. Blair: I join with that entirely.

Does the Prime Minister also agree that there has been progress in Northern Ireland? The British and Irish Governments are agreed on the way forward; all nationalist parties in the Irish Republic and Northern Ireland, apart from Sinn Fein, are agreed on peaceful means to achieve their ends; and the United States and others abroad may have been given a telling lesson on the realities of the IRA. Is not the only course now open to Sinn Fein to ensure that the IRA ceases its violence? If it cannot—or will not—the process should proceed with the democratic parties, and an agreement should be reached and put to a ballot of the people.

The Prime Minister: It is entirely right that the talks must continue. We have no intention of allowing the search for a political settlement for Northern Ireland to be

derailed by the activities of the IRA and Sinn Fein. I hope that all the constitutional parties in Northern Ireland will continue to demonstrate the leadership and courage necessary to make rapid progress, and to show the IRA that it cannot stop the process with bombs in Manchester, London or anywhere else.

If the IRA and Sinn Fein wish to have any future interest in this process, they will clearly need to declare an unequivocal ceasefire. They will need to declare it immediately. They will also have to show that that ceasefire is credible and lasting, and is not just a tactical device to enable them to enter the talks until such time as it is convenient for them to leave. It is now up to them to demonstrate their credibility; it is not up to us or anyone else. They must demonstrate their credibility—but the talks will continue.

Mrs. Roe: In the light of falls in unemployment, interest rates and inflation, does my right hon. Friend agree that Britain is now one of the most competitive economies in Europe? Does he accept, however, that much more still needs to be done to raise standards in our schools? Although things are improving, far too many children still leave school without the basic skills.

The Prime Minister: Both the premise of my hon. Friend's question and her substantive point are important. She knows that the British economy is in very sound shape; we intend to keep it so. As for education and basic standards, the Government have introduced a programme of reforms that is more comprehensive than any that we have seen at any stage in the past, designed to raise standards in schools, build on the national curriculum and ensure regular inspection and the publication of performance information.

We have made substantial progress in recent years in raising standards, but there is no doubt that there is a great deal more that we wish to do to ensure that the quality of education for all our children is the equal of the quality of education anywhere else in the world. That is our intention, and we will continue to pursue it, despite the failures of so many Labour-controlled education authorities whose records have held back many children in inner London and elsewhere. [HON. MEMBERS: "Seventeen years."] It is no good hon. Members below the Gangway muttering in this fashion, when it is their party, in control in local government, that could act now to improve education, but does not.

Q2. **Mr. Livingstone:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June. [31725]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Livingstone: Given the funds that the Government have made available to the Russian Government and organisations in Russia in recent years to help to establish democracy, has the Prime Minister had time to read today's statement by the Conference on Security and Co-operation in Europe expressing the CSCE's regret and concern at the extensive bias in the coverage of the presidential election? Will the right hon. Gentleman now use his contacts with President Yeltsin to point out to him the value of the British precedent of television and radio providing equal time for candidates, to legitimise this final stage of the Russian election?

The Prime Minister: I have not yet seen the particular statement to which the hon. Gentleman refers. In view of what he says, I shall certainly consider it, but the very fact of the Russian presidential elections, and the way in which they have been carried, out would have seemed inconceivable just a few years ago. It is a welcome sign that Russia is settling into the normal pattern of democracy, and we must give great credit to President Yeltsin for that. I hope that the second round will be conducted well and that there will be a clear-cut and satisfactory result.

Mr. Stewart: Does my right hon. Friend the Prime Minister agree that the control of business rates under the Government has been of immense benefit to businesses, large and small, throughout Britain and, therefore, to jobs? Will he ask the relevant Government Departments to analyse the consequences for jobs and for prosperity of taking off these controls and handing decisions back to loony Labour councils, as is advocated by the Labour party?

The Prime Minister: I will certainly consider any mechanism that tries to restrain on-costs on British business. It is clear that the fact that British business as a whole pays less over and above wages in on-costs is one of the principal reasons why are more citizens are in work in Britain than in any other country of similar size throughout western Europe.

Q3. **Mr. Welsh:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June. [31726]

The Prime Minister: I refer the hon. Gentleman to the answer I gave some moments ago.

Mr. Welsh: Did the Prime Minister see last night's "Panorama" programme, which catalogued 10 years of evasion and incompetence by the Government on the BSE issue? What does he have to say to Scotland's hill farmers, now awaiting being dragged into the general economic catastrophe created by the Government, while he postures to no effect in Europe?

The Prime Minister: Of course I did not waste my time watching "Panorama" last night—*[Interruption.]* I have much more productive things to do with my time than waste it watching nonsense from "Panorama". We have taken account of the scientific advice that we have had throughout this affair, and that is what we will continue to do in the interests of British agriculture and of the British beef consumer.

Q4. **Mr. Michael Brown:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June. [31727]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Brown: Does my right hon. Friend recall the exchanges that he and I had in the House last October, when I raised the question of closed circuit television for security purposes in our towns and cities? Is he aware that the initiative that he announced last year is one of the most practical ways of dealing with crime and of introducing crime prevention measures? Although he may not be able to confirm to me today whether my constituency of Cleethorpes is to benefit from the forthcoming announcement, will he guarantee that he will have a word with our right hon. and learned Friend the Home Secretary and advise him that we in Cleethorpes are very supportive of that initiative?

The Prime Minister: Bringing closed circuit television to all corners of the United Kingdom is a practical effort to create a safer Britain in future. We are investing around £50 million, and our target is to fund 10,000 new cameras in the next three years. I am pleased to hear from my hon. Friend about the Cleethorpes bid. Knowing my hon. Friend, I would have been surprised if there had not been a Cleethorpes bid, but he is right—I cannot confirm to him today whether it has been successful, but I hope that announcements will be made before too long.

Mr. Litherland: The Prime Minister will understand that there are no words to describe the loathing that Manchester people have for the perpetrators of the crime against our city last Saturday, but it has happened and we must now begin to rebuild Manchester. Mancunians are resilient people, but they require help. Will the Prime Minister today give the assurance to the House that the Government will offer every support, including financial aid, for the restoration of businesses, buildings, jobs and homes in Manchester? Sympathy will not pay the bills.

The Prime Minister: The hon. Gentleman has commented on three matters of importance. I entirely share his initial remarks about Manchester, and I have no doubt about the courage and determination of the people of that city in recovering from last week's incident. Individuals injured by the bomb are eligible to apply for compensation under the criminal injuries compensation scheme. The Government-backed terrorism insurance scheme will ensure that participating insurers can meet claims by companies that purchased full terrorism cover. Businesses that have not done so are likely to receive limited reimbursement and should contact their insurance companies.

The financial implications for local authorities are not yet clear. I have asked my right hon. Friend the Secretary of State for the Environment to consider carefully any application for assistance by an authority affected by the incident, and he will certainly do so. In Manchester in the past—and I am sure that this will be so in future—an effective partnership between the Government, the private sector and the city council has delivered remarkable regeneration in many parts of the city. That partnership provides an excellent basis for rebuilding, and we look forward to working with the people concerned.

Q5. **Sir Michael Neubert:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June. [31728]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Sir Michael Neubert: Will my right hon. Friend take the opportunity to pay tribute to a great man now gone, the late Sir Fitzroy Maclean? Was there not much to admire in that soldier, diplomat, Conservative Member of Parliament and patriot, who had an enviable ability for getting out of tight corners?

The Prime Minister: Sir Fitzroy Maclean was a remarkable man with many qualities to admire—from being a founder of the Special Air Services to a Minister of the Crown at this Dispatch Box. In all his many roles, Sir Fitzroy made a remarkable contribution. He also played a crucial role in work with Tito's partisans in the second world war. People will think of Sir Fitzroy Maclean as a man who lived life to the full. From what I know of him, I believe that he would regard that as a satisfactory epitaph.

Point of Order

3.31 pm

Mrs. Ann Clwyd (Cynon Valley): On a point of order, Madam Speaker. In his statement yesterday on child abuse in Clwyd, the Secretary of State for Wales referred to parliamentary privilege and implied that he did not want further discussion of the matter in Parliament. This morning, Madam Speaker, I conferred with your excellent Clerks and was told that, from this evening, the matter will be sub judice. I appreciate the difficulty of establishing such an inquiry when witnesses are required to give evidence, but I have a copy of the 400-page report and its appendices, and I have read it. I disagree with the Secretary of State's view that it is defamatory. The report should be published. I find it rather odd that, on the day that the report is available in the House, we are to have no further discussion because an inquiry has been established.

Madam Speaker: I am grateful to the hon. Lady for giving me notice of her point of order. It is true that I have power to waive the sub judice resolution, but the House will understand that I am unable to do so in the abstract. I can do so only in respect of some specific proceeding—that is, a debate, motion or Question. If the motion that will come before the House this evening is agreed and if I receive a request to waive the sub judice resolution in relation to a specific proceeding, I shall consider the matter at the time.

Public Order (Amendment)

3.33 pm

Ms Estelle Morris (Birmingham, Yardley): I beg to move,

That leave be given to bring in a Bill to amend the power of arrest of section 5 of the Public Order Act 1986.

There is general agreement across the House that too many of our constituents' lives are blighted by crime and anti-social behaviour. There is, of course, great concern about serious crime, but many of my constituents express particular concern about an increase in abusive, threatening, disorderly and intimidating behaviour on the streets.

In 1986, Parliament passed section 5 of the Public Order Act, which gave police officers the power to arrest a person if he or she was engaged in offensive behaviour and continued to behave in such a manner after a warning had been issued. That Act tidied up and replaced previous laws that had given police the powers to act in similar circumstances. Indeed, it appears to be one of the few pieces of legislation that gives police the power to arrest in cases of disorderly and intimidating behaviour.

As early as 1987, Professor A. T. Smith, of Reading university, warned that Parliament might have passed a flawed law. As it is written, section 5 of the 1986 Act requires that the police officer who gives the warning must be the same police officer who made the arrest. Almost by definition, scenes of disorder involve many people and are attended by many police officers. It is quite clear that the police officer who gives a verbal warning cannot always be the same police officer who goes on to make the arrest. That clearly is not what Parliament intended.

In October 1993, police were called to a doctor's surgery in Durham, where two men were behaving in a threatening, abusive and insulting manner. They were arrested under the Public Order Act 1986, but were later acquitted of all charges because the officer who gave the warning was not the officer who subsequently made the arrest.

The case went to appeal and was rejected by Lord Justice Kennedy. However, Lord Justice Kennedy said at the time that he was

"unable to discern any Parliamentary purpose in the wording as it presently stands"

and that

"it would merit further Parliamentary consideration at an early date."

Last year in Birmingham, a crowd of youths were involved in a disturbance close by my constituency. They were warned about their behaviour by the duty inspector. When the behaviour persisted, a man was arrested. To the frustration of the police and the public, the Crown Prosecution Service decided not to take the case to court because the arrest had been made under the 1986 Act and was unlikely to stand up in court.

In Hampshire, people involved in scenes of public disorder after a demonstration were taken to court, but the action collapsed because of this flawed legislation. During the recent demonstrations over the Newbury bypass, police again found themselves hampered by the confusion caused by the Act. Manchester police have experienced similar difficulties because of that confusion and have now instructed their officers not to use that section of the Public Order Act 1986 at all.

It is 10 years since Parliament passed this flawed piece of legislation. It is nine years since warnings were given, and two years since a High Court judge effectively suspended the use of that section and called on Parliament to reconsider it. All that is required is for one word to be changed in section 5(4). That one change is the substance of this ten-minute Bill.

A number of Home Secretaries have failed to take the necessary action. The result is that the police do not have the power to deal with a serious and growing problem.

Defence lawyers inevitably quote Lord Justice Kennedy's High Court judgment as a reason to dismiss future action in the courts. As it stands, the law that we passed gives a licence to those who threaten public order and it fails to protect the public.

Public order offences are not some minor adjunct to criminal offences. Day in and day out, they are a cause of harassment for my constituents, the public and the police. They are the causes of intimidation, disturbance and abuse. They are the incidents of nuisance that make people's lives a misery. They feed the fear of crime that traps people in their homes, because people are too frightened to go out on the streets.

In 1980, one in five crimes resulted in a conviction in the courts or in a caution by the police. By 1994, that figure had slumped to one in 10. Unless we amend the law, the situation will deteriorate even further.

A decade ago, Parliament passed a bad law. Our constituents, the police and the community have a right to expect us to act quickly to put it right. It is our job to close dangerous loopholes that help law-breakers.

With the co-operation of the Home Office and the House, this ten-minute Bill could become law before the recess. We have a long, hot summer ahead of us—a time when, sadly, disorderly and anti-social behaviour often increases. We would be failing our constituents and those we charge with protecting the peace if we lost this opportunity to remedy this flawed piece of legislation. I am grateful to the sponsors of the Bill, who represent both sides of the House, and I hope that it will receive the support of many other hon. Members.

Question put and agreed to.

Bill ordered to be brought in by Ms Estelle Morris, Mr. Terry Davis, Mr. James Pawsey, Dr. Lynne Jones, Mr. Patrick Thompson, Ms Tessa Jowell, Mrs. Ann Winterton, Mr. Richard Burden, Mr. Roy Thomason, Mr. Keith Bradley and Mr. Warren Hawksley.

PUBLIC ORDER (AMENDMENT)

Ms Estelle Morris accordingly presented a Bill to amend the power of arrest of section 5 of the Public Order Act 1986: And the same was read the First time; and ordered to be read a Second time upon Friday 12 July and to be printed. [Bill 154.]

Opposition Day

[15TH ALLOTTED DAY]

Benefit Fraud

Madam Speaker: I have selected the amendment standing in the name of the Prime Minister.

3.40 pm

Mr. Chris Smith (Islington, South and Finsbury): I beg to move,

That this House welcomes the recent report from the Social Security Committee on measures needed to tackle housing benefit fraud; is appalled at the complacency of Her Majesty's Government's response; endorses the proposals made by the Committee; believes that further measures are urgently required to root out organised landlord fraud in the housing benefit system, to step up the number of home visits to claimants, and to clean up the National Insurance number system; and affirms its belief that accuracy and efficiency in the spending of social security funds is vital for those in need and for the taxpayer.

Let us first establish the principle—fraud, wherever perpetrated, in the benefit system or in the tax system, is wrong. In the benefit system, every pound that is defrauded is a pound less for those in real need or for the taxpayer. The accurate spending of the social security pound is good for claimants and for the nation as a whole, and the greater the accuracy that can be achieved, the more we shall be able to restore and maintain confidence and faith in our welfare state.

There should be no dispute on either side of the House about that basic starting point for our discussion. It is when we move on to determining the nature and extent of that fraud and how best a Government can set about tackling it that we start to enter a debate between the parties.

There has been some debate in recent weeks about how much fraud is in the system, and much of that discussion has focused on the extent of housing benefit fraud. In the survey of housing benefit fraud that the Government carried out recently, they estimate that there is £1 billion of fraud. The Select Committee on Social Security heard evidence that it might be twice as much as that. I emphasise the word "might", because the Select Committee was cautious in advancing that figure. It also said that it might be greater than £2 billion. At no stage has the Select Committee or the Opposition said that the amount of housing benefit fraud is £2 billion. We have said that it is likely that the Government's estimate is an underestimate.

Mr. Michael Fabricant (Mid–Staffordshire): Will the hon. Gentleman give way?

Mr. Smith: I thought that we might get some people up at this point.

Mr. Fabricant: The hon. Gentleman was being so reasonable up to that point. Has not the National Audit Office endorsed the Government's figure? Will the hon. Gentleman be honest enough to go a step further in what he was saying, by pointing out that the Select Committee report was based not on any survey, but simply on the opinions of those who gave evidence to it?

Mr. Smith: First, the National Audit Office has not endorsed the Government's figure; it has commented on

[Mr. Smith]

the Government's survey. Secondly, I shall come in a moment to the hon. Gentleman's point about the so-called assertion that was made to the Select Committee, because it was based on a considerable body of evidence.

The Government are proud of their survey. In their response to the Select Committee, they talked about how rigorous and scientific it was. Their amendment to our motion says that it was "systematic". It was not. The methodology that they used in their housing benefit fraud survey was fundamentally flawed. First, they visited only 5,000 claimants out of a total of 5 million. Secondly, the test that they used to determine the amount of fraud was, in effect, a memory test. If claimants could remember exactly what they had said when they first applied for housing benefit and gave precisely the same answers then as they had previously, the fraud investigator assumed that there was no fraud and that it was an honest, above-board claim.

The Secretary of State for Social Security (Mr. Peter Lilley): May I help the hon. Gentleman to stop digging himself further into a hole? Is he not aware that the investigators required the people they called on in the sample to provide documentary evidence of identity and other facts that related to their claims? The survey was based not on memory but on documentary evidence.

Mr. Smith: The fundamental test was a memory test. The Government continually fail to acknowledge that the determined fraudster, who quite possibly made his original application on the basis of false papers, and certainly of false information, will have been as confident about producing the self-same false documents and information the second time around as he was the first. An approach that takes that as its starting point is flawed.

The evidence to the Select Committee came from one borough. I accept that it is evidence from only one place and that it is not necessarily a scientific analysis of circumstances across the country. However, the Haringey survey, which was reported in great detail to the Select Committee, was comprehensive. Every housing benefit claimant was visited by the fraud investigators. Its emphasis was on the amount of landlord fraud in the housing benefit system. Every landlord with more than 30 properties receiving direct payment of housing benefit was targeted, visited and questioned in detail, and evidence was demanded.

The evidence that resulted from those visits is stark. It was given to the House by my hon. Friend the Member for Birkenhead (Mr. Field), who chairs the Select Committee, in the debate on 11 March. It is worth reflecting briefly on the nature of the evidence. He had asked those who carried out the Haringey survey to provide details of the first 15 landlords they visited and the extent of fraud in each case.

Mr. Alan Duncan (Rutland and Melton): Just so that we know where the hon. Gentleman is coming from, does he think that the estimates of the present level of fraud are overstated or understated?

Mr. Smith: The hon. Gentleman should know, first, that the point that I am coming from is that I do not like fraud in the housing benefit system and, secondly, that I have already said that it is extremely likely that the Government's estimate of the extent of fraud is an underestimate. I believe that there is more fraud in the system than the Government assert. I am in the midst of giving the evidence to support that case.

Mr. Eric Pickles (Brentwood and Ongar): Will the hon. Gentleman give way?

Mr. Smith: I give way to the hon. Gentleman because this is clearly a day for extremely interesting and useful interventions from the Conservative Benches.

Mr. Pickles: I am most grateful to the hon. Gentleman.

So that the House can understand, if the hon. Gentleman feels that the Government's estimate is on the low side, can he explain why Opposition spokesmen have criticised the Government for making too high an estimate of local authority fraud levels? The hon. Member for Manchester, Withington (Mr. Bradley) made just that assertion from that very Bench in 1993.

Mr. Smith: I shall come to that precise point in a moment. The point that my hon. Friend made in 1993 was about the nature of the incentive, or rather disincentive, system that was put in place by the Government, which up to 1993 discouraged local authorities from identifying and rooting out fraud. I shall come back to that in a moment.

Let me return to the compelling evidence from the Haringey survey and the 15 landlords about whom my hon. Friend the Member for Birkenhead spoke on 11 March. In the case of the first landlord, to whom £13,000 a week was paid direct from the local authority in housing benefit, the survey found that 25 per cent. of the money was being fraudulently claimed. In the case of the second landlord, 23 per cent. was fraudulently claimed; the third, 67 per cent.; the fourth, 26 per cent.; the fifth, 16 per cent.; the sixth, 15 per cent.; the seventh, 11 per cent.; the eighth, 33 per cent.; the ninth, 59 per cent.; the 10th, 29 per cent.; and the 11th, 15 per cent. And so the list goes on.

The Haringey survey of landlords with multiple properties, all in direct payment from the local authority of substantial sums week after week, found that the average level of fraud was 20 per cent. That compared with the average level of fraud found by the Government in their survey of somewhere between 6 and 7 per cent.

Mr. Bernard Jenkin (Colchester, North): Will the hon. Gentleman give way?

Mr. Robert G. Hughes (Harrow, West): Will the hon. Gentleman give way?

Mr. Smith: No, I will not give way because I want to make progress on this point. I will give way later.

Of course I accept that multiple property-owning landlords in one London borough are not typical of landlords across the country as a whole, but the extent of fraud in those cases ought to alarm anyone. One of the things that worries me deeply is that the Government are far too complacent about landlord fraud where multiple direct payments are made.

The rather arcane argument that the Government and some of their Back Benchers appear to be having about precisely what the level of fraud is—whether it is £1 billion or £2 billion—evades the real problem and the real issue at the heart of the matter. Yes, we need to consider how we can cut down on fraud by claimants, but we also need to ensure that we cut down on fraud by landlords.

Such evidence as exists—the only comprehensive survey in the country is the Haringey survey—shows that the level of landlord fraud is very substantial indeed. The last thing that hon. Members should be is complacent about that.

Mr. Robert G. Hughes: Is it not the hon. Gentleman who is banging on about whether the figure is £1 billion or £2 billion? Of course everyone opposes fraud.

If the hon. Gentleman reads the evidence given to the Select Committee, he will find that, rightly, the decision was taken to survey the worst part of the borough of Haringey first, and that is where the large excess of fraud was found.

This question remains, however: why does the hon. Gentleman seek to prove the higher figure? What is his ulterior agenda? What would he try to do with that figure if he were able to prove it? Are we right to suspect that he wants to say, "Here is a figure; a Labour Government could get that money back easily, so we shall spend it on something else"? In other words, it is the Labour party pretending that it would increase expenditure without there being any pain in doing so.

Mr. Smith: First, I am not banging on about whether it is £1 billion or £2 billion overall—the Government are doing that. The hon. Member for Dover (Mr. Shaw) has written to me about it. The Secretary of State has written to all the local authority associations, asking for the evidence on which the Select Committee based its assertions. We know what the evidence is, we know how the Select Committee reached its conclusions and we are saying that the Government are being far too complacent.

I am surprised that the hon. Member for Harrow, West (Mr. Hughes) asks why we believe that additional measures should be taken to combat fraud, especially landlord fraud. The reasons are simple; we believe that fraud is wrong and we want to do everything possible to eradicate it. We do not believe that the Government are doing enough, and we believe that we could do better. That is our simple agenda. If the hon. Gentleman thinks otherwise, he confirms what I have always thought of him—that he is less intelligent than he looks.

Mr. Bernard Jenkin *rose—*

Mr. Frank Field (Birkenhead) *rose—*

Mr. Smith: I give way to my hon. Friend the Member for Birkenhead.

Mr. Field: Are not the Tories today in danger of doing two things? First, they are in danger of appearing to the public as defending landlords who are ripping off taxpayers. Secondly, in disagreeing with us in our wish to control fraud so that we shall have a larger budget available to those who are in genuine need, they appear to be obstructing the wish of the House that money should be spent as taxpayers require, on genuine claimants, not on those who are committed to criminal fraud.

Mr. Smith: My hon. Friend is right. The Department of Social Security budget is £90 billion this year. I want to ensure that every pound of that is wisely and properly spent and goes into the pockets of those who need and deserve it, and are legitimately entitled to it. I want none of that money to go into fraudsters' pockets. I fear, however, that the Government are being complacent.

Mr. Jenkin: Will the hon. Gentleman give way?

Mr. Smith: I will not give way to the hon. Gentleman at the moment because I want to make progress.

In their response to the Select Committee's report, the Government adopted an attitude that seemed to say, "Aren't we doing well as a Government? We have done all these things; we have taken all these steps; we are fighting fraud; we are talking about fraud. Nothing else needs to be done." That is the overwhelming thrust of the Government's response to the Select Committee, even though the Select Committee said, "This problem is urgent. Serious issues are involved. We have evidence that there is massive organised fraud from some"—I emphasise some—"landlords in the private sector." Yet the Government say, "Everything that we are doing is perfectly all right and we have everything under control."

Two passages in the Government's response might repay closer scrutiny. First, the Select Committee had suggested that any landlord receiving direct payments of housing benefit from the local authority should be required to list the other properties for which payments were being made, either in the same borough or in a different one. That is a simple enough procedure; it would enable cross-checks to be made automatically between different properties. What did the Government say to that?

> "There is a balance to be struck between imposing undue information burdens on landlords . . . and requiring them to provide information appropriate to the privilege of receiving money direct from public funds. The recommendation would impose an additional burden, whilst being easily evaded by less scrupulous landlords."

So the real reason why the Government refused that recommendation was that it would impose "an additional burden" on landlords.

Secondly, the Select Committee suggested that each landlord with more than 20 direct payment claims from a local authority should automatically be investigated as a matter of urgency—again, a sensible suggestion. Such landlords, after all, receive the most money, week after week, in direct payments sometimes amounting to thousands of pounds. The Government replied:

> "The Government is unable to accept that the Committee's blanket approach to larger landlords would be appropriate at this stage".

Yet these "larger landlords" receive the largest amounts and thus constitute the greatest risk to public funds. This is just sensible targeting at the top of the range where fraud can lose the greatest amount to the public purse. Still, the Government dismissed the idea as a "blanket approach" that they were unable to accept. Well, they ought to accept it and in general they ought to accept more of the Select Committee's proposals.

[Mr. Smith]

We know how landlord fraud operates. We know that landlords create fictitious tenancies; sometimes there are even fictitious properties. We know that sometimes there is collusion between landlords and their supposed tenants. We know that they spread their fraud across local authority boundaries. We know that they sometimes claim that higher rents are being paid than actually are. There is a host of ways in which fraudulent payments of housing benefit can be obtained.

We have proposed a series of detailed steps that we believe should be taken to help to stamp out landlord fraud. They include giving local authorities the right to obtain proof from landlords and managing agents of their right to control a property for which they are claiming direct payment of housing benefit, with the provision that a local authority could refuse payment if it was not satisfied with the information obtained.

We believe that landlords should be required to list other properties in their control for which direct payments are being received. We believe that local authorities and the Benefits Agency should be allowed lists of all redirected mail for claimants from the Post Office. We believe, too, that landlords of multiple-occupation dwellings should be required to have a licence. A self-financing licensing scheme would both help to deter fraud and do much to improve safety standards and maintenance in such houses. However, when my hon. Friend the Member for Greenwich (Mr. Raynsford) proposed such a scheme during the passage of the Housing Bill, the Government rejected it.

We believe that special teams of investigators should be established across all local authorities, not just in London—which the Government, rather grudgingly, have come to accept, and we welcome their conversion. We believe that at least 10 such teams should be established around the country and that they should deliberately target organised landlord fraud. We believe that all landlords who receive 20 or more direct payments should be investigated as a matter of course.

We believe that the finders keepers rule—which encourages competition rather than co-operation between the Benefits Agency and local authority fraud investigators—should end, so that we do not end up with the same investigators chasing the same fraud, thereby duplicating effort. We believe that there should be an automatic link to the tax system, so that information about all direct housing benefit payments made to landlords will automatically be passed by local authorities to the Inland Revenue. That would be a fairly powerful deterrent to landlords claiming housing benefit, which was not genuinely directed at the needs of a tenant.

Mr. Bernard Jenkin *rose—*

Mr. Smith: Finally, we believe that a proper monitoring system should be in place to ensure that local authorities fulfil their obligations in this respect. I see that the hon. Member for Colchester, North (Mr. Jenkin) has now returned to the Chamber, so I shall give way to him.

Mr. Jenkin: I assure the hon. Gentleman that I did not leave the Chamber and that I was elsewhere in the Chamber. I am interested in the source of his innovative ideas, as they are familiar to me—the vast majority of them were put in the Social Security Committee's report by me and other hon. Members, including the hon. Member for Birkenhead (Mr. Field). Why is it that the hon. Member for Islington, South and Finsbury (Mr. Smith) has got all his ideas from the hon. Member for Birkenhead? Should not the hon. Member for Birkenhead be the shadow spokesman on social security? It is obvious that the Labour Front Bench does not have any ideas of its own.

Mr. Smith: I am proud that the Labour party has looked at the Social Security Committee's report, at the evidence that it received and at the sensible recommendations that it made. We want to implement its recommendations. I am surprised that the hon. Gentleman is not leaping to his feet to defend the Select Committee—he is a member—and arguing that the Government ought to be implementing its recommendations, rather than dismissing them as a burden on landlords, or saying that this is a blanket operation that they will not adopt now, or saying that they will set up an inter-departmental ministerial working party to look at fraud. That has been the Government's response to what he and his colleagues have said. Instead of complaining about me picking up the Select Committee's report and running with it, he ought to be complaining loud and clear about the way in which his Government have not done that.

Mr. Jenkin *rose—*

Mr. Smith: A considerable number of our proposals for cutting down on landlord fraud go further than the Select Committee recommended. If the hon. Gentleman does not know the content of his own Select Committee's report, perhaps he ought to read it.

Mr. Jeff Rooker (Birmingham, Perry Barr): My hon. Friend referred to monitoring. We have to address the issue of accountability. No single official at local authority level is responsible for the housing benefit budget. For example, in my local authority the official who was responsible for the operation of the system refused to accept responsibility for the housing benefit payments—£300 million—but accepted responsibility only for the administration. When it all went wrong and the official was moved elsewhere, it was as if no one was responsible for that huge sum.

This issue has to be dealt with—there has to be accountability at the local level, so that there is a proper reporting system from those responsible for administering the system, through to the local auditors, through to the Benefits Agency and then to the Secretary of State. It cannot be left as a paperwork exercise, as it is now.

Mr. Smith: My hon. Friend has made an extremely good point. Clear lines of accountability exist in some of the best local authorities. That is not the case in many local authorities. We should ensure that best practice is disseminated among local authorities so that proper accountability can be achieved. That could be accomplished through the monitoring procedures that we advocate.

Mr. Frank Field: The accounting officer is the chief officer in the agencies. That is the proper procedure which

I think should be followed in all spheres. For example, the Prime Minister, as First Lord of the Treasury, should be clearly accountable for the Budget and for any fraud. Similarly, the chief executive in local authorities should be the chief accounting officer who should be responsible for the money spent by that authority.

Mr. Smith: My hon. Friend makes a good point.

Mr. David Congdon (Croydon, North–East): It is meaningless.

Mr. Smith: It is not meaningless, because my hon. Friend makes a precise point about accountability. If there is a clear responsibility attached to the most senior officer in the authority, the matter should receive proper attention. That is the key point that the hon. Member for Croydon, North-East (Mr. Congdon) should take into account.

The Government claim in their amendment and in some of their statements to the press in the past week or so that local authorities started taking fraud seriously only when the Government introduced incentives.

The Parliamentary Under–Secretary of State for Social Security (Mr. Oliver Heald): Hear, hear.

Mr. Smith: The Minister chortles about that point, but it is untrue. Up to 1993, there was a specific disincentive in the system—which was put there deliberately by the Government—designed to hinder local authorities in the fight against fraud. In its January 1993 report entitled "Remote Control: the National Administration of Housing Benefit", the Audit Commission said:

"There are other perverse incentives which may place public money at risk. For example, the lower subsidy received for overpaid benefit means that an authority, which believes that it is unlikely to recover an overpayment, is better off if it ignores any evidence of possible overpayment. Since any benefit paid following a fraudulent claim is treated as an overpayment, this creates an incentive to ignore possible fraud."

In 1993, the Audit Commission made that clear analysis of the way in which the Government had created a system that actively discouraged local authorities from following up fraud. The Government then introduced a system of incentives that made the situation better. However, they are now making it worse again. None the less, in 1993 the Government recognised that there was a problem and they decided to improve incentives.

Although a discouragement was built into the system before 1993, local authorities up and down the country had an extremely good and active record of combating fraud. I shall give just three examples. Swansea introduced a separate fraud team in 1987 comprising two anti-fraud officers and clerical back-up. In 1990—three years before the Government woke up to the disincentives problem—it was increased to a team of four plus clerical support. In 1989, the borough of Camden set up a dedicated anti-fraud team of three staff, which was later expanded to four. It also began carrying out many residency checks, with home visits, prior to 1993.

The city of Southampton appointed its first full-time designated housing benefit fraud officer, with clerical support, in July 1991. Before then, it had an inner-city fraud team that examined housing benefit fraud and other fraud issues across the board. In April 1993, it appointed two further people to the team. The Government started collecting statistics on fraud, let alone doing anything about it, only in 1986, which was precisely when good authorities such as Swansea were already starting to take practical action to tackle the problem.

If the actions of individual local authorities were not enough, the London boroughs fraud investigators group, which draws together investigators from different London boroughs across the capital city, was set up in 1991. For four years, it called on the Government to set up a Londonwide anti-fraud team. Although it is pleased that the Government have now acceded—rather belatedly—to that request, it does not quite know why the Government took so long to wake up to the need for such a team. So when the Government try to claim, as they do in their amendment, that it is only because of the incentives that they have put in place that local authorities have started to tackle fraud, they are wrong. Local authorities were way ahead of the Government in the actions that they were taking.

Mr. Heald: Does the hon. Gentleman concede that weekly benefit savings have almost trebled since the incentive scheme came in, yet local authority associations, which are dominated by Labour, are saying that our increased targets are too high? Why is that? Will he condemn it?

Mr. Smith: The complaint that the local authorities are making is not that the targets are too high, but that the nature of the incentive system that the Government have put in place takes an incentive up to a certain ceiling and then gives much less of an incentive for local authorities to go beyond it. Local authorities have pointed out the flaws in the incentive mechanisms.

However, a new problem is about to hit us. It lies in the bringing forward of compulsory competitive tendering in housing benefit.

Mr. Pickles: Will the hon. Gentleman give way?

Mr. Smith: I will not give way; I have done so extremely generously, and must make some progress.

The advent of compulsory competitive tendering in housing benefit payments and, perhaps most alarmingly, in fraud investigation in local authorities, was revealed in a written answer to me from the Under–Secretary of State for the Environment, the hon. Member for Croydon, Central (Sir P. Beresford):

"Our proposals for changes to the framework for compulsory competitive tendering for professional services include a proposal to raise the percentage of financial services work which must be exposed to competition from 35 per cent. to 65 per cent., and limit the availability of exemptions from CCT for authorities which cannot meet that requirement without exposing benefits work to competition. The legal definition of financial services work includes benefits work and relevant authorities may well choose to expose this work to competition in order to meet their competition requirements."—[*Official Report*, 12 June 1996; Vol. 279, c. *163*.]

If the Government are intent on forcing local authorities to put out to private tender the payment of housing benefit and council tax benefit, and the work to detect fraud in the receipt of those benefits, any shred of a pretence of having a serious anti-fraud strategy goes out of the

[Mr. Smith]

window. Targeting organised landlord fraud, which is probably the biggest area in housing benefit fraud, takes highly skilled and trained professional investigators.

Mr. Pickles: Will the hon. Gentleman give way?

Mr. Smith: It also requires a bona fide and entirely confidential exchange of information between local authorities and the Government. That is not the sort of activity that should even be considered for privatisation. Conservative Members do not seem to understand the enormous importance of the need to protect, with publicly accountable officers in charge, the confidentiality of information for the general public, while at the same time cracking down on fraud. That need must be paramount. If the Government force CCT on the payment of housing benefit or on fraud investigation, they are opening the gates to inadequate, sloppy procedures in investigation and the destruction of that important principle of confidentiality.

Mr. Pickles: Will the hon. Gentleman give way?

Mr. Smith: I will give way for the last time to the hon. Gentleman, who has been very persistent.

Mr. Pickles: I am grateful to the hon. Gentleman. He is in danger of not fulfilling a promise that he made to me earlier. He promised that he would reconcile the statements made by the hon. Member for Manchester, Withington (Mr. Bradley) in July 1993 and by the hon. Gentleman at the Dispatch Box today. To remind him, three years ago the hon. Member for Withington made two substantive points. His first point was that there was a danger of overestimating the level of fraud—if the hon. Gentleman wants to check, the speech begins at column 1253 of *Hansard* on 16 July 1993—and his second point was that there was a danger of the incentive figures being set too high. If the hon. Gentleman would care to reconcile those figures, I would be most interested.

Mr. Smith: I gave the hon. Gentleman the answer for which he is looking when I spoke specifically about what the Audit Commission had said back in 1993 about the nature of the disincentives in the system at the time. I also draw the hon. Gentleman's attention to the very fine words of the Minister for Social Security and Disabled People, the hon. Member for Bury, North (Mr. Burt), then the Under-Secretary of State for Social Security, referring precisely to the speech made by my hon. Friend the Member for Manchester, Withington (Mr. Bradley) on 16 July 1993. The hon. Member for Bury, North said:

"The Opposition spokesman has been equally determined to show that the Labour party is as rigorous about fraud and abuse as it is about ensuring that everyone gets his just deserts."—[*Official Report*, 16 July 1993; Vol. 228, c. 1296.]

My hon. Friend the Member for Withington held that view at the time and he still holds that view.

The second area where the Government need to take some action is in stepping up the number of home visits that are made to claimants. Back in 1979, about 3.5 million home visits were made during the course of a year. In 1994, that figure was down to about 500,000, so the Government had made the situation much worse. Now the Government have realised that home visits are quite important, so they are stepping up a little bit the number of home visits that are made. Some 300,000 more home visits are now being made during the course of a year.

However, we believe that the Government should expand substantially the number of home visits that are made. Of course, there should be a dual purpose in visiting at home. There should be a determination to identify where a fraudulent claim is being made or paid, but there should also be a determination to ensure that people are receiving that to which they are properly and legitimately entitled. Accuracy in the spending of social security funds is a two-sided coin. That always used to be the purpose of home visiting under the previous Government, when 3.5 million home visits were made in the course of a year. It should continue to be the purpose of home visiting.

The work that has been done by the National Audit Office demonstrates clearly that, in terms of inaccuracy of payment of income support, the balance of inaccuracy weighs heavily to the current detriment of the Department rather than to its benefit.

We believe that the Benefits Agency can and should organise its home visits much more efficiently. Figures from the Department of Social Security show that the average cost per visit is £54. Yet the most efficient local authorities manage to achieve a far lower cost per visit.

Mrs. Maria Fyfe (Glasgow, Maryhill): Will my hon. Friend comment on the experience of a constituent of mine? A few weeks ago, when a benefits fraud check was carried out in my constituency, two officers knocked on his front door at half-past 7 in the morning, entered and then knocked on his bedroom door until he woke up. This was a person about whom there was no suspicion whatever. He was in fact a perfectly legitimate claimant. Part of the debate should focus on the purpose of home visits, and we must ensure that people are not treated as if some kind of Gestapo was going around.

Mr. Smith: My hon. Friend is right to draw attention to that, and she has written to me about the case.

We must ensure not only that home visits are conducted efficiently—to which I shall return in a moment—but that they are conducted in a manner that respects the liberties of the citizen, and that should be one of the elements of the system that the Department puts in place.

As I said, home visits could be organised more efficiently. The best local authorities have detailed software back-up, which provides all the information to ensure that the most is got out of every single visit: properties are grouped street by street and estate by estate, so that unnecessary travelling is avoided, and so on. That is the way in which they should be organised, and it is possible to achieve greater efficiency in doing so.

Mr. Lilley: Before the hon. Gentleman goes any further, will he confirm the figures given in his document on that subject, in which he says that he expects his fraud investigators to carry out 50 visits a day, which means that they will have eight minutes between ringing the bell on one door, completing the interview and ringing the bell

on the next? How much time will be spent on benefit advice; how much time will be spent on fraud advice; and how serious does he consider that objective to be?

Mr. Smith: It is an entirely serious objective, because it is precisely what is being achieved by the best local authority officers who currently carry out home visits. Some home visits, of course, will be much shorter than that, but others will take longer. The Department's figures seem to assume that a visiting officer will sit down and talk through the entire life history of the claimant, his or her reading pattern, what films he or she last saw and the network of relationships of every single claimant in great detail over several cups of tea, taking several hours at a time. That is the current performance of investigators from the Department, but the best local authorities do it far more efficiently.

Mr. Heald: Will the hon. Gentleman give way?

Mr. Smith: No, because I have already given way to the hon. Gentleman's boss.

The third area where the Government need to improve their performance is national insurance numbers. The Government have given us different totals at different times of the year, in different debates and different answers, for the precise number of national insurance numbers that are in circulation. We had an interesting answer on 5 March from the Under-Secretary of State, who said that it was all terribly simple. He said that there were two different computers, and that, yes, they had different totals on them. The national insurance recording computer system, which is based on contributions that are paid, contains 63.6 million records. The departmental central index system, which is based on entitlement to claim benefits, contains 77 million numbers.

Thanks to the clarity with which the Under-Secretary of State explained the arrangements to us, we all understand them. What the Government have so far failed to explain, however, is a discrepancy identified by the Select Committee. It relates to national insurance numbers classed as inactive because they belong to deceased persons. Although, by virtue of having existed, a deceased person must surely be listed on both computers, there are nearly 1 million more numbers on one computer than on the other. That is a dramatic disparity.

Even if the Government were able to explain why nearly 1 million numbers are unaccounted for, however, it would still be far too easy to establish a national insurance number and use it for fraudulent purposes. There is a good deal of organised big-time fraud at present: people with portfolios of national insurance numbers are using them to claim benefits to which they are not entitled because their identities are entirely fictitious. The swipe card technology which the Government are now introducing—and which we support—may bear down on the level of error in payments that are made, but it will not tackle the fundamental problem of the fraudulent obtaining of national insurance numbers.

The Government should take a series of steps to cleanse the national insurance number system of numbers that go astray in that way. They include greater vigilance in preventing people from using false identities to apply for national insurance numbers, and more frequent checks by the Contributions Agency to reconcile benefit claims with contributions paid. At present, such checks are carried out annually, and do not pick up frauds that intelligent fraudsters perpetrate between checks.

Local fraud investigators should be allowed access—currently denied—to the Contribution Agency's departmental central index. On-line data matching across departments should be introduced, with a timetable for rapid future progress. Special checks should be run on all inactive numbers, and there should be a flagging system to ensure that any number that is inactive for any reason is targeted. There should also be a special unit to co-ordinate the cleansing and investigation of all suspect numbers. The Government are coming up with some bits and pieces, but they are not yet doing enough.

We believe that the Government should deal with another small problem. It is highlighted by the case of Mr. Mark Lee, which was described in *The Sunday Telegraph* a couple of weeks ago. Mr. Lee, a convicted fraudster, had obtained a mortgage by fraudulent means and was sent to prison as a result, but the income support system continued to pay the interest on his mortgage, even though the mortgage had been fraudulently obtained. The Department of Social Security's answer was, "This is not a matter for us because there is no specific fraud in the claiming of benefit for the interest payment."

Clearly there is a loophole in the law. If the mortgage was obtained fraudulently, surely the taxpayer, via the Department of Social Security, should not be picking up the tab for keeping up the mortgage payments. The Government should urgently consider that matter, to find out how that legal loophole can be tightened.

In the past year or two, the Government have talked a lot about fraud. They have done a little bit about it. Labour Members welcome much of what they have done—the measures are sensible—but the Government are being far too self-congratulatory about what they have done. Their response to the Select Committee report is riddled with complacency. They are going backwards on what they have achieved because of their ideological attachment to compulsory competitive tendering.

The Government should adopt at the least the spread of measures proposed by the Select Committee. They should go further than that and embrace our recent ideas and proposals. There is far more to be done to tackle fraud, and it is a Labour Government who will set about doing it.

4.36 pm

The Secretary of State for Social Security (Mr. Peter Lilley): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'welcomes the priority given by Her Majesty's Government to tackling all aspects of benefit fraud; endorses the Government's successful work in detecting and preventing fraud which has resulted in the benefit savings target of £1.3 billion being exceeded in 1995–96; congratulates the Government on carrying out the first systematic review of the amount and type of Housing Benefit fraud; notes that Housing Benefit administration is the responsibility of local authorities and that local authorities only started tackling fraud seriously once the Government introduced financial incentives for them to do so; welcomes the new fraud strategy which will result in savings of £2.5 billion a year by 1999; deplores the Labour Party's attempt to exaggerate the amount of fraud as a pretext to spend more money; and condemns the Labour Party's continuing half-heartedness in tackling benefit fraud and abuse.'.

No one will be fooled by the cynical speech of the hon. Member for Islington, South and Finsbury (Mr. Smith). He tried to con people that Labour is no longer soft on

[Mr. Peter Lilley]

fraud and deliberately exaggerated the amount of fraud, so that Labour can pretend that its spending plans could be painlessly financed by cutting fraud. He wanted to disguise the flimsiness of that claim by peddling a plethora of spurious statistics and dubious detailed policies. His speech shows not the zeal of the convert, but the guile of the con man.

Rooting out fraud and abuse always has been, and remains, my top priority. I am happy to say that that was recognised by the Select Committee on Social Security, which said that the Secretary of State

"has shown himself to be"—

I pass over the kind remarks about my intellect and ability—

"the most determined to counter fraud".

Mr. Frank Field: It was better than that, but the Secretary of State's side toned it down.

Mr. Lilley: No: it responded to my natural modesty.

Since I became Secretary of State, we have saved record amounts on fraud, and we have plans to go on breaking those records year after year. In a moment, I will spell out what we have achieved and what we will achieve, but first I want to dismiss the ridiculous claim of the hon. Member for Islington, South and Finsbury that he and his party are—suddenly—tough on fraud.

The simple truth is that Labour has always been at best indifferent, and at worst hostile, to tackling benefit fraud. Nothing Labour Members have said today should be allowed to conceal that fact. The hon. Member for Sheffield, Brightside (Mr. Blunkett) castigated the Labour party for being

"for too long linked with the freeloader"—

and so it has. The fact that, before this debate, Labour has never initiated a debate on fraud illustrates its sheer indifference to the subject. When we have had such debates, Labour has invariably tried to play down the amount, and the importance of the issue.

I remember the hon. Member for Manchester, Withington (Mr. Bradley) accusing us of overstating the amount of fraud in the system. He argued that, even if our estimates were true, the amount was not significant. His words were:

"We should continually bear in mind the fact that, in the context of the overall budget, even £1 billion is not a large amount".

Today, the Labour Front-Bench team are

"overstating the amount of fraud in the system"

precisely because they now realise that £1 billion is a large amount, and they desperately need to conjure it up from somewhere to cover part of their spending plans.

Stopping housing benefit fraud is the responsibility of local authorities—most of which happen to be Labour. Most of them made little or no effort to tackle fraud—until I set each authority a target, backed by tough penalties and incentives, to galvanise it into action. In the first year, local authorities doubled the amount of fraud they detected, and increased the figure dramatically again the second year—yet members of Labour's Front Bench condemned those targets when I introduced them.

The hon. Member for Withington, Labour's Front-Bench spokesman at the time, said:

"the recovery targets set for local authorities are unrealistically high. I know that there is a lower level and a higher level, but my investigations across the country convince me that many local authorities will find it extremely difficult to hit even the lower targets . . . the Government have set the targets unrealistically high".—[*Official Report*, 16 July 1993; Vol. 228, c. 1254-55.]

Since then, the Opposition have opposed our measures to prevent abuse of housing and other benefits.

In January, we introduced a reform to ensure that taxpayers no longer pay rents in full to any new claimant who chooses to occupy a property with a rent above the average for the type of property suitable for the household in that area—and Labour opposed it. That measure will make collusive deals between landlord and tenant to rip off the taxpayer harder, yet Labour opposed it.

From the autumn, a further reform will ensure that housing benefit does not pay higher rents for unemployed young people than they would normally be able to afford out of work. Labour opposed that reform too, just as it opposed other measures to prevent abuse—such as the objective medical test for incapacity benefit, to stop fit people abusing the system, and the removal of entitlement to housing and other benefits from bogus asylum seekers.

Although Labour said that asylum seekers were mostly genuine and came to the United Kingdom to escape persecution, not to acquire our benefits, the figures tell a different story. Our benefit changes were made in February. The number of people claiming asylum in that month fell 7 per cent. below last year's level. In April, the figure was down a quarter, and in May it was down one half.

Of course it is too early to be certain that trend will be sustained, or whether it will be reinforced when the Asylum and Immigration Bill is enacted—but the first signs that the flow of bogus asylum claims is being stemmed are encouraging. That is good news above all for genuine refugees, as it will be easier to deal speedily with their claims.

The Opposition's indifference and hostility to tackling fraud is in marked contrast to our commitment and success. I have consistently given the issue the priority it deserves. I put in place the organisation to pursue fraud effectively, appointed a senior official with exclusive responsibilities, set up a fraud board and appointed a Minister with specific responsibility for tackling fraud—my excellent hon. Friend the Under-Secretary of State, the Member for North Hertfordshire (Mr. Heald).

I developed for the first time a method of measuring the extent and incidence of fraud in each benefit. I increased funding for the fraud effort, and ring-fenced it against running cost cutbacks. I introduced home visits for new claims. I gave local authorities the incentives to tackle housing benefit fraud to which I have referred, plus extra guidance and help.

All those measure are already showing up in increasing success in detecting and stopping fraud. In each of the last four years, savings have exceeded targets—and targets have been sharply increased.

Mr. Jon Owen Jones (Cardiff, Central): Does the Minister, in his attack on fraud, intend to ensure that his party pays back the money paid to it by the fraudster Asil Nadir?

Mr. Lilley: That is not a responsibility of mine, and nor is it relevant to today's debate. One of my main responsibilities is dealing with the frauds perpetrated by Robert Maxwell—the only Labour Member ever to take a serious interest in occupational pensions.

Total savings for last year as a result of my measures are expected to exceed £1.3 billion, including some £220 million of fraud discovered by local authorities—which, together with the Benefits Agency, discovered about £390 million of housing benefit fraud over the past year. We know how much fraud is detected. The question is, how much at present remains undetected? If one is to plan an effective fraud protection strategy, it is essential to know how much fraud there is, of what kind and what type of fraudster commits it.

In the past, no Government in this country or abroad had succeeded in measuring fraud, but we have developed a reliable method of doing so. It involves taking a representative sample of claimants, examining all available information on each claimant, sending trained investigators to visit claimants at home, carrying out visits unannounced and repeatedly until contact is made or non-residence established, and requiring the claimant to prove his or her identity and facts relevant to the claim.

Mrs. Fyfe: Does the Secretary of State set any parameters for the hours during which home visits should be made or for the conduct of the officials who make them?

Mr. Lilley: I will certainly look into the case that the hon. Lady mentioned earlier, which would not have been a routine visit. They are not made any more—any more than I imagine the hon. Member for Islington, South and Finsbury intends 4 million such visits as part of his unbelievable campaign.

Mrs. Fyfe: I was talking about the spotlight campaign in Glasgow.

Mr. Lilley: The hon. Lady reminds me that she opposed our spotlight campaign in Glasgow. Unlike her, a large number of Glasgow citizens co-operated with that campaign, which succeeded in making considerable savings.

Mrs. Fyfe: On a point of order, Mr. Deputy Speaker. The Secretary of State is in danger of misleading the House. I said that the Government should put as much energy into identifying people who are due benefits but not receiving them.

Mr. Deputy Speaker (Mr. Michael Morris): That matter has absolutely nothing to do with the Chair. The hon. Lady has been in the House long enough to know that there are other means of seeking such redress as she believes is appropriate.

Mr. Lilley: With the co-operation of the citizens of Glasgow, some £2.8 million has already been saved in that city, which means that we are better placed to meet the needs of genuine claimants in that part of the world.

Mr. Chris Smith: In the light of my hon. Friend's point of order, will the Secretary of State withdraw the slur against her views that he just perpetrated?

Mr. Lilley: If I have in any way slurred any hon. Member, of course I withdraw my remarks—but the hon. Lady gave the clear impression that she was not supportive of the spotlight campaign.

The Parliamentary Under-Secretary of State for Social Security (Mr. Roger Evans): She said money should not be spent on that campaign.

Mr. Lilley: My hon. Friend recalls the hon. Lady saying that she thought money should not be spent that way. She may have said that.

Mrs. Fyfe: For the record, when the Secretary of State came to Glasgow specifically to blitz benefit fraud, I commented—and I stand by this—that the right hon. Gentleman would do well to put equal effort into assisting people who have been awarded benefits running into thousands of pounds but have not received them. Of course I do not condone fraud, but it is contemptible to chase people for fraud and do nothing about claimants who are due benefits.

Mr. Lilley: The hon. Lady has done her best to save her reputation from her previous comments.

The systematic surveys undertaken by fraud officers have enabled them to establish the amount and type of fraud. The results show that about 10 per cent. of income support and housing benefit claims are fraudulent.

Criticisms of the survey methodology simply do not hold water. The interview was not a just a memory test, as the hon. Member for Islington, South and Finsbury said. It required documentary proof of identity and other facts. Far from ignoring landlord fraud, the survey was particularly well designed to detect it. The hon. Gentleman should understand enough about landlord fraud to know that it requires either a bogus property or a bogus tenant. Visits established with absolute certainty whether or not the property existed, and with near certainty whether the tenant was genuine. Finally, the methodology was endorsed by the National Audit Office.

I have no incentive to understate the amount of fraud. Indeed, until today, the Opposition have always accused me of exaggerating it. By contrast, Labour now has every incentive to exaggerate. It wants to appear tougher than the Government, so as to con people that it is no longer soft on fraud. Above all, it needs to conjure up imaginary "savings" to offset the real cost of its spending plans. That is why Labour Members leaped uncritically at the suggestion that housing benefit fraud could amount to £2 billion, instead of the £1 billion established by our rigorous and systematic study.

The hon. Member for Islington, South and Finsbury said that those are not the bases for Labour's figures, and that Labour Members do not endorse the £2 billion figure, but the Leader of the Opposition seized on that very figure in his speech in the Southwark cathedral series, which preceded my speech.

The £2 billion figure is, to say the least, flimsy. The figure is mentioned by the Select Committee in its report, but the Committee does not examine it, let alone endorse it. The figure relates to a guesstimate made by the local authority investigative officers group. It is not based on any systematic survey, representative sample or audited methodology.

[Mr. Lilley]

LAIOG members are professional investigators, but they are not trained in statistics, sampling or survey methodology. They sensibly target their efforts on areas in which they are most likely to detect fraud. However, they then scaled up the percentage of fraud found on those drives and applied it to the population as a whole. In other words, the LAIOG figures vastly exaggerate the amount of fraud.

For the Opposition to set aside an audited, thorough figure for that type of guesstimate is irresponsible, and demonstrates that they are less interested in truth than in propaganda.

Today the hon. Member for Islington, South and Finsbury placed much weight on a single survey carried out by Haringey into 15 highlighted cases, and mentioned fraud levels of up to 50 per cent. Haringey claims that there is a very high level of fraud in its area, and has increased significantly the amount of fraud it has discovered since I gave it incentives and subjected it to penalties if it failed to do so. But the total amount of fraud it detects and stops is less than 3 per cent. of its housing benefit budget.

Across its budget, Haringey does not seem to have identified, let alone stopped, the levels of fraud suggested by the hon. Member for Islington, South and Finsbury. Perhaps he would care to explain the discrepancy between the figures he gave and the average savings that Haringey is achieving.

Mr. Frank Field *rose—*

Mr. Lilley: The hon. Member for Birkenhead (Mr. Field) rushes to his aid.

Mr. Field: The Secretary of State realises perfectly well that Haringey has, sensibly, started in those areas in which it will gain the biggest rewards for taxpayers. As he is almost limbering up to attack and to dismiss the Haringey survey, as he did before the Select Committee, would he like to provide us with evidence from other local authorities that have conducted similar surveys on landlords with many claims, and have come up with figures different from Haringey's?

Mr. Lilley: In a moment, I shall mention the figures produced by the London fraud investigators group, which believes that, in total, there is £40 million of landlord fraud in London. That figure is based on figures from its members in London, and it tallies with our figures.

Mr. Field: I am sure that the Secretary of State will quote that figure again shortly, but it does not answer the question that I asked him. Because he was knocking the Haringey survey, I asked him whether he could cite a single survey from elsewhere that deals with the same problem and the same issue—landlords with many housing benefit claims—that disproves Haringey's figures? Can he or can he not do so?

Mr. Lilley: I am not trying to knock the figures provided by Haringey. I am suggesting that its figures relating to a section of its claims—the percentage of fraud discovered—should not be used across all claimants in the borough, and even less so for all claimants in the nation. That is the only point that I am making. I have no doubt that there will be subsections of claimants in any borough with a very high level of fraud and abuse, and it is right and proper that fraud officers should target them and make them their first priority.

Mr. Field: I am grateful to the Secretary of State for distancing himself from his Back Benchers by making a clear statement to the House that he thinks that landlords with large numbers of properties are a real problem, and that fraud among that group should not be taken as representative of fraud among all claimants.

Mr. Lilley: Some landlords with many tenants are a problem, but, of course, the landlords with the most tenants are councils and housing associations. There are some very reputable large private landlords, and it is as absurd to lump them all together as it would be to try to blackguard the name of all housing benefit claimants.

The Opposition, having seized on the flimsy figure of an extra £1 billion of fraud, then had to invent even flimsier claims that they could get it back. So they put together three rather tenuous fraud programmes, and plucked savings estimates for each of them out of the air. By an extraordinary coincidence, the savings from those three fraud programmes add up to exactly £1 billion.

Today, it was noticeable that the hon. Member for Islington, South and Finsbury singularly failed to defend or even to mention the detailed savings figures, which, elsewhere, he has proposed are realistic.

He proposes, first, to get back an additional £310 million of landlord fraud. The problem is that, on all the best evidence, in total there is only about £150 million of landlord fraud. That figure emerged from our survey, and, as I mentioned, our survey should be particularly accurate in identifying and estimating the amount of landlord fraud.

As I said, our estimate is also consistent with the estimate of the London fraud investigators group, which believes that there is about £40 million of landlord fraud in London, where it is particularly rife. London accounts for a fifth of all properties; therefore, grossing up—but allowing for a slightly higher rate in London—produces a similar figure. So it is simply impossible for Labour to save an extra £310 million when there is only £150 million of such fraud to be stopped. One cannot get a quart out of a pint pot

Labour proposes a programme of 4 million home visits to all benefit claimants. Allegedly that would save an extra £520 million net of the cost of those visits, over and above the savings that we intend to make. But we know from our surveys that about 10 per cent. of claimants are defrauding the system. To visit 100 per cent. of claimants, therefore, means 90 per cent. of visits will be wasted or ineffectual.

We want to target visits so as to catch likely fraudsters, but to minimise ineffective and costly visits. Therefore, I initiated a programme to visit almost a third of all income support claimants each year, including 600,000 visits to check existing claimants. Those visits will be targeted on likely fraud, using the most powerful data matching system in Europe.

Visits need to be thorough to be effective, which takes time and costs money. Our visits take an average of 80 minutes, cover about 80 questions and cost £21 each.

However, Labour's proposal—which is quite explicit in its document—relies on each investigator doing 50 visits a day, at a cost of £3 each. That means that the investigator will have only eight minutes to move from one address to the next and to carry out the interview. It might be possible for my hon. Friend the Member for Falmouth and Camborne (Mr. Coe), sprinting fast between doors, to achieve that.

I challenge the hon. Member for Islington, South and Finsbury to tell us what identity checks he proposes to undertake in the fewer than eight minutes that will be available. What documentary proof must be found by their breathless investigators? What further proof will be required of other facts in the claim? Will investigators return if no one is in? My understanding is that Haringey counts "no one at home" as an effective visit. Can he confirm that his proposals rest on the same assumption?

Mr. Frank Field *rose—*

Mr. Lilley: I shall give the hon. Member for Islington, South and Finsbury a chance to gird himself to answer the question.

Mr. Chris Smith: The Secretary of State asks a direct question, so it is perhaps courteous to give him a direct answer. Of course the system used by Haringey and other local authorities—because it groups properties by area, and achieves very great efficiency by doing so—means that some people who are out are not visited again immediately. Then, of course, one goes back to that area and tries again. The important thing is the grouping of property by street and area, so that efficient visiting can take place and the cost to the taxpayer can be reduced. That does not happen now with the DSS, which is grossly inefficient in its organisation, but it does happen in the most efficient local authorities.

Mr. Lilley: I can correct the hon. Gentleman's error. We operate a similar system of grouping—

Mr. Smith: At vastly greater cost.

Mr. Lilley: That is because they take 80 minutes, not eight. That is the big difference. Subsequently, we follow up the work that we have done.

The hon. Member for Islington, South and Finsbury proposes to save an extra £170 million from stopping abuse of national insurance numbers. He implied that there must be national insurance number fraud because there are more NINOs than people in the United Kingdom. We keep the national insurance numbers of dead and emigrated people, not least to prevent fraud.

The reason there are more dead people on the departmental central index computer than on the national insurance records computer is that, as well as including those with national insurance contributions, the DCI computer includes those who make benefit claims but have no national insurance record. It keeps records of them when they are dead. I hope that that sets to rest the hon. Gentleman's spurious point about the difference in the numbers.

What is more, the records are clearly marked, so that, if someone tries to claim on a dead person's national insurance number, alarm bells ring. We do not pay them benefit unless they happen to be called Lazarus.

Mr. Frank Field: Mr. and Mrs. Lazarus.

Mr. Lilley: I can assure the hon. Gentleman that all our evidence suggests that resurrection is a rare phenomenon in this country at this time.

The hon. Member for Islington, South and Finsbury, who is obviously busy trying to find support for his spurious points, assumes that one national insurance number in 500 is involved in identity fraud. The only justification for that number is to arrive at the hon. Gentleman's spurious savings figure of £1 billion. One United Kingdom citizen in 500 implies some 110,000 people, which would mean that one income support claimant in 50 was using a false national insurance number. There is no evidence that multiple identity fraud is that extensive.

It is not easy to get a new national insurance number. The applicant must first explain why he does not have one already, because virtually every British-born citizen is allocated a number as a consequence of the child benefit system. The fraudster must usually claim to be from abroad. If they claim to be from the European Economic Area or a British citizen brought up abroad, they will now have to pass the habitual residence test.

That route is distinctly unattractive for the multiple identity fraudster, but it would be reopened by the Opposition, who propose to abolish the habitual residence test. *[Interruption.]* Oh, the hon. Member for Islington, South and Finsbury said that he does not intend to abolish that test.

Mr. Chris Smith: The Secretary of State said that the Opposition have promised to repeal the habitual residence test. When? Where? What is his evidence?

Mr. Lilley: I am prepared to accept the hon. Gentleman sedentary comment, which he did not repeat, that the Opposition now say that they will not repeal it.

Mr. Smith: Give us the evidence.

Mr. Lilley: Quite honestly, I thought that the Opposition had promised to repeal it. I will check in the *Official Report* to see whether that is so. If the hon. Gentleman is saying that they intend to keep it, that is interesting. If he is saying that they do not know, that is as ineffective and will have much the same effect as his lamentable failure to answer the questions on "Newsnight" the other evening. I suggest that in future, for this sort of debate, he should find out what his party's policies are before criticising ours.

The alternative to claiming to be someone who is subject to the habitual residence test is to claim to be an asylum seeker. There are currently 46,000 asylum seekers claiming benefit, which is far short of the 110,000 people the Opposition claim are involved in national insurance number fraud, even if all of them were fraudsters using multiple identities.

Alternatively, the Opposition's multiple identity fraudsters must be involved in what is called piggy-back fraud, which means that they pretend to be a citizen who

[Mr. Lilley]

is not currently claiming benefit. That sort of fraud would have been exposed by the identity checks during our fraud survey. If Labour's estimate of one in 50 claimants was correct, 100 of our 5,000 sample would have been found to be involved in those frauds. In fact, the survey showed that only two were involved in such fraud. There may also have been some in the non-resident category who were involved in multiple identity claims, but they would have been picked up in our estimate of the total of fraud.

En passant, I should mention that, under the type of home visiting proposed by the Opposition, non-resident fraud will not be established, because the visitor will simply note down "not at home" and will not go back. We go back repeatedly until we establish contact with the person or non-residency.

The comprehensive measures to combat this type of fraud, of which tightening up on all aspects of NINO issues is important but only a partial element, will eliminate a large part of the national insurance number fraud that already takes place. Any genuine element within Labour's figures simply represents double counting of the savings for which we are already budgeting.

Since I became Secretary of State, we have been unprecedentedly successful in tackling benefit fraud, but I want to exceed our successes. That is why, last year, I announced a comprehensive fraud strategy for the next five years. We are already implementing that programme with investment and information technology. We are increasing the resources that we devote to fraud. This year, we are making home visits to a third of all income support claimants to reduce the risk of fraud, and we are also spotlighting different parts of the country for intensive fraud efforts. Early returns from Operation Spotlight suggest that it is already having excellent results, not just in Glasgow.

We are investing heavily in state-of-the-art technology. We are setting up a new computer system to enable us to match and verify housing benefit claims in different parts of the country. Last month, I announced the winning consortium to develop the new benefit payment card. That will mean that claimants no longer have to carry valuable order books around with them, and will largely eliminate fraud by people stealing or forging order books and girocheques.

Cumulatively, my new fraud strategy should be saving £2.5 billion a year before the end of the century. That will help to control the cost of the welfare state, and will help us to continue to support the people who need it.

Labour's document on fraud contained the first detailed proposals to emerge from the party's interminable review of social security.

Mr. Chris Smith: Before the Secretary of State finishes dealing with the figures, perhaps he might like to correct what I am sure was an inadvertent error in what he told the House earlier.

He said that Haringey's savings from its work on fraud amounted to only 3 per cent. of its budget. As I understand it, the savings achieved so far—we are not yet at the end of the process—amount to £6.5 million out of an overall housing benefit budget for the borough of £120 million. That means that the figure is more like 5 per cent. than the 3 per cent. that the Secretary of State gave. I hope that he will seek the leave of the House to correct that information.

Mr. Lilley: I was using the figure for the last full year that has been reported. The hon. Gentleman is correct to say that, in 1995-96, the figure is £6.4 million—not £6.5 million—but the total housing benefit fraud has not yet been reported. It is still only a fraction of the level that he tried to suggest existed. He should apologise to the House for the impression that he has falsely created.

Labour's document on fraud contains the first detailed proposals to emerge from its interminable review of social security. Six months ago, the hon. Gentleman promised that he would think the unthinkable. In his document, he has merely produced the unoriginal, the unworkable and the unscrupulous.

The issues in fraud are simple. We need to understand the amount and type of fraud. We need to provide the right incentives to encourage local authorities to tackle it, and to deploy the Government's anti-fraud resources to give the best value for money. Labour fails on all three counts. It deliberately exaggerates the amount of fraud, ignores the role of local authorities and proposes to squander taxpayer's money on tasks that would have negligible returns. It ducks the real issues and offers quack remedies.

If Labour fails so spectacularly on fraud, where the issues are simple, how can it hope to offer solutions to the more complex challenges of the welfare system, such as helping people off welfare and into work? Indeed, how can a party so incompetent even in opposition possibly claim to offer competence in Government? However, Labour's fraud policies are not just incompetent: they are fraudulent. Bogusly high fraud figures offer bogus finance for all too genuine spending plans. The higher the fraud numbers it claims, the deeper it will have to dig into our pockets when, if it is elected, it has to implement policies that it cannot finance.

Our fraud programme, by contrast, is based on real numbers and real action. Tackling fraud has always been my top priority, and it will go on being my top priority. We have already achieved record savings, and we plan to break those records again. Our fraud programme means that help can be given to the people who need it and that taxpayers can afford to give that help. Our policies aim to keep fraudulent claimants off benefit, and to keep fraudulent politicians out of office.

5.11 pm

Mr. Frank Field (Birkenhead): The Secretary of State's response was somewhat uncertain. I am sorry that he was not able to read the original comments that I drafted for the Select Committee report. They were much more favourable to him than those that appeared. The problem is that Conservative members of the Committee always think that the Chairman is up to some plot when such words appear, so they watered down my comments. I am happy to explain that there is no plot and pay him credit because, in respect of tackling fraud, he is the most serious figure to hold his office.

We must understand why the Secretary of State is so anxious about this debate and his response to the Select Committee report. He has a difficult task. It was not merely to wrong-foot him that our first report was on

housing benefit fraud. We did not intend to make him look soft on fraud or the causes of fraud, although some of the interventions of Conservative Back Benchers in the speech of my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) suggest that that is the image that is being put over to the country. Rather, the Select Committee was anxious to change the House's image in respect of fraud and to bring it into line with the image that most voters have of fraud.

The report was meant to concentrate minds on the fact that it would be amazing if there were little fraud when the largest single departmental budget—of more than £90 billion—is involved. We suggest that fraud is very large indeed. I do not fall for the Secretary of State's trick question about what I would suggest the level of fraud is. By its nature, we can never know the extent of fraud in a system. Good government requires, as does the defence of freedom, that we should be vigilant all the time and seek new ways to crack down on fraud.

The report said that the country's image of fraud as having a dual nature is correct. An element of serious criminal fraud operates against our budgets, an aspect to which I shall return in a moment. In examining housing benefit fraud, we had, because of its nature, to concentrate on landlords because that benefit is peculiar in that, although it helps claimants, it is often paid direct to the landlords. In doing that, I have no wish to put forward the image that claimants do not commit fraud; they do and that is wrong. We may sympathise more with those who have few funds who commit fraud when compared with those who have large funds who commit it, but fraud is wrong whoever does it.

In case there is any doubt in the House, I shall read a letter that I received today from someone who did not know about today's debate. She wanted to relay her anguish about her experiences and wrote:

"Do you and others at Westminster know the depth of my anger and anguish when I stand in line in the Post Office to pay £2.95 to send a letter by special delivery and at the same time watch a foreigner in front of me collect seven £10 notes and take his mobile phone out of his bag? I am just one of those contributing towards the £70 but could not afford a mobile phone or the cost of the calls. I want to know when anyone is going to do something about all this because I know the people of this country are being destroyed. I write to you although I know Peter Lilley is actually the man in charge".

There is fraud that is committed by determined individuals who should not be claiming such benefits and there are people in gangs who commit fraud against our budget. There is also a third category of people who do small jobs on the side, or who have boyfriends and do not declare them. Most of my firepower is directed at those claimants who deliberately work the system and commit fraud, and at the gangs.

The report aimed to change the image of the House's concern with fraud away from one that was concentrated on individuals towards the serious criminal fraud element that operates against the social security budget. The Secretary of State was careful not to say that the Select Committee was wrong to estimate the figure at £2 billion because no one knows what figure for fraud he will find next year. He was anxious not to knock his feet away in case he is able to say before the general election that £2 billion is the figure involved. Such figures grossly underestimate the element of serious criminal fraud in our system.

I want to dwell on three points that show why I am worried. The Secretary of State has commissioned the most expensive investment programme that any Department has introduced so that we can have smartcards in the system. The group that has won the contract gave the Select Committee a seminar about how the process will work. It was at pains to point out that it is responsible for security, once it has been told that somebody should be paid, until the actual payment.

If I am right in saying that the Secretary of State underestimates the extent of organised fraud against our system, the new and expensive smartcard system will be given many instructions to pay benefit to people who should not get it. In other words, taxpayers will pay a massive sum to invest in high technology that will make it easier rather than more difficult for people to commit fraud in claiming benefits to which they are not entitled. It will, we hope, prevent some fraud in stolen giros and impersonations, but it will not deal with fraud committed before that part of the operation. That is the part on which I am concentrating. *[Interruption.]* The Secretary of State disagrees from a sedentary position. I am happy to give way if he wants to put something officially on the record. Time will tell which of us is right—those who disagree from a sedentary position or those who are on their feet. That is the first issue.

The second issue is our national insurance numbers. I go much further than the careful and cautious remarks that my hon. Friend the Member for Islington, South and Finsbury made to the House today. I believe that our national insurance number system has been overrun. At some stage, the Government will have to face up to that and introduce a new system. They will need identity checks, fingerprinting and DNA testing for such a system. That is how large I believe the overrunning of the system is. It is not the system's fault, for of course it was born in 1948 to serve another purpose than the service that it now carries out, which is both to allot benefits and, in some instances at least, we hope, prevent fraud.

The third issue of concern is the impossibility that the Secretary of State faces in getting any one of those wonderful computers in any one area talking to computers in other areas. He was at pains today to blame Labour councillors for not jumping to and responding more vigorously to the incentives that he now gives to crack down on fraud in the housing benefit system. However, his Government introduced the housing benefit system and allowed the anarchy that we now face to reign.

Some hon. Members may be shocked to know that the Government allowed every local authority to design its own form. So the forms ask different questions in different ways of different claimants. In those circumstances, it is impossible to do a data-matching exercise without incurring massive costs. So, although the Secretary of State wants computers to talk to computers, as he and the House will know, they can do so only in one area—Westminster. The data in that borough are such that the computers can talk to one another; but computers cannot talk across borough boundaries.

The carelessness and casualness of the Government in designing the housing benefit system, the faults which they are trying to blame on other people, are such that it is difficult to crack down on the extent of fraud that we believe exists in the current system.

I end with a challenge. The Secretary of State was kind to the Select Committee report in his comments today. How else could he respond, for there is a Conservative majority on the Committee? Once or twice he had a go at

[Mr. Frank Field]

us. That was fair enough. He suggested obliquely here and there that perhaps we had not probed our evidence properly or that we had been too simple or trustful in accepting the figures that we put in our report. So let the debate be joined properly.

The Secretary of State is giving challenge money to local authorities to help them improve their fraud prevention techniques. Will he allot some to the Select Committee so that we can undertake some of the surveys that we would have liked to undertake? To take one example that he mentioned, we could find out whether the piggy-backing that he described in the national insurance system is as small a problem as he suggested. I believe that it is much more serious. The Secretary of State was right to say that we did not have the resources to conduct the detailed memory plus other survey that his Department conducted.

I make a plea in the debate tonight that the Select Committee should receive challenge money so that we can more seriously set about our business in defining the true proportions of fraud. The aim of the Select Committee report was to change the debate—hence the unease of the Secretary of State—away from the idea that much fraud is committed by individual claimants. Although the Secretary of State did not suggest that most fraudulent claimants acted in Labour-controlled areas, we know his line of thought. The report showed that there was another side to fraud.

The housing benefit budget is the largest of all Government budgets. It is inconceivable that it is not under attack by serious criminal fraud. We said in the report that it was. We listed four whole pages of recommendations, most of which the Secretary of State says he is still thinking about. The question that taxpayers are asking is: when will the Secretary of State make up his mind?

5.24 pm

Mr. Bernard Jenkin (Colchester, North): There is no real disparity of intent or objective between the hon. Member for Birkenhead (Mr. Field) and my right hon. Friend the Secretary of State. Indeed, the principal purpose of the rhetoric adopted by our report was to encourage vigilance and to test assumptions. I make no apology to my right hon. Friend for being part of the exercise to challenge things that are currently accepted as true, to test the validity of arguments and to come up with new ideas.

I wish to point out the place of the figure of £2 billion in that report. It does not appear in any written evidence that we received. Although it features in our findings, it does not appear in the relevant paragraphs to which the summary of findings refers. The figure of £2 billion was not even uttered by the man who gave evidence when it entered the debate.

The figure of £2 billion came from the hon. Member and my former hon. Friend—I use the word "former" in the merely technical sense—the Member for Stratford-on-Avon (Mr. Howarth). On page 56 of the evidence, the hon. Gentleman himself extrapolated the figure from comments made by Mr. Webster of the Local Authority Investigation Officers Group, saying:

"But we are talking here of trivial sums"—

hon. Members will understand that he was using the term in its ironic sense.

"If your assessment of the scale of fraud is right, the totality of fraud is somewhere nearer £2 billion."

Mr. Webster replied:

"I agree with you."

The figure was introduced into the debate by a Labour Member of Parliament. The witness was led into talking about a possible figure of £2 billion. As my right hon. Friend the Secretary of State rightly says, it is not based on any scientific or methodological survey.

As my right hon. Friend the Secretary of State also said, if one extrapolates to the entire United Kingdom figures from one of the worst boroughs, which is targeting some of the worst properties in London, one might reach such a figure. Until we have harder and firmer evidence, it would be irresponsible to base policy on that extrapolated figure. Yet that is exactly what the hon. Member for Islington, South and Finsbury (Mr. Smith) has done. He has changed his whole policy as a result of that extrapolation by one of his hon. Friends, not even uttered by the witness who was being interviewed at the time.

Mr. Chris Smith: I note that it is in paragraphs 49 to 51 of the Select Committee report that the figure of £2 billion is adumbrated. I have never endorsed that figure as a specific figure, but the hon. Gentleman suggests that I have for the purposes of his argument. I notice in the proceedings of the Committee an item that says:

"Paragraphs 23 to 58 read and agreed to."

The hon. Gentleman agreed to those paragraphs. Why is he now disagreeing with something that he agreed to when the Committee report was accepted?

Mr. Jenkin: The hon. Gentleman's problem is that he cannot see the difference between a speculative guess, used tentatively to highlight the potential for fraud, based on what one witness said, and a hard and fast figure. Although he says that he has never endorsed the figure, he appears to have adjusted his party's policy on the basis that it is gospel. That is nothing short of hypocrisy—if I may use that term.

Mr. David Shaw (Dover): Does my hon. Friend accept from me, as a fellow member of the Social Security Select Committee, that what we were trying to do was to come up with an order of magnitude of fraud in relation to total housing benefit of £10 billion? We were considering the possibility that fraud might be higher than the £1 billion that many people were accepting, and whether it could be as high as £2 billion. We were trying to consider all the implications of that in relation to a total figure of about £10 billion, but in my view we never said that it was a hard and fast figure that could be relied upon. We were simply trying to ensure that it was not £3 billion, £4 billion, £5 billion, £6 billion, £7 billion, £8 billion or £9 billion.

Mr. Jenkin: With some qualifications, I agree with my hon. Friend. The important reason for including the figure in the report was to attract attention to the problem of social security fraud, to encourage vigilance and to encourage a questioning and exploratory attitude. My right hon. Friend the Secretary of State has exemplified such an attitude in his quest to deal with the problem of

social security fraud, and the hon. Member for Birkenhead has given a lead in promoting such an attitude, but that attitude was consistently resisted by Labour Front Benchers until suddenly they recognised that there might be a political opportunity in it. That typifies the way that the so-called new Labour party works; it is all for effect and there is little substance behind it.

Mr. Frank Field: Would it not help us to gather evidence, and thereby help the debate, if the Secretary of State gave the Select Committee some challenge money, so that, for example, we could study the hon. Gentleman's constituency to discover the extent of fraud there, and study my constituency and four others with different characteristics throughout the country? Then we would be in a better position to know whether the problem is localised, as the hon. Gentleman would say, in bad authorities, or whether the bad people are evenly spread throughout the country.

Mr. Jenkin: I think the hon. Gentleman is trying to bribe me with my own Government's money. Of course I very much like the idea of the Select Committee on which I serve becoming an agency of the Government, but that would be contrary to the spirit of independence of Select Committees from the Executive, and it would be a precedent-setting event if such a thing were to occur.

Nevertheless, I very much hope that my right hon. Friend the Secretary of State listened to what the hon. Gentleman said in his speech about the type of survey evidence that is necessary. Surveys are cheap compared to the costs of social security fraud, and I very much hope that, specifically, survey evidence on the security of the national insurance number system might be undertaken, to give confidence in the system if confidence is due and to expose how we might better police the system if that proves necessary. The questions have been asked, and surely it is the Government's duty to ensure that we have either confidence or action.

Mr. Barry Field (Isle of Wight): My hon. Friend, serving on the Select Committee, has vastly more knowledge of this complicated subject than I do. When the continuing spotlight programme on benefit fraud is introduced to constituencies such as mine, which has finite boundaries, if its results are known, it should surely be possible to extrapolate from those figures a figure per thousand benefit claimants. Surely that would not be a million miles, statistically, from the reality.

Mr. Jenkin: I think that that is right, depending on the nature of the area surveyed. The important thing about my right hon. Friend the Secretary of State's survey of housing benefit fraud, which included 5,000 respondents, was that it was based on a genuinely random sample, not selected from one specific authority. The survey was genuinely investigative; the strings were pulled until the investigators found what was on the end of them. Therefore, it could reasonably be taken to be a fair picture of social security fraud—at least, the fairest concrete picture that is as yet available to us. It produced the figure of £1 billion, on which it is prudent to base policy, not a more inflated figure, which was speculative and was included in our report to promote debate and questioning rather than as a basis for policy and recommendations.

Mr. Barry Field: There does not seem to be, in the Select Committee, or across the Floor of the House, much disagreement about the fact that housing benefit is one of the major areas of fraud and that there has been tremendous growth in the payment of that benefit. Has the Select Committee considered the possibility of making direct payments the norm, on the basis that landlords own fixed assets so they are not transient and do not move around? One might have a starred service for the better landlords, to whom direct payment was made.

Instead, that is currently at the discretion of the local authority. In the Isle of Wight, we had a very good system. Now that we have a unitary authority, it has scrapped it and returned to paying the money to tenants, who are often vulnerable and on the move. That is where a great problem occurs with the type of fraud that I am sure the Select Committee has considered.

Mr. Jenkin: Whether the local authority pays housing benefit direct to the tenant or direct to the landlord, it is obviously essential that there should be an actual building and a real tenant with a genuine national insurance number and a genuine basis for a housing benefit claim, that the amounts claimed should be the amounts that are required and fairly due in rent, and that there should be no skimming off in between.

I do not know whether it is possible or desirable to make it the norm to pay the landlord rather than the tenant, because very often the tenant might pay at a slightly different time from when the landlord expects the rent. I think that that matter should be at the discretion of local authorities, although I am interested to know what my hon. Friend the Under-Secretary of State for Social Security, the hon. Member for North Hertfordshire (Mr. Heald), might say about the suggestion when he replies to the debate.

I was pleased to support the report because it encourages the questioning attitude that I have discussed, but I was especially pleased with the Government's pretty generous response to that report. Of 33 recommendations—I notice the hon. Member for Islington, South and Finsbury sniggering—only six were totally rejected. Eleven were fully accepted, eight were partly accepted and six are still under consideration. That is not a bad record of influence for a Select Committee—certainly not one to be sneered at, or one to suggest that the Government are resistant to many of our suggestions.

One recommendation is vital for combating that type of fraud, or frauds where there are technical breaches or technical impersonation, where the statutory requirements of the payment of benefit are being manufactured. I refer to on-line data matching. The private sector uses vast computer systems to handle vast numbers of transactions. The banking automated transfer system must handle a huge number of transactions; and the credit card companies use a single processing centre located in the constituency of my hon. Friend the Member for Basildon (Mr. Amess).

It should therefore be possible, once it has been decided what to pay and whom to pay it to, to put all the information into a single live database system, so that anyone can look up a national insurance number and see what is coming in and what is going out—including all benefits. That must be the objective. The Secretary of State has kindly accepted it as such, but has refrained from issuing a timetable for its implementation.

[Mr. Jenkin]

I wish to press the Minister on one point: there should be a target date for putting all receipts of national insurance and all payments of insured and uninsured benefits on one computer system, so that people can see, at the flick of a switch, what is going on in individual accounts. That is why we recommended that people should be sent an account of their national insurance contributions and claims at least once a year—so that they can see for themselves what is being paid in and what they are claiming. If someone who should not be claiming has been claiming, that would quickly become apparent, and we would gain a great deal of information about false claims for insured benefits.

I understand the Government's reticence about pursuing this recommendation. As soon as we start sending people information of this kind, many of them will of course write in for further information, and supplying it will cost the Government a great deal of money. That, however, is not a reason in the long term for not setting up such a system. People increasingly believe that they have a right to such information. They feel a sense of ownership, in terms of what they have contributed to the national insurance system. If we are not prepared to reinforce people's sense of ownership, that will serve merely to underline another fraudulent aspect of the system, which is the fact that people's contributions are really just another form of tax to be distributed by the Government at their own behest, for their own convenience and for their own purposes. All we are really buying in return for our contributions, runs this argument, are the promises of future Governments, which will not necessarily be honoured.

The hon. Member for Birkenhead touched briefly on the wider nature of social security fraud, but the Select Committee dealt extensively with that matter in its report, published on 1 November 1995, on the work of the Department of Social Security and its agencies. The worst fraud perpetrated on beneficiaries of the system lies not in the encouragement to falsify, lie and defraud in a technical sense but in the system's perverse incentives to adjust one's circumstances in such a way that one becomes genuinely eligible for benefits. That is the most corrupting aspect of the system.

It should come as no surprise to find that a state bureaucracy responsible for handing out £90 billion can encounter technical problems. We Conservatives do not believe in the efficacy of the command economy, but that is what the benefits system amounts to at the moment. The system encourages disincentives to work—a fact that the Secretary of State seems to have acknowledged by starting to reduce the advantages that some single mothers appear to derive from the benefits system. Built into the system are some perverse incentives, encouraging the creation of what Charles Murray has termed "an underclass". Its members live a completely different life style; no longer do they have any incentive to look for work or to rely on themselves: they become genuinely state-dependent.

That is the true fraud being perpetrated on so many people. We should applaud and encourage those who climb out of state dependency, and we should look for ways of shaping the future benefits system so as to avoid these detrimental effects. People must have a much more genuine stake in what they have invested in the welfare system, thereby giving them more incentives both to save and to work.

Those ideas have been assiduously encouraged by the Adam Smith project on the future of welfare, and would be further encouraged by developing its system of fortune accounts. Every individual would have a fortune account, not the dead letter box that his current national insurance number represents. Such an account would show the money that a person had accumulated over a lifetime, for pensions and for unfortunate eventualities such as disability or permanent illness.

On his recent visit from Chile, Mr. Piniera, the former Social Security Minister of that country, explained how he had introduced such a system there. It would do away with a great deal of fraud and with many of the incentives to fraud and corruption. It would also increase work incentives and improve the economy's savings ratio. That is exactly what we want: a system that does away with fraud by policing it effectively and by creating the right incentives to work.

I hope that the people listening to the debate will not be taken in by the speech made today by the hon. Member for Islington, South and Finsbury—it was the sort of fraud we can do without. What we need is a debate as good as the one between my right hon. Friend the Secretary of State and the Chairman of the Select Committee, the hon. Member for Birkenhead. That would be much better than hearing the ideas that the hon. Gentleman has lent his Front-Bench colleagues to give their arguments a semblance of respectability. Failing that, we shall be destined always to hear a false debate that will lead nowhere—a debate more interested in presentation than substance. Such a debate, if led by Opposition Front-Bench spokesmen, would certainly fail the nation.

5.47 pm

Ms Liz Lynne (Rochdale): I welcome the chance to discuss benefit fraud again, even though we debated it a short while ago. It is a matter of such significance that it warrants another debate.

Benefit fraud undermines confidence in the welfare state. We should not just discuss it; we must take action to prevent it. Housing benefit fraud is a responsibility of local authorities. Whether it amounts to £1 billion or £2 billion, the amount of fraud is still immense. I should like to dwell on the survey done by the Department of Social Security which states that one in five claims is fraudulent or incorrectly based; and that housing benefit errors and frauds are worth £840 million a year. That is immense, even if we take those figures. Fraud was £730 million. As I said, that is bad enough, but when we take into account housing benefit fraud when it is linked to the payment of income support, the figure goes up. The Government have quoted the figure of £1 billion. Of that, £900 million is fraud. As we have heard today, the Social Security Committee said that it could be as high as £2 billion. Whatever the figure, we have to do something to combat that fraud.

Let us look at what local authorities are actually doing. Last month, there was a report—an academic study—by the unit for the study of white collar crime at the Liverpool business school at John Moores university. It sent out survey questionnaires to 360 district, metropolitan and London boroughs. The return rate was

40 per cent., which I believe was quite good. The report said what the savings were. I would like to blow the trumpet of Liberal Democrat authorities here—Liberal Democrat savings were 2.3 per cent.; the Conservatives' 2.2 per cent.; and Labour's 1.44 per cent.

It was also said in the survey that the fraud investigators in Liberal Democrat authorities actually performed better. The weekly benefit savings were per investigator. In Liberal Democrat authorities, the weekly benefit saving was £209,755; in Labour authorities it was £191,248; and in Conservative authorities it was £179,010. I would like to look at the reasons why this could be the case. One of the main reasons is that Liberal Democrat authorities have employed fraud investigators for longer.

Mr. Bernard Jenkin: It could be that there is less fraud under Conservative authorities. I am not saying that that is any particular credit to Conservative authorities—it could be a reflection on the areas concerned. It could be a reflection on all manner of things. There could be less fraud in Conservative authorities—although I admit that there is only a small number of them at the moment.

Ms Lynne: Yes, there is a very small number of Conservative authorities at the moment—and I am glad that the hon. Gentleman accepts that fact. I was quoting figures for the amount of housing benefit paid within that area. For the Liberal Democrats, it was 2.3 per cent. of the amount of housing benefit paid within that area, and for the Conservatives it was 2.2 per cent—the hon. Member cannot get away with that argument.

Tackling benefit fraud is not just a matter for local authorities; it is a matter for Government Departments as well. I believe that there should be greater co-operation between Government Departments and local authorities. Perhaps if there was greater co-operation, we would get away from the large-scale fraud that we have at the moment. If more fraudsters—I am talking about landlord fraudsters—ended up with convictions, it might be an actual deterrent.

We are not talking about some small-time crime, we are not talking about the individual who defrauds housing benefit—even though that is serious—we are talking about landlords on a large scale who are ripping off the taxpayer by overstating rents, by claiming on empty properties and by creating fictitious tenancies. The book must be thrown at them—and there is little evidence that that is happening.

Prosecution of landlords is often neglected, partly because it would take council staff away from detecting new fraud—because they have to meet Government targets. The only thing that happens to these fraudsters is that the benefits stop, the pay cheques stop. They do not actually get prosecuted. I believe that the lack of prosecutions leads to a climate of acceptance.

I asked a written parliamentary question to the Home Office not so long ago and I got a depressing reply. I asked whether the Home Office looked at the correlation between the number of criminal prosecutions and housing benefit fraud. I also asked whether it looked at the level of housing benefit fraud. I also asked whether there were any joint initiatives between the Home Office and the Department of Social Security. I was told in the reply that it does not know how many offences of housing benefit fraud there have been, and no, it is not working with the Department of Social Security. That is not good enough. We must ensure that fraudsters are prosecuted.

In the debate in March, we spoke about other fraud—I will not go into the detail of what was said then, except to say that I welcome the home visits being restored. I was worried when the Government cut them, but now they have been reinstated, that will cut down on a lot of benefit fraud.

I now turn to the Child Support Agency and the way that fraud is perpetrated. It is often said that the CSA is effective in detecting benefit fraud. In April, the Chairman of the Social Security Committee, the hon. Member for Birkenhead (Mr. Field), said in *The Independent on Sunday*:

"By sheer accident we have created a most efficient anti-fraud unit."

I am afraid to say that that is far from the case. The Child Support Agency presented to the Minister a report on "good cause" provisions. The report stated:

"Prior to the setting up of the CSA, the question of maintenance was dealt with as part of the consideration of a benefit claim by the local DSS office. Liable relative officers were charged with the duty to arrange maintenance payments where this was appropriate and possible."

The report went on to say:

"One apparent benefit of their work, often claimed, was the fact that questions were asked about the other parent at a very early stage prior to benefit being awarded, or just after, leading to the deterrence of collusive desertion claims (where couples fraudulently claimed to have split up), or leading to early reconciliations."

The report continued:

"It therefore must be of concern that any part of the claims process which apparently had been effective in deterring some fraudulent claims should not now be used."

Mr. Frank Field: The last time we debated this point, the hon. Lady was being cheered and I was being hissed by campaigners against the Child Support Agency. I accept the validity of the point that she is making. The Government could respond by suggesting that all people begin the CSA proceedings when they make their initial claim for benefits, in which case the questions that were asked in the old days about who the father is and who the husband is would be asked immediately, instead of almost a year down the line. I see the hon. Lady's point but, unlike her, I still support the CSA. The point that she made at the meeting and today is valid. Although the CSA is an agency against fraud, it is not as effective as it could be. This is a reform that we should have.

Ms Lynne: I take the hon. Gentleman's point, but we will obviously disagree on the Child Support Agency. I happen to believe that it ought to be scrapped and replaced with a fair and unified family court system. It could address the problems of fraud that we have here.

Under the current system, it is easy to defraud the system. Prevention is far better than detection. The problem is that, even if fraud is detected, there is such a backlog with the Child Support Agency that it takes months and months for fraudulent claims to be investigated and for questions to be asked.

Mr. Bernard Jenkin: The Social Security Committee was most impressed by—I mean that in a technical sense—the number of single parents who received maintenance application forms and then simply dropped off the benefits system. They ceased to claim because they did not want their circumstances, or the circumstances of

[Mr. Bernard Jenkin]

the absent parent, to be scrutinised. That speaks volumes about the amount of fraud that the Child Support Agency has stopped.

Ms Lynne: A tremendous amount of fraud is occurring at present, and the old liable relatives unit was able to detect fraud better. Fraudulent claims cannot be dealt with because the Child Support Agency has such a backlog. Our argument with the Child Support Agency and our argument today sums up what is wrong with the benefit system generally. Too many people do not look at the facts about benefit fraud and the extent of that fraud both within the Child Support Agency and across the board.

As I said before, people are concentrating too much on detection rather than the prevention of benefit fraud. We owe it to the taxpayers and to the honest claimants to concentrate on detection. There are a tremendous number of honest claimants; they are in the majority and we must not be sidetracked from that fact. Most of those who claim housing benefit do so because they are desperately in need: they do not try to defraud the system. I believe that all hon. Members agree with that. We must tackle benefit fraud in order to save the taxpayer money and to help those who are genuinely in need.

6 pm

Mr. David Porter (Waveney): This is another Opposition day, so the Opposition have another chance to pick a stick with which to beat the Government. Opposition Members seem to think that benefit fraud is an easy subject to sound tough about and that, by sounding tougher than the Government, they can steal some more Conservative party clothes. I suggest that they are wrong on both counts. Over the years, the Labour party's attitude to spending other people's money, its stress on rights ahead of responsibilities, and its often shameful record on the local government side of benefits, make its claim that it is the taxpayers' friend sound somewhat hollow.

No one has argued—and no one will—that we should not reduce fraud. As has been said, any reduction in benefit fraud has a double benefit: it stops money going to criminals, with the message that that sends in the law and order debate, and it means that more money is available to those who need the safety net of the state.

I serve on the Education and Employment Committee which, among other things, is examining the pilot schemes for the jobseeker's allowance in October. Last week, Committee members visited an Employment Service jobcentre and a Department of Social Security Benefits Agency office in Peckham, which are next door to each other. I drew from that visit the obvious conclusion that we need to merge the administration of employment-related benefits and social security benefits.

When I visit the Benefits Agency office in Lowestoft in my constituency, it seems obvious that the scope for confusion, fraud, error and sheer frustration could be reduced by linking the administration of housing benefit and council tax benefit with social security benefit. In child support cases, when there is a discrepancy between what one parent claims to earn and what the other parent says he or she earns, linking Inland Revenue information with benefit administration would surely serve as a disincentive to cheating the system. I believe that going the whole way and integrating the entire tax and benefit system would not necessarily be a bad thing. Such a move would send the right message: benefit fraud is robbery like any other form of theft.

We have laws to stop people robbing banks and each other, but those crimes are still committed. Laws cannot prevent every fraud, but we must make it as hard as we possibly can to commit fraud. With the advent of technology on a large scale and at a reasonable cost, we have a potential weapon against fraud of immense potency. I wonder whether we are harnessing it to the full.

We know already about DSS plans to link local authority and Benefits Agency computers to combat exclusively housing benefit fraud. As my hon. Friend the Member for Colchester, North (Mr. Jenkin) said, multiple claimants can be spotted with any simple package of software. The use of false names, the names of the dead and post office box numbers, and the conniving of householders to help others, are harder to spot, but they are not beyond the realms of current technology.

Smartcard technology and the identification card have been offered by some as a panacea, but we should remember that stolen or forged ID cards would swiftly become valuable items for sale on the black market. We have personal numbers for national insurance, the national health service and the Inland Revenue. A single self-chosen personal identification number might help also. There has been talk about having to amend the Data Protection Act 1984 if dedicated systems freely exchange information. I ask my hon. Friend the Minister to clarify in his winding-up speech whether increased use of technology will mean reform of the Data Protection Act.

Is it not incredible that we can surf the Internet and have a guided tour of the White House for the price of a local telephone call in the United Kingdom, yet my constituents cannot go into the benefits office in Lowestoft and view their Child Support Agency case on a computer screen in front of them? The Child Support Agency situation highlights the need for an integrated system to allow for fairer and more accurate assessments, which would, in turn, encourage compliance.

The need for parents who do not have continuing care—for reasons willing or unwilling—to shape the concept of child support is paramount. The need to assess income so that no one is better off on benefit than supporting his or her children is a separate but related part of the equation. The need for unemployment and training support that does not make it better to receive benefit than to stay in work is also part of the equation. What people earn in employment or through self-employment has a direct bearing on their dealings with the Child Support Agency.

If we had a better system that recognised the need of the absent parent to be in work or training as part of a long-term commitment to the children, that would go a long way towards increasing the credibility of the system. If the system had integrity, that would act as a disincentive to defrauding it willingly. There must also be a little more flexibility. For example, if parents share custody of children regularly during the week on an agreed and working basis, surely child benefit should also be shared on the same agreed and working basis.

My final point relates to the culture of fraud. We know that a downside of the welfare state is that it encourages dependency. Further reform of the welfare state in the next

decade must increasingly address that problem, but another little noticed consequence is a reluctance to do anything about the problem while getting angry and blaming the Government. I shall give the House an example.

I am sure that all hon. Members have been approached by constituents who are livid because someone near them is working while claiming benefit. We might be given some details of the scam when we ask for them. I was told recently about the existence of a pool of battered, anonymous cars that are shared by a number of people who are fraudulently obtaining benefit while working a night shift at a factory and who return home in a different car every day to throw any observers off the scent.

We often press our constituents for names and for chapter and verse of fraudulent behaviour, but they are reluctant or refuse to give names and addresses—possibly because they are afraid of reprisal. I am told that the Government are to blame, but I am not given the names to report to the fraud department. In my experience, the fraud department and Benefits Agency offices do a good job often with few staff, but they cannot catch the cheats without information.

Mr. Bernard Jenkin: In my experience, when we are given the necessary information, we do not receive any feedback about the results of any investigation. The result is that the fraud continues to be perpetrated, no action is taken and no reason is given, because the Benefits Agency will not discuss individual claims. There must be a more active exchange of information and much better feedback in order to encourage society to police itself and to encourage people to hand over the information so that they can see the results for themselves.

Mr. Porter: My hon. Friend is absolutely right. I understand that there may be difficulties if a fraud investigation is conducted, it proves to be unfounded and a person is identified unnecessarily, but I agree with the thrust of my hon. Friend's comments.

Going one step further, the fraud departments link in with the police, Customs and Excise and with other agencies. I wonder whether there is a case for transferring benefit fraud investigations wholesale to the police in order to strengthen their work. We cannot change overnight the culture of dependency or the view that the benefit system is a legitimate target for theft. I suggest that we need a better run, more integrated, non-overlapping and non-wasteful administrative machine. If that is achieved, the staggering losses resulting from fraud will be cut to a minimum.

I agree with the hon. Member for Rochdale (Ms Lynne) that prison sentences should reflect the seriousness of crimes involving fraud. If we do all of those things, rather than inspire the same feelings as does European bureaucracy—loathing of a monster that is out of control—our system will inspire confidence in the service by, from and to the taxpayer.

6.9 pm

Miss Kate Hoey (Vauxhall): I very much agree with the hon. Member for Waveney (Mr. Porter), which shows that there can be—and is—cross-party consensus on this important issue.

As a member of the Select Committee on Social Security, whose report we are debating, I am pleased to have the opportunity to raise once again some of the important issues that the Committee uncovered in its investigations into housing benefit fraud. I am also pleased to be able to challenge again the whole attitude to fraud at national and local authority level.

This debate must put to bed for good any lingering doubt that anyone has ever had that attacking benefit fraud is somehow attacking the poor. It is quite clear that such an attitude was held in certain parts of the country by certain people, but that is no longer so. It is clear, certainly to Opposition Members, and generally on both sides of the House, that the people who suffer most from benefit fraud are those in greatest need.

I want to refer to the Select Committee's recommendation on the Data Protection Act 1984. It is important to point out that the evidence that members of the Committee took questioned whether the Act was working in the interests of people who were trying to root out fraud. We took evidence from Andrew Webster of the London boroughs fraud investigators group, who said:

"I have to say that I sometimes wonder who the Data Protection Act is actually protecting, because obviously the genuine honest claimant has nothing to fear. The genuine honest person in this country has nothing to fear. The only people who hide behind the Data Protection Act are the criminals."

I am not interested in protecting the civil liberties of large landlords who are perpetrating housing benefit fraud and I hope that the recommendation on the Data Protection Act is considered seriously.

The Association of Chief Police Officers told the Committee:

"There appears to be no clear authority for police to give Local Authority investigators details of previous criminal activity or other potentially useful intelligence."

It is absolutely certain that there is a need for co-operation between agencies. Indeed, one of the Committee's recommendations says:

"the Department of Social Security and the Data Protection Registrar should review the data protection legislation, and any law and practice on which data protection legislation is based . . . to ensure that the legislation does not constitute a barrier to counter-fraud work."

Data protection is fine, but it must not be allowed to get in the way of information on fraud coming forward.

Earlier, the Secretary of State challenged the Opposition's assessment that there is £2 billion-worth of fraud, and other hon. Members have said that the figure was an exaggeration. No one can say that the figure is an exaggeration, because no one knows the real extent of fraud in the benefit system. I wonder how many people in Haringey, when asked to put a figure on the extent of benefit fraud before the investigation began there some years ago, would have come near the figure that has emerged from the small pilot study.

I certainly do not have any hidden agenda on exaggerating the amount of fraud, because I happen to represent a borough whose name was, until recently, synonymous with fraud and corruption. I am proud to represent the area that includes the London borough of Lambeth. Indeed, I am even more proud now that the borough is starting to get its act together and beginning to adopt an approach that is in the interests of its residents.

Lambeth has had a history of problems relating to allegations of fraud and corruption, especially in the late 1980s and early 1990s. During the past two years, however, the council has been committed to breaking with

[Miss Kate Hoey]

the past and tackling the root problems in its management and culture. That commitment was epitomised by the appointment of the new chief executive, Heather Robbatts, in April 1995. With the support of all the political parties on the council—it is, of course, a hung council—she has implemented a programme of sweeping changes in the council's management, personnel and operations. With the support of its members, she is beginning to change the whole culture of the council and its attitude to fraud.

A key part of that approach has been to improve the council's arrangements for dealing with allegations of fraud and corruption, which has involved the reorganisation of the internal agencies, responsibility for the investigation of fraud and corruption and the creation of a corporate anti-fraud team—CAFT—which reports directly to the chief executive.

The effectiveness of the new arrangements was demonstrated in the first few weeks of the establishment of CAFT by something known as Operation Jobson. In April 1995, the council and the Benefits Agency initiated the provision of a complete listing of the council's payroll data on employees for the Benefits Agency. The agency checked every employee against its computer records. No one queried civil liberties there. When the corporate anti-fraud team was set up in October 1995, 120 employees appeared to be fraudulently claiming benefit. By December 1995—only six months ago—the figure was 150.

CAFT took on responsibility for that exercise in October, and a team of hand-picked officers from the council's internal audit department were seconded to investigate and facilitate disciplinary action. That action has continued. Interestingly enough, 59 of the employees identified instantly disappeared from the council's employ—if they ever existed. The lessons learned from the exercise were that effective action required the detailed co-ordination of investigation and management action, and that CAFT, the chief executive and the head of personnel should establish a team that had power to intervene and co-ordinate work across all the council's departments.

There is no doubt that, in some local authorities, for different reasons in different departments, there is a culture of not really wanting to get to the bottom of what is happening. It was crucial to the setting up of the Lambeth team that it reported to the chief executive, was given high status and was seen as permeating the entire council and having everyone's commitment.

An anti-fraud policy statement was drawn up and circulated to every member of the council. The matter was taken very seriously. The matter may seem trivial to some people who think that people would not do anything other than be against fraud. The reality is that because of our attitude towards fraud, some people did not feel that it was their responsibility or had anything to do with them. They perhaps felt that attacking fraud was picking on the poor. Such an attitude had to be changed; a corporate attitude had to be taken.

The council is promoting whistleblowers. Wanting to shop one's mate if he or she is involved in a fraudulent act is no longer seen as something of which to be ashamed. At the end of the day, such people are working against the interests of those whom they have been employed to represent and support.

CAFT's duties are to consider not only benefit claimant fraud but contract fraud and educational awards fraud. The latter is another big type of fraud which certainly occurs in inner-city areas. Education grants are sometimes awarded when people do not attend college or use false names. Sometimes, the college for which people have been given grants in my borough has not existed. Employees claiming benefit is also a big type of fraud in local authorities. Other types of fraud include housing improvement grants fraud, private use of council resources, selling of council house keys—unauthorised tenancies—theft and misappropriation of council funds and equipment, and investigation of anonymous allegations.

CAFT brings all those types of fraud together. Fraud does not mean simply benefit fraud. All sorts of other public frauds are taking place and need to be taken on board as part of a partnership approach, which includes building an anti-fraud culture in the council, implementing a programme of fraud awareness seminars and maintaining close liaison with local police and the Benefits Agency.

I welcome what my local authority is doing. In a couple of months' time, when the team is complete, it will be leading the battle against fraud in the country. That is a terrific achievement for a borough that has had such a history. It is crucial that boroughs that accept the faults of the past and start to put them right should not be slated in the newspapers. Newspapers, and those who want to investigate fraud and mismanagement, should start looking at the boroughs.

I am not suggesting to the hon. Member for Colchester, North (Mr. Jenkin) that there is huge fraud in Colchester, but the fact that the borough has not even started to consider the matter makes me question whether it has any real determination to discover whether there is a problem. There is not a single borough in Britain that is not deeply involved in some kind of fraud. It is crucial that those boroughs that do the good work, and those chief executives and council leaders who take the initiative, are given credit for it and not slated by the media.

One matter which I keep raising but on which I do not seem to make much progress concerns child benefit fraud, which the Social Security Select Committee may shortly consider. I have a letter detailing someone's experience in trying to report a possible child benefit fraud to the DSS. It states:

"After obtaining the number of my local DSS office . . . from directory inquiries I initially rang seven times when the line was engaged. On the eighth occasion I got through and was transferred to the Child Benefit Section which was also engaged for three calls. At 11.30 am (an hour after starting the calls) I was successful in speaking to someone, who then just gave me another telephone number to call in Newcastle upon Tyne. This number was also engaged until 12.50 pm, then no answer at all until 1.05 pm, and then engaged again until 14.00 pm. I finally tried Directory Inquiries again who gave me a freephone number . . . which was engaged on five attempts.

Just after 14.30 pm I was successful in getting through and explained the nature of my complaints against my neighbours, who have claimed Child Benefit for two years whilst renting out their flat in London and living and working"

abroad. The letter continues:

"I gave the name, address, reference number etc. of the errant claimants and was told that they would be written to, but my name and address were declined. I went on to explain that I did not feel that a letter was a practical way of dealing with the matter, and offered the mother's address in London which was also refused.

My overriding impression of the whole experience is that my time was completely wasted. I am very surprised that it proved so difficult to report a benefit fraud, and fail to see why the DSS staff in London could not take the details and why I had to pay for all the calls."

The Minister, to whom I have written on the issue of child benefit, responded to me at the end of March. He said:

"I appreciate your concern that a family might continue to receive Child Benefit by Automated Credit Transfer . . . after they have gone abroad. ACT is currently the cheapest and most secure method of payment.

Child benefit is paid to over seven million families in Great Britain, and in the vast majority of cases there are no changes of circumstances which affect benefit entitlement until a child approaches school leaving age."

Earlier, I had asked for information about Operation Rattle, set up by the DSS to investigate child benefit—the title is rather good, given what it was investigating—so the Minister went on to say:

"I should like to explain a little more about 'Operation Rattle', which was launched in November last year. This followed on from a pilot which showed that there was a loss of funds to the Department when people from abroad who were being paid Child Benefit by ACT returned to their home country and failed to notify the Child Benefit Centre.

The Operation involves close working between Benefits Agency"—

and so on. He continued:

"To date, overpayments amounting to £3 million have been identified."

I do not know how big the pilot was, where it took place or how such decisions were reached. The Minister went on to say:

"Payment is stopped immediately when a nil entitlement situation is discovered."

He then quoted some horrendous figures about the money that had already been saved as a result of the pilot, which amounted to about £8 million, even in that short time with such a small number of people.

Every year, recipients of child benefit paid by automated credit transfer receive a form asking whether there are any changes in their circumstances; if there are not, nothing needs to be said or done, so the child benefit continues to be paid into the bank account. One can have a baby in this country, register for child benefit, go off to live wherever and continue to receive the money.

People may say that that involves only a few people, but we do not know. I do not believe it is only a few people. I think that large numbers of people are abusing the child benefit system. They receive child benefit from an early age having had their baby here. They may be travelling business people. The irony is that it is not poor people who are doing this but well organised, quite rich people who are using London as a business place. They go into and out of the country, keep an address here, have a bank account and receive the child benefit.

What happens when the children reach the age of 16? Presumably, because child benefit is a means of obtaining a national insurance number, they can continue to claim benefit for the rest of their lives while living in Spain. It is astonishing that this matter has not been investigated more. Such matters must be investigated and fraud made much more difficult. No one ever checks whether a child exists or what school he or she attends. There are no means of making such checks. It is a big area of neglect which should be considered seriously. I hope that the Minister will respond to some of the points I have made.

Having got all that off my chest—I feel strongly about it—I welcome some of the Government's responses to the Select Committee's recommendations. I should like to see them all being put into immediate effect, because anything that the Select Committee has done in the past has come to be seen as received wisdom a few years later.

The Select Committee's work in this area is highly commendable and I hope that the Government will implement its recommendations as quickly as possible. The key message that we must get across is that fraud, whether small, medium or large, is not acceptable. It is an insult to the poor. It affects the poor more than anyone else and the House must be united in its determination to stamp it out.

6.27 pm

Mr. Nick Raynsford (Greenwich): I declare an interest: I act as a consultant to HACAS, the social housing agency. I have also written a book in the past on the subject of housing benefit, although it is now out of print and even if I had received any royalties in the past, which I did not, I certainly would not be getting any now.

This has been an interesting debate on an extremely important issue. We have heard a number of valuable contributions. I think particularly of contributions from members of the Select Committee, including my hon. Friend the Member for Birkenhead (Mr. Field), the Chairman of the Select Committee, and my hon. Friend the Member for Vauxhall (Miss Hoey), who has spoken most recently. They both made eloquent and telling contributions to our debate.

We have heard contributions from Conservative Members, revealing their interest and concern in a number of extremely important issues relating to social security and fraud, but in some cases revealing a certain touch of difficulty, if not ingenuity, in trying to reconcile their support for the Committee's recommendations with their opposition to the Opposition motion which seeks to give effect to a number of the Select Committee's important recommendations.

I also apologise to those hon. Members whose speeches I did not hear in full tonight. Unfortunately, tonight's debate has coincided with the sitting of a Standing Committee of which I am a member, and I was required to attend on three occasions, on all of which, I am pleased to say, the Government were defeated.

Housing benefit fraud is big business. It is also unique for, unlike almost any other big business in late 20th-century Britain, housing benefit and housing benefit fraud are immune to downsizing. While British industry and the British people coped with downsizing and recession—many losing their jobs in the process—housing benefit and housing benefit fraud have been oases of unparalleled growth. Indeed, if our gross domestic product were measured in terms of housing benefit expenditure and housing benefit fraud, we would unquestionably be one of the most successful countries in the world.

The scale of the increase in housing benefit expenditure has been phenomenal. It has almost doubled in real terms during the past six years—from £5.5 billion in 1989-90

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to £10.8 billion in 1995-96. That has not happened by accident; on the contrary, it has been the direct result of Government policy. There has been an increase in the number of people claiming housing benefit—there were about 600,000 additional claims during that period—which reflects an increase in the number of people who are unemployed and the increase in poverty in the early 1990s recession. But the real reason for the huge increase in housing benefit expenditure, as the Select Committee's report so rightly highlighted, has been the exponential rise in rents as a direct consequence of Government policy.

Between 1988-89 and 1994-95, council rents rose on average from £19 a week to £35.80 a week; housing association rents rose from £23 a week to £43 a week; and private sector rents rose from £29 a week to £69 a week. Those huge increases directly reflected Government decisions to cut subsidies to local authority and housing association homes and to deregulate the private market. Ministers knew full well what the consequences would be. When pressed—we did press them—they repeatedly told us not to worry about rising rents because, in that felicitous phrase,

"housing benefit will take the strain".

What a strain it has been. The average weekly payment of housing benefit rose by 100 per cent. between 1989 and 1994.

Mr. Heald: The hon. Gentleman claims that deregulation was such a bad thing. Is he saying that he would go back to what we had before—the regulated private sector?

Mr. Raynsford: If the Minister will bear with me for a moment, he will hear the full argument about the extent to which deregulation has not just led to a huge increase in expenditure but opened the door to a level of fraud that is a disgrace and that, instead of being used to help people in need, is lining the pockets of people who should not be receiving it. *[Interruption.]* Later in the debate—if the Secretary of State will contain himself—I shall explain some of the measures that Labour will take to ensure proper safeguards against abuse, and at that point the Minister will be well aware of what action a Labour Government will introduce to deal with the problems. We would not tolerate the extraordinary exponential growth in expenditure, which has been to little public benefit, over which his Government have presided.

In the deregulated private sector, average weekly payments rose from £21.06 in 1989 to £47.28 in 1994—a staggering increase of 125 per cent. The combination of that rapid expenditure growth and a deregulated environment provided an ideal framework in which fraud could thrive. Deregulation not only allowed huge increases in the amount of rent that could be charged but removed the previous safeguard that allowed local authorities to require a fair rent to be fixed by a rent officer. To add insult to injury, a significant extension of direct payments to landlords—rather than payments being channelled through claimants—offered even more enticing opportunities for fraudsters to cash in on the bonanza.

I ask the Minister to think about these figures. At the current average level of private rents, a landlord will receive for each tenant £2,458 per annum. The landlords investigated by the London borough of Haringey—those with more than 20 claims—were receiving on average more than £49,000 per year minimum. These are the cases that the Secretary of State does not believe it is reasonable to investigate. He believes that it will be too burdensome on landlords to require them to be subjected to certain checks to see whether public money is going in the right direction. That is the legacy of the Conservative Government.

Mr. Bernard Jenkin: I am sure that the hon. Gentleman and his party are committed to the fight against fraud, but will he demonstrate that commitment by referring to paragraph 59 of the Select Committee's report, which he welcomes in the motion? The paragraph refers to the harassment and the attempts to discredit Mr. Bernard Crofton. Will the hon. Gentleman join me in condeming the Labour councillors who are responsible for that authority, and condemn what they attempted to do to Mr. Crofton? Will he undertake on behalf of his party to do something about their appalling behaviour?

Mr. Raynsford: I am second to none in demanding tough action against fraud and in my support of local authority officers who take effective action against fraud, wherever they are. I have played a considerable role in recent weeks in trying to ensure that the London borough of Haringey responds positively and appropriately to the difficult challenges it faces. I hope that, in exchange, the hon. Gentleman will take a similar view of the behaviour of a member of his party who featured in an article in the *South London Press*, on Friday 22 March, which said:

"A sobbing former Tory chief has been jailed for 18 months for mortgage and benefit fraud."

I suggest that the hon. Gentleman divert his attention to the failures of members of his own party.

The huge escalation over the years in housing benefit expenditure provided both the opportunity and the cover for a literal explosion in the number and scale of fraudulent claims. Rather than seeing the huge increase in public spending as a problem—which they would undoubtedly have done in any other part of public policy—the Tory Government, perversely, saw it as evidence of success. They claim that it achieved a magical recovery in the private rented sector and that therefore it is justified.

The harsh truth, however, is that the "magical recovery" has been far less dramatic than Tory Ministers would have us believe. Although the explosion in expenditure has been disproportionate, the number of new private lettings has not been. Despite all the assistance offered—not just through housing benefit but the equally lavish spending on the business expansion scheme and by abnormally favourable market conditions because of the depressed home ownership market—the total number of private lettings in England has recovered to a little over 2 million, which is almost exactly the figure the Tories inherited from Labour in 1979. Furthermore, with the ending of the BES subsidy and with long-overdue evidence of recovery in the home ownership market, most commentators expect that the revival in private renting, which was achieved at such huge cost, will not be sustained.

Let me make one thing absolutely clear: Labour wants to see a healthy private rented sector, but it must be economically viable in its own right and be dependent

on huge transfers of money through the housing benefit scheme. Reducing dependence on housing benefit makes sense in social and in economic terms. In case Ministers look doubtful, let me quote from their White Paper on housing, published a year ago, entitled "Our Future Homes". It stated quite correctly that

"providing a subsidy to a local authority or housing association to enable them to charge a below market rent can be cheaper over time than paying housing benefit on a market rent for several decades".

In the meantime, we must take tough action to tackle the scandalous and expensive abuse of the housing benefit system that has been allowed in recent years as a result of Government action and Government inaction. Both have been prompted by the Government's ideological obsession with deregulation. Even today, that obsession is still rearing its head, being used as a justification for not taking action to tackle landlord fraud more effectively.

My hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) rightly pointed out that the Government's response to the Select Committee's report was deplorably vacuous and lukewarm in respect of two specific recommendations for tackling landlord abuse more effectively. The Secretary of State is well aware of the evidence, quoted in the Select Committee's report, of extensive fraud perpetrated by landlords who receive a significant number of housing benefit payments in the London borough of Haringey. The study showed that the incidence of fraud among the claims investigated was more than 20 per cent., yet the Government consider it sufficient to undertake an assessment of fraud risk rather than act decisively to clamp down on such abuse.

The final irony—I urge the Secretary of State to listen; he might even enjoy the next passage—is that the landlords who have been the beneficiaries of this extraordinary largesse from the Government over the past few years are not generous with what they have received. They have not produced many new homes, as we have pointed out, and many of the homes that they have produced have been in poor condition. There are still a disproportionate number of squalid and dangerous properties in the private rented sector. To add insult to injury, the beneficiaries of all that public money resent the suggestion that action should be taken to clamp down on benefit fraud.

Mr. Geoffrey Cutting, representing the Small Landlords Association, is quoted in the 17 May edition of *Inside Housing* magazine—I invite Ministers to listen carefully—as saying:

"the defrauding of landlords by the state far exceeds the defrauding of the state by landlords . . . When the state defrauds landlords they can expect landlords to respond by defrauding the state".

I should be interested to hear the Secretary of State's response to that thinly veiled incitement to malpractice. Will we hear an unequivocal, unreserved condemnation of that disgraceful statement?

Mr. Lilley: Yes. For the hon. Gentleman's benefit, I unequivocally condemn such a remark. I was only sorry that he did not join the Select Committee in unequivocally condemning attempts to stop the housing officer in Hackney doing his job.

Mr. Raynsford: I remind the Secretary of State that I made it clear, in my response to an earlier intervention, that I thought it absolutely right for local government officers to be able to continue to pursue the fight against fraud in an effective and proper way. I have no doubt that that should be the case regardless of the London borough, or other local authority, in which those officers work. *[Interruption.]*

Madam Deputy Speaker (Dame Janet Fookes): Order. I remind the House, and Government Front Benchers in particular, that I deplore seated interventions, especially when they are repeated.

Mr. Raynsford: Thank you, Madam Deputy Speaker.

Much can and should be done, as a matter of urgency, to call a halt to the abuse of housing benefit and to ensure tough action against the fraudsters. My hon. Friend the Member for Islington, South and Finsbury mentioned a number of our policy proposals. He spoke of the need to tighten the rules on direct payment of benefit to landlords, and to insist on proof of the landlord's ownership—or the managing agent's control of the property—and disclosure of other addresses to which housing benefit is paid. All those measures will help to stamp out bogus claims from "paper tenancies".

My hon. Friend spoke of the need for checks on redirected mail, which allow benefit to go on being paid long after entitlement has ceased, and the introduction of a self-financing national licensing scheme for multi-occupied houses. Such a scheme would have many benefits apart from stopping fraud: it would help to improve poor conditions, and would save many tenants from risks that are often life-threatening. My hon. Friend also mentioned the importance of targeted investigation and the use of more specialist fraud-busting teams, able to operate—like many of the fraudsters—across local authority boundaries. Labour believes that every area in the country should be covered: there should be no hiding place or soft-touch area for organised fraudsters.

My hon. Friend spoke of achieving better co-ordination between the various agencies involved, including local authorities, the Department of Social Security and the rent officer service. The latter can play a crucial role, as it has a duty to assess whether rents are reasonable for housing benefit subsidy, and considerable knowledge about appropriate rent levels. Astonishingly, the Government appear to be largely unaware of the scope for anti-fraud activity by rent officers. Similarly, co-ordination between local authorities and the Inland Revenue will help to identify landlords who are defrauding the housing benefit system, the Inland Revenue or both.

Ms Lynne: While the hon. Gentleman is referring to the remarks of his hon. Friend the Member for Islington, South and Finsbury (Mr. Smith), can he confirm that current Labour party policy is not to reverse the habitual residence test?

Mr. Raynsford: No, I cannot. The hon. Lady will appreciate that I have approximately one minute left. Moreover, the question should have been addressed to my hon. Friend the Member for Islington, South and Finsbury, the social security spokesman, rather than to me as housing spokesman.

We believe that all those measures are important and necessary, and should be introduced as a matter of urgency. Under a Labour Government, they will be. We

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will support the sensible recommendations of the Select Committee, as well as other measures that we have ourselves proposed, some of which I have outlined.

The contrast between our commitment to effective action and the Tories' shameful record could not be more revealing. They created an environment in which fraud could thrive; they ignored the warnings about potential abuse of the system, and complacently interpreted the escalation in housing benefit expenditure as evidence of success; and they have been remiss in tackling organised fraud for fear of upsetting landlords, many of whom have been actively engaged in defrauding the social security system on a vast scale. Even now, they remain lukewarm in their commitment to effective action. Their proposal to put housing benefit out to competitive tendering is sending precisely the wrong message.

There could be no clearer sign of the fundamental difference between the parties on the issues that really count. Labour is determined that there should be a social security system that delivers benefits to people in need, not a social security system that is open to fraud on the scale that we have seen.

6.45 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Oliver Heald): We have had a good debate, featuring distinguished contributions from my hon. Friends the Members for Colchester, North (Mr. Jenkin), for Isle of Wight (Mr. Field) and for Waveney (Mr. Porter) and some interesting comments from Opposition Members—although, in many instances, they may not have been quite as distinguished.

Ms Hilary Armstrong (North-West Durham): How graceless.

Mr. Heald: It may seem graceless, but it is accurate none the less. The hon. Member for Greenwich (Mr. Raynsford) sits chortling, but let me begin by quoting from the Select Committee's report on housing benefit. Mr. Bernard Crofton of Hackney council is described as

"an inspiration to those working seriously to tackle fraud."

The Committee goes on to deplore the way in which Hackney councillors have treated Mr. Crofton—the way in which they have tried to discredit him—and refers to "selective leaking" of the council's procedures.

Opposition Members are relying heavily on the Select Committee report tonight. I invite the hon. Member for Greenwich to condemn the councillors who are hounding Mr. Crofton—someone whom the Committee has described as

"an inspiration to those working seriously to tackle fraud."

I now give the hon. Gentleman the opportunity to say those words.

Mr. Raynsford: As the Minister was clearly incapable of listening to what I said, let me repeat it a third time. I give way to no one in my determination to ensure that local government officers, whatever the authority in which they work—Hackney, or any other authority—should be able to pursue their work in rooting out fraud in the most effective way. I expect councillors to give full support to an authority that acts to deal with fraud. As I said earlier in response to an intervention from the hon. Member for Colchester, North (Mr. Jenkin), I have been actively involved in recent months in helping to ensure that the London borough of Hackney does precisely that in the months ahead.

Mr. Heald: Well, the words did not come forth.

Mr. Bernard Jenkin: Should it not be pointed out that the councillors responsible for the conduct of that policy against Mr. Crofton are still full members of the Labour party, and that no action is being taken against them? Does that not speak volumes about what the Labour party still remains—an evil in this land?

Mr. Heald: It is a litmus test, and one that the Labour party has failed tonight. The hon. Member for Greenwich holds up a press cutting about a Conservative who has been disgraced for fraud. I condemn that man; but the hon. Gentleman is not prepared to condemn councillors who are hounding a man who is an inspiration to those working against benefit fraud.

It is all part of a picture. We heard about Lambeth from the hon. Member for Vauxhall (Miss Hoey). Lambeth is now improving its position, after so many years of scandalous neglect when it would never have considered taking fraud seriously. The hon. Lady said that Lambeth—a Labour council—did not want to know when it came to allegations of fraud.

The hon. Member for Islington, South and Finsbury (Mr. Smith) is a Front-Bench spokesman and had so much to say in criticising Conservative Members who, over many years, have tried to stamp out fraud. When he was chairman of Islington housing committee, what did he ever do to clamp down on benefit fraud? Nothing. It is all very well to produce sneering comments about small landlords and to attack what the Government are doing, but tonight I should like to stand up and be counted.

The Conservative Government have revolutionalised—*[Interruption.]* They have revolution—*[Interruption.]*—whatever the word is. They have radically improved our measures against benefit fraud, which is largely down to the efforts in recent years of my right hon. Friend the Secretary of State, who introduced tough incentives to force local authorities kicking and screaming into the 21st or the 20th century, so that they would investigate benefit fraud effectively.

Ms Armstrong: Classic.

Mr. Heald: It is.

In 1993-94, weekly benefit savings for local authorities amounted to £92 million; now they amount to more than £200 million. They have almost trebled as a result of our measures.

Some hon. Members said that we did not know how much benefit fraud there was. It is true that, for years, we did not. The figures on fraud that had been detected used to go up year by year and we did not know how much fraud there was, but the benefit reviews, which use the best methodology that could be devised and which are approved by the National Audit Office, have shown us the scale of benefit fraud. It is about 10 per cent. in

unemployment benefit, income support and housing benefit. It is shocking, but it has been carefully researched and studied and we know the extent of it.

Having found the extent of fraud, in the second year of his period of tenure, my right hon. Friend the Secretary of State took action. He announced a programme that will, over five years, reduce benefit fraud by 70 per cent. Last August, we launched the barcode scanner, which, since its introduction, has saved more than £200 million in relation to the face value of order books.

We introduced, in September 1995, the pilot freephone hotline; in October 1995, the Post Office reward scheme, which has saved £12 million since it was implemented; in November 1995, Europe's largest data-matching computer system of its type, the new NINO—national insurance number—procedures and tougher verification; and, earlier this year, cross-matching with stolen birth certificates to ensure that we have a better system for national insurance numbers.

On 5 March, the date of the previous debate on these issues, my right hon. Friend announced the spotlight on benefit cheats area campaigns. I have been to 15 areas. Yesterday, I launched the campaign in Cardiff and today I launched it in Plymouth.

Mr. Chris Smith: With Labour authorities.

Mr. Heald: Labour authorities are no doubt co-operating.

I have met benefit investigators working for the Benefits Agency, who are experts in their sector. Every area that I visited last year has achieved record weekly benefit savings, and they are committed to doing even better this year. It is wrong for the Labour Front-Bench spokesman to criticise investigators and to pretend that they could not even—*[Interruption.]* The hon. Gentleman criticised investigators' professionalism. He said that they could not arrange even a route of visits from one door to the next, in order to do their work, but they do that. What is more, they do data-matching.

Mr. Smith: Let me put the Minister right on one simple point. I am criticising not Benefits Agency staff, but the Government for the way in which they have organised things.

Mr. Heald: I am grateful to the hon. Gentleman for changing his position, but the fact is that he criticised the benefit investigators, who have not only trained local authority officials, but provided them with a manual that sets out the procedures that they should adopt. They are working closely together, with agreements that have been hammered out and that work effectively. For the hon. Gentleman to criticise Benefits Agency staff in that way is wrong and deplorable.

Mr. Frank Field *rose—*

Mr. Heald: I do not have time. I have six minutes left and a bit more to say.

What has Labour's contribution been to tackling benefit fraud? Its local authorities have had to be dragged into attacking housing benefit fraud. Its Front-Bench spokesmen have been here claiming that there has been £1 billion more housing benefit fraud than we say, but Labour's council leaders tell me that our targets for them are too high and that they cannot—

Ms Armstrong: They are not.

Mr. Heald: The hon. Lady says that they are not. I went to the meeting with the local authority associations on 18 March, when they told me exactly that. My right hon. Friend has been creating a raft of measures against benefit fraud which, rightly, have been praised by the Select Committee, but where was the Labour party? It was not suggesting ideas, that is for sure—it was just complaining. There has never been a constructive contribution.

Mr. Raynsford *rose—*

Mr. Heald: I do not have time.

Now that the scale of fraud is known and the strategy is in place and working, Labour is trying to jump on the bandwagon and to use a crude overestimation of fraud to sound tough and to explain away its expensive spending plans. It is inventing fraud and announcing half-baked measures to detect it.

Mr. Raynsford *rose—*

Mr. Heald: I am not giving way. I have already given way to the hon. Gentleman.

Labour claims that it would detect an extra £310 million-worth of landlord fraud, but it has not done its homework, as it totals only £150 million. Why did it get it wrong? It wanted to. It does not know anything about fraud detection and it has never had an interest in it. It says that its home visits would save an extra £520 million. It talks about 4 million visits at £3 a go, allowing only eight minutes for each visit. I have asked benefit investigators how they would get on if they had eight minutes between investigations and how they could fit in the 77 minutes that they normally take to interview someone thoroughly to check his documents, to consider his position and perhaps to advise him about what benefits were available to him. One of them told me: "I would need a rocket tied on my back." Another said: "I couldn't do a proper job."

That is just Labour all over. It has not done its homework. Why has it got it wrong? It wanted to and it does not understand fraud detection.

Labour talks about stricter procedures on national insurance numbers, ignoring the fact that such procedures are being put in place. In November 1995, we tightened the registration procedures. In February, the new database for stolen birth certificates was introduced. In October, the new P46 procedure to check new workers' claims against national insurance numbers will be introduced.

My right hon. Friend has revolutionised the battle against benefit fraud, but Labour authorities have had to be dragged into helping. Labour spokesmen have had no ideas—just complaints—and now they are trying, belatedly, to jump on the bandwagon, but without doing their homework.

Ms Armstrong: The Minister has read this before.

Mr. Heald: No, I have not. Labour has had no new ideas.

My hon. Friend the Member for Colchester, North raised a number of important questions about the way in which national insurance number surveys should be conducted in future. Apart from the measures that I mentioned, we should have the detailed strategy for national insurance numbers that we have for benefit fraud generally and housing benefit—which the Government will be announcing. We should also improve the approach to fraud through the spotlight process. My hon. Friend the Member for Isle of Wight referred to the programme in his constituency, where claimants have been given two weeks to get their benefit claims in order. We are about to start active operations and take focused measures.

Every time we launch a new spotlight campaign, we learn something—which is the way in which the Government should approach benefit fraud. Apart from the strategy and measures that we have in place, we must constantly investigate and make improvements. We do not need any lessons from the Labour party, which has done nothing over the years. Opposition Members speak as if they have spent 17 years giving us fantastic new ideas for cracking benefit fraud. Nothing could be further from the truth.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 239, Noes 266.

Division No. 151] **[7.00 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cunliffe, Lawrence
Dafis, Cynog
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eastham, Ken
Etherington, Bill
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fraser, John
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
Garrett, John
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hood, Jimmy
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jenkins, Brian *(SE Staff)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
MacShane, Denis
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pickthall, Colin
Pike, Peter L
Powell, Sir Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Salmond, Alex
Sheerman, Barry
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Sutcliffe, Gerry
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James

Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David Bolton SE

Tellers for the Ayes:
Mr. Greg Pope and
Mr. John Cummings.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Butcher, John
Butterfill, John
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Goodlad, Rt Hon Alastair
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Hague, Rt Hon William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Malone, Gerald
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Simon Burns and
Dr. Liam Fox.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

MADAM DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the priority given by Her Majesty's Government to tackling all aspects of benefit fraud; endorses the Government's successful work in detecting and preventing fraud, which has resulted in the benefit savings target of £1.3 billion being exceeded in 1995–96; congratulates the Government on carrying out the first systematic review of the amount and type of Housing Benefit fraud; notes that Housing Benefit administration is the responsibility of local authorities and that local authorities only started tackling fraud seriously once the Government introduced financial incentives for them to do so; welcomes the new fraud strategy which will result in savings of £2.5 billion a year by 1999; deplores the Labour Party's attempt to exaggerate the amount of fraud as a pretext to spend more money; and condemns the Labour Party's continuing half-heartedness in tackling benefit fraud and abuse.

Nuclear Industry (Privatisation)

Madam Deputy Speaker (Dame Janet Fookes): I have to tell the House that Madam Speaker has selected the amendment in the name of the Prime Minister.

7.15 pm

Mrs. Margaret Beckett (Derby, South): I beg to move,

That this House notes that the publication of the Pathfinder prospectus for the sale of British Energy confirms the suspicions of Her Majesty's Opposition that the sale is a bad deal for the taxpayer; further notes that the proceeds are anticipated to be less than the cost of building Sizewell B whilst the other seven reactors are being given away free, that boardroom pay will rise by 40 per cent. whilst one in 20 employees have lost their jobs in the last year, that it has yet to be demonstrated that the sale proceeds will cover the shortfall in the Magnox liabilities, that the bulk of the initial Segregated Fund to pay for British Energy's clean up costs comes in the form of a 'dowry' from the balance sheets of the pre-privatisation publicly-owned companies and that the Government has not sufficiently settled issues relating to the ability of a privatised nuclear industry to compete in the electricity generating industry on an equal footing with other private generators; and condemns the privatisation as a reckless and cynical attempt to raise short term cash at the expense of the long term interests of taxpayers.

The context of this debate, like the one that preceded it, is value for public money and an assessment of where the overall public interest lies.

Only a few weeks ago—following a Select Committee report on privatisation of nuclear power stations, and in the absence of any sign that the Government intended to have a debate on the issues raised by that report—Opposition Members took the opportunity of Opposition time, as we do today, to focus on some issues of public policy over which, as is all too evident, the Government would much prefer to draw a veil.

On that previous occasion, we said that this was an extraordinary privatisation, and that it was extraordinarily difficult to justify. That view is not only maintained but enhanced by the lack of answers to the questions raised then, and by the new information that has since emerged, despite the Government's best efforts to conceal it.

In one respect, this privatisation may be unique. Concerns about whether the taxpayer is getting a good deal have often been raised, but with this sale there are also questions about whether the shareholder is getting the full picture. I accept at once that, at first glance, it seems unlikely—it certainly could be argued that it would be difficult—for anyone to construct a deal that is disadvantageous, first, to the taxpayer and, later, to the shareholder. But I suspect that, if anyone can do it, this Government can.

Before the previous debate, the Government said that a response to the concerns raised by the Select Committee would be available, and would be debated within "the normal time scale". However, as we suspected, it seems that the Government did not intend such a debate to precede the sale.

The Minister's basic case in that debate was that all the questions raised either had been dealt with already or would be dealt with in the prospectus, which we now have available. I shall remind the House of some of those questions.

There is first the issue whether liabilities will follow assets into the private sector—an assertion that the Minister of State has made repeatedly—without it ever

being made wholly clear whether that really means all rather than part of those liabilities. It is on that basis that, despite the money that taxpayers have to cough up at the front end of the sale, the Minister claims that this sale is to the taxpayer's long-term benefit. Not only many Opposition Members but many analysts argue that there is considerable risk attached to that aspect of the Government's case.

Revenues to meet those liabilities in the long term are intended, at least in part, to be available from the segregated fund. It is now much clearer—even clearer than it was in our previous debate—that, to offset liabilities assessed on an undiscounted basis at £14 billion, it is anticipated that revenue secured for investment in and by the segregated fund will cover only a sum of the order of £4 billion. It seems to be anticipated that the rest of the liabilities will be covered from the operating revenues earned by the company.

So key to the Government's basic case is the assumption about the company's financial performance in the private sector. In fact, the more we study that case, the more it appears that some of those key questions remain unanswered, and that such answers as do exist might give potential shareholders pause for thought.

To begin with, there is obscurity about the issue of the segregated fund itself. The last Red Book shows a cost to the Exchequer in respect of the industry of some £230 million—precisely the sum that has appeared on the balance sheet of British Energy, and will be the dowry it provides to start off the fund.

It is presumably on the basis of the scale of the dowry from public funds that the level of yearly contribution from the privatised company is assessed at a mere £16 million a year, as compared to previous estimates from City analysts that funding would have to be about £30 million to £50 million a year—more than double, at the very least. I say "presumably", because the Government have, up to now, failed to publish or place in the Library of the House the report that they claim provides the justification for such a low contribution, on the spurious grounds that it is not yet completed. However, that does not seem to have prevented the Government from reaching a judgment on the report.

The potential of the revenue stream for the company and what that means for shareholder returns is also key to the value of the sale. Here too, considerable questions remain unanswered. For a start, in our previous debate it was pointed out that the assumptions that underlay the value placed on the company were heavily influenced by the load factor at which it was argued that the stations to be privatised could be run. It was pointed out in that debate that a load factor of 82.5 per cent. had been assumed—a level which, it was argued, had never been attained, and which few analysts believed could ever be attained.

To put the matter in perspective, we can see in the prospectus a method of presentation of the performance of the advanced gas-cooled reactors which gives a figure for best ever performance of 74 per cent. in 1995. In the year to 31 March 1996, those reactors achieved a performance of just 71 per cent. Despite the fact that that assumption must be crucial to assessing either the value of the sale or the assumptions of future revenues and hence future dividends, the Government are saying little or nothing about how they now view those assumptions. I hope that the Secretary of State will remedy that omission today.

This is particularly relevant because, in the past couple of days, we have learnt of the existence of a legal review of the sale carried out by Clifford Chance, which is said to have been made available to the company and the Government. I hope that the Secretary of State will comment on the matters it raises in this debate, and either publish the legal review or place it in the Library.

I ask that because a document that I have seen, which purports to be a draft of the report, draws attention to two issues that have substantial implications for the commercial aspects of the sale. Discussing design and technical issues, it says:

"Several on-going and major generic technical problems either affecting, or potentially affecting the stations"

to be privatised are identified. It is said that, in the case of carbon deposition, that may affect output. It is said that the problems may have "high commercial penalties".

The review raises issues of staffing levels, and the need to have sufficient qualified and experienced staff. It highlights doubts about whether that can all be provided, especially if there is to be substantial contracting out of work. Again, the quality of the human capital of the company is said in the report to raise issues with considerable commercial consequences. That is probably because of the assessment that some 60 per cent. of incidents causing loss of output are thought to be due to human error.

Those issues are relevant not just to the value of the company but to the revenue stream that can be anticipated. Yet, from the prospectus, it is obvious that that revenue stream is key to the statement that liabilities will follow the assets and will be covered in the private sector.

Let me remind the House that it is now evident that it is anticipated that some £10 billion of the undiscounted liabilities will be expected to be covered by the company's revenues, so questions about the security of the revenues go to the heart of the coverage of liabilities.

The prospectus raises another question about the degree to which liabilities are following assets. On page 73, the prospectus refers to liabilities falling due after the closure of the existing stations and outside the scope of the segregated fund, so not covered directly by the company's revenues. It says that they will have to be covered by further investments to provide funding to meet the payments as required.

I should be grateful if the Secretary of State could shed some light on what that means. Does it mean that a further segregated fund would be set up, and, if so, does that not suggest that the present fund is inadequate to bridge the gap between liabilities and the income to cover them? Does it simply mean that, apart from the revenue stream having to meet the cost of liabilities which fall while the station is operating, it is also expected that revenues will have to cover sums set aside to provide a further long-term income stream when the stations have ceased to operate? What interests us in the context of the sale is the implications of that statement for the prospect of future dividends.

Dr. Robert Spink (Castle Point): The initial endowments of £157 million and £71 million or £79 million from Scottish Nuclear have been called prudent by the independent actuaries. Is the hon. Lady challenging what the independent actuaries have said?

Mrs. Beckett: If the hon. Gentleman has had sight of the report from the independent actuaries, we would like

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to see it as well, and so would the House. How does he know what the independent actuaries have said? It is not in the Library of the House. Can he cast any light on the matter? Is he claiming to have seen the report?

Dr. Spink: My information comes directly from British Energy.

Mrs. Beckett: I am not sure on what basis, as a Government Back Bencher, the hon. Gentleman has this inside track to British Energy. I am sure that other potential shareholders would be delighted to have the same information. He strengthened the case I was making to the Secretary of State for publishing the report. I am sure that the Secretary of State will be able to tell us that he intends to do so.

The prospectus shows that dividend payments from the privatised company may not be covered by profits after tax for a number of years. That brings me to the question of the return for shareholders.

It is hard to know what to make of the extraordinary decision to announce what first year dividend the company will pay, when the sale has not yet taken place. To announce also that the dividend will be about twice the rate of the most optimistic profits forecast for that year so far raises the question what the company is doing promising dividends on such a scale. What makes the whole thing utterly ludicrous is that the dividend is to be paid before potential investors will have had to cough up a second instalment of the price of their shares.

Harold Macmillan once said that selling off state assets was like selling the family silver. The nuclear industry looks like being almost the last item to go in the Tory car boot sale of state assets. As any hon. Member who has read the words of the prospectus carefully will acknowledge, what is on offer here may not be silver—in fact, it looks remarkably like fool's gold.

Mr. John Redwood (Wokingham): The right hon. Lady seems to be rather pessimistic about prospects for the shares, and seems to be telling people not to buy them. Can she assure us that her investment advice will be better than that of the hon. Member for Birmingham, Ladywood (Mrs. Short), who told people not to buy Railtrack shares on the grounds that they would go down rather than up? Does she have any comment on that?

Mrs. Beckett: If I were a shareholder in either of those industries, I would rather have a longer period over which to judge what might happen to the share price than the right hon. Gentleman seems to be taking into account, which, as has been pointed out, is exactly what the brokers are saying. If the hon. Gentleman is concerned about the advice that we are giving, or believes that the observations that we are making about this potential sale are unsound, I suggest that he takes a further look at what is being said about it in the City.

Dr. Spink: Will the right hon. Lady give way?

Mrs. Beckett: No, not again. I want to get on, and I do not want the hon. Gentleman to incur another disaster, as he did on his previous intervention.

The company made a loss last year and warns of making one this year, but it still offers a massive dividend payout that seems to have been financed by a bridging loan from Her Majesty's Treasury.

The prospectus suggests that the company's ability to pay dividends at all in future is by no means certain. The directors say in the prospectus that their dividend policy is "critically dependent" on six assumptions, which I shall paraphrase for the benefit of the House.

It is assumed that the pool price of electricity will not fall substantially and that any price review will not affect British Energy's performance; that there will be no major unanticipated station failures; that British Energy will meet its targets, including both extending the life of some stations—running them longer—and making cost savings; that there will be satisfactory returns from reinvestment; that there will be no wider changes in regulation that will have an adverse impact on British Energy; and that there will be no significant rise in inflation.

Those are hefty caveats. It is evident that the assumptions are not only unlikely to be all fulfilled, but that they are mostly entirely outside the control of the directors. The notion that there is unlikely to be any change in regulation or any adverse outcome from the price review is hardly borne out by what has happened with electricity or gas supply.

The hope that there will be no unanticipated station problems is highly dependent, as the legal review to which I referred earlier shows, on some of the technical issues. The prospectus makes it clear that it is possible that unforeseen events or changes in regulatory standards may require the lifetimes of stations to be reduced, yet the background to the dividend policy talks about half of them having their lives extended.

All the assumptions are most heavily dependent on the position in the trading pool in which the price of electricity is set. At present, nuclear power stations have preferential access to that pool. The regulator has previously acknowledged that, if he were asked—for example, by other generators—to review British Energy's access to the pool, he would have to do so. That may in part account for the statement in the prospectus that the regulator has been asked

"to avoid making any announcement during the offer of the sale—and for three months after commencement of dealings—other than in exceptional and unforeseen circumstances".

The prospectus also makes it clear that other regulators have been asked to avoid saying or doing things that might affect the price of British Energy shares.

The fact remains that assumptions about what will happen in the pool, and about the effect of its operation on the price of electricity, are crucial to the assumptions that are being made about the dividends that are said to be on offer to shareholders. Shareholders who read in the popular press references to the new opportunities that this sale offers to Sid should bear in mind what has happened to the original Sids, which was itself a direct result of changes in Government policy of which Sid was given no inkling when the Government sold him or her their shares in British Gas.

The sale contains wider and more profound risks than simply commercial ones. In the previous debate, we drew attention not only to the inadequacy of the insurance cover that is being required of the industry but to the fact that it was substantially less, even on the most generous

estimates, than that frequently required elsewhere in the private sector—in the chemical industry, for example. That point was made to the Select Committee by the CBI.

The Minister's response in our previous debate was to talk about the narrow nature of any potential liabilities for the industry, as if a major accident—that is what the insurance is all about—would not have a significant impact, because of the restricted nature of the industry. That argument is bizarre. I call on the Government again, as does the private sector, to re-examine the provision that is being made on that. As matters stand, it is yet another area of financial uncertainty—certainly for the taxpayer, and probably even for the shareholder.

Our motion describes this privatisation as "reckless and cynical". I believe that any impartial observer would agree that that description was well-merited. I suspect that the level of hostile comment, and the degree of reservation expressed in the financial sector, is as unprecedented as the nature of this privatisation. There are certainly hidden consequences for the taxpayer. There may well be hidden consequences for the shareholders.

The only clear beneficiaries are the directors, whose total remuneration, according to the prospectus, is to rise by 38 per cent. on average; and a Government who are desperate to raise revenues that they hope can be used to justify a short-term tax cut and who are entirely indifferent to the consequences for the shareholder or the taxpayer in the longer term.

To say that the terms of the sale of the industry are unfair would be a gross understatement. The expected sale price, which is now said to be about £1.7 billion, is about half the cost of building Sizewell B alone. The other power stations have been thrown in for free. It is a tenth of the £13 billion that taxpayers have already laid out from their own pockets to build reactors.

This is not a sale. Ministers no doubt hope that potential shareholders will believe that it is a free lunch. Yet the Government tell us constantly that there is no such thing as a free lunch. Whatever the potential benefits of the sale, the potential losses seem increasingly likely to outweigh them. The Government have long ceased to act in the public interest. The sale may be one of the most blatant examples of their indifference and neglect; it is certainly one more reason why they should be driven from office.

7.35 pm

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Ian Lang): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'welcomes the publication of the Pathfinder prospectus for the sale of British Energy which confirms that the sale fulfils the Government's commitment to ensuring that liabilities follow assets into the private sector and is a good deal for the taxpayer who will benefit from equity proceeds, debt repayment and the permanent transfer to the private sector of responsibility for almost £4 billion of nuclear liabilities, for British Energy employees who will now have the opportunity to take a real stake in the future of their industry, for Magnox Electric which will be a robust public sector company capable of meeting its liabilities as they fall due; and further notes that the privatisation of British Energy serves the long term interests of the taxpayer, the industry, and consumers; and condemns the persistent attempts by the Opposition to undermine this and other privatisations.'.

Once again, the Opposition are parading their familiar themes of doom and gloom and of misconception. Time and again, we have listened to Labour Members criticise any privatisation proposals. When will they learn that such scaremongering has never proved to be correct? The right hon. Member for Derby, South (Mrs. Beckett) quoted the words "reckless" and "cynical" from her motion. They are a good summary of her attempt to undermine the privatisation.

I invite the House to consider first the general picture. It is worth reminding Labour Members that, in 1979, nationalised industries were costing the taxpayer more than £50 million a week. By contrast, in the past financial year, privatised companies paid about £55 million a week into the Exchequer.

Mr. Brian Wilson (Cunninghame, North) *rose—*

Mr. Lang: I shall give way, although I have barely started.

Mr. Wilson: The fact that the right hon. Gentleman has barely started does not mean that he has not entered the field of inaccuracy. Will he confirm figures from the Library that show that, at least until last year, the electricity industry had never delivered so much in taxation to the Exchequer since privatisation as it used to in profits before privatisation?

The Minister for Industry and Energy (Mr. Tim Eggar) *indicated dissent.*

Mr. Wilson: The right hon. Gentleman shakes his head, but that is one of the many facts concealed by all this bombast. The Exchequer got more from the profits of the electricity industry before privatisation than it has from taxation since.

Mr. Lang: If the hon. Gentleman wants to examine the history of electricity, I remind him that, under the last Labour Government, the price of electricity went up in cash terms by 2 per cent. every six weeks—4 per cent. a quarter, or 16 per cent. a year. I do not think that I need to trade records with the hon. Gentleman.

Mrs. Beckett *rose—*

Mr. Lang: I want to make some progress in answering the right hon. Lady's points. However, I shall give way, although it may be more difficult for me to do so later.

Mrs. Beckett: I take that warning, and assume that it means that there are a few rude remarks to come.

Thje right hon. Gentleman has used those figures before, so I have had them checked, but I have not yet been able to stand them up; I shall keep trying. Even assuming that they are accurate, he might bear in mind the fact that, in the mid-1970s, the price of oil increased by four or five times, which is not insignificant in determining the price of electricity. The Government always ignore that.

Mr. Lang: A large amount of electricity was generated by coal, nuclear power and water. The right hon. Lady cannot hide behind that argument. The Labour Government's record was appalling. I have quoted the

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figures that show the cost to the taxpayer of nationalised industries, and the benefit now that they have been privatised.

I had hoped that the right hon. Lady would set out more clearly her party's policies on energy and privatisation. Sadly, I was disappointed, but I should have realised, that on one of the rare occasions on which her party allows to her appear in public, the last thing she would be permitted to do would be to let us hear her views on those matters.

Does she agree with the last Labour Secretary of State for Energy, the right hon. Member for Chesterfield (Mr. Benn), who is, alas, not here to receive the plaudits of the House? He was the man who said:

"the Government believe that the nuclear component is necessary for the energy policy of the United Kingdom".—[*Official Report*, 15 May 1978; Vol. 950, c. 177.]

He commissioned Heysham 2 and Torness, and embarked on the pressurised water reactor programme that gave us Sizewell.

Or does the right hon. Lady agree with the hon. Member for Clackmannan (Mr. O'Neill), who I am delighted to see in his place? He said:

"a future Labour Government will not undertake any measures to prolong the workings of those nuclear power stations already contributing to electricity generation"?

Her motion talks of short-termism, but if ever there was a glaring example of short-termism, it is that. How can she have the effrontery to talk of the long-term interests of the taxpayer? What can be more cynical and short-termist than to refuse to extend the life of perfectly useful power stations, as the Labour party's policy proposes to do?

Mr. Andrew Miller (Ellesmere Port and Neston): Will the Secretary of State give way?

Mr. Lang: In a moment. I must make a little progress.

The right hon. Lady has made various cynical attempts to undermine the successful privatisation of British Energy, but she has not yet told us what her policy will be next month when the company is sold. Logic dictates that she would want to renationalise it. If so, today provides her and her party with an opportunity to explain her party's position.

The Labour party is often accused of making U-turns. It is true that Labour Members often display a remarkable flexibility of principle. We know, for example, that in government the Labour party set in train a massive programme of building nuclear power stations. In opposition it declares itself against nuclear power and seeks to undermine it with scaremongering. The one thing in which it has been consistent is in opposing every privatisation proposal that the Government have introduced. It is opposed to privatisation, because it is opposed to free enterprise. It does not like freedom, and it does not understand enterprise.

The rest of the world does understand privatisation. Privatisation is one of Britain's biggest export success stories. Germany, Spain, Italy, eastern Europe, south-east Asia, South America and Africa—all over the world, countries are following Britain's lead and embarking on privatisation in the confident expectation of benefits to the economy and to consumers. The Labour party takes its place along with Cuba and North Korea in the elite group of socialist utopias for which privatisation is still a dirty word.

Mr. Michael Fabricant (Mid-Staffordshire): It is the privatisation, after all, of gas—controlled by the regulator—which has produced such a windfall for consumers. What estimates has my right hon. Friend made of the windfall, if you like, in terms of lower electricity bills that would result from the privatisation of Nuclear Electric? Come to that, if Nuclear Electric was not privatised, what would be the cost to each household?

Mr. Lang: Sadly, we can only speculate on the Labour party's windfall profits tax policy. The fact is that, if it has a tax-raising policy, windfall taxes seem to be part of it. Our purpose is to look at utilities as a source not of revenue for the taxpayer but of advantage in terms of reduced prices to the consumers. That is the difference between us and the Labour party.

We are now on target to complete electricity privatisation in the United Kingdom. The flotation of British Energy, one of Britain's three largest generating companies, marks the culmination of the Government's privatisation plans for the industry. This final burst of energy will extend the benefits I outlined a few moments ago. It will free the industry to make its own investment decisions. It will encourage improvements in the generators' overall economic efficiency, and enhance their competitiveness. Surely even the Labour party would not seek to deprive industry of the opportunity to serve us better.

Privatisation has helped millions to become shareholders. It has encouraged countless employees to take a stake in their future. It has given real power to the consumer by developing choice and competition. I hate to disappoint the Labour party by reporting that public interest in privatisation issues is undiminished. As of today, more than 1.3 million people, and rising, have registered for the public offer. I am confident that the Government are set for another successful sale. I trust that that puts the record straight about the benefits of privatisation and the level of public interest in our programme.

Now I should like to put the record straight about some of the other misconceptions which have been cast about. One of these—the right hon. Member for Derby, South spent some time on it this evening—is the level of proceeds we expect to receive from the sale. Of course, that is a matter for the market to decide, on the basis of the information in the prospectus. It is clear from some of the statements that Labour Members have made that they are not expert in that area. It may assist them in their understanding if I briefly explain some of the relevant factors.

When calculating the total proceeds from the sale of British Energy, it is important to take account of three components. First, there are the proceeds from selling the shares in the company. That amount will be decided by the market at the time of flotation. That will reflect the value of the assets in their current state, and the competitive market in which they operate. Prospective purchasers look into the future at profit and cash generation. They do not look into the past at the historic cost of the assets.

Secondly, there are the proceeds from the debt due from British Energy to the Government. That will be realised either by repayment or by selling the debt on to third parties. As a result of the restructuring of the industry, British Energy now owes £600 million to the Government that was not owed before the restructuring. Repayment or sale of that £600 million represents proceeds to Her Majesty's Government.

Mr. Michael Clapham (Barnsley, West and Penistone): Is the Secretary of State aware that the total liabilities for the advanced gas-cooled reactors and the one pressurised water reactor are £14.6 billion? Can he tell us whether the total liability will follow the asset?

Mr. Lang: Yes, I can confirm that the total liability is following the asset. I shall come to that important point soon.

Let me emphasise the third of the three components that should be taken into account when calculating the proceeds from the sale of British Energy. The third one, and arguably the most important, is the liability that will now be met by the private sector, but would previously have been met by the taxpayer.

At 31 March this year, British Energy had accrued nuclear liabilities of £3.7 billion. These are calculated using a prudent discount rate of 3 per cent. real and the actual cash payments that they represent will be significantly higher, but spread out over a number of years. It is, however, important not to confuse discounted with undiscounted, as the right hon. Member for Derby, South appeared to do in her speech.

These liabilities have arisen from running the nuclear power stations, and they are predominantly associated with spent nuclear fuel that is awaiting reprocessing. Without privatisation, those liabilities would have been met by the taxpayer. Following privatisation, they will be met by the private sector British Energy.

The total proceeds for the taxpayer, therefore, include £3.7 billion for past liabilities passed to the private sector and £600 million for debt taken on by British Energy, in addition to the proceeds from the share flotation, of course.

Mr. Llew Smith (Blaenau Gwent): Will the Secretary of State inform the House whether the plutonium that the Government intend to transfer to private ownership as part of the sell-off of Nuclear Electric and Scottish Nuclear will be listed as an asset or a liability?

Mr. Lang: That is a matter entirely for the company and its advisers. I suggest that the hon. Gentleman has a good look through the prospectus.

Let me develop a little more the question of liabilities. Liabilities are another area in which the Opposition—they demonstrated it again tonight—have difficulties appreciating the true position. I can only repeat yet again that liabilities have followed assets.

As long ago as last May, on publication of the nuclear review White Paper, we made it clear that we expected nuclear liabilities to follow their associated assets into the private sector. Again, when the Government gave evidence to the Trade and Industry Select Committee in November last year, we made it clear that it was a principle of privatisation that liabilities should follow their assets. In March 1996, when the nuclear industry was restructured, the principle was again followed: liabilities followed assets.

Let me say again categorically, for the record and for the avoidance of doubt, that British Energy is and will remain responsible for the liabilities associated with its stations.

Mr. Alan W. Williams (Carmarthen): The general public find it incredible that the prospectus requires British Energy simply to set aside £16 million a year. Somehow, over 100 years, at the 3 per cent. discounted rate, that is supposed to accumulate to £14 billion. I did my arithmetic this afternoon. Compound interest of 3 per cent. over 100 years requires twentyfold growth. Does anyone believe that, at the end of the next century, Britain will be 20 times richer in terms of gross domestic product? That is the crazy accounting system that the Government have used in arriving at the figure of £16 million.

Mr. Lang: The hon. Gentleman is confusing total liabilities with the decommissioning fund. There will be an initial capitalisation of some £230 million. There will also be an annual contribution of £16 million a year, which will increase in real terms, will be reviewed quinquennially and is calculated on the basis of the best possible actuarial advice, to provide a substantial and good margin for error above the actual anticipated needs. That position will continue in the longer term.

We have established an independent, segregated fund to cover all the longer-term post-closure costs of decommissioning British Energy's nuclear power stations and their sites, with the aim that all licensed nuclear sites will be cleared and returned to other uses. Obviously, it has been necessary to strike a balance between the need to reassure the public that British Energy will meet its liabilities and the need to recognise the company's commercial freedom. I believe that we have the balance right, and I would add that the scope of the fund has been agreed with the nuclear installations inspectorate.

The scope of the fund is not, however, set in stone. If, for example, British Energy changed its decommissioning strategy, the scope of the fund could also be altered to include new on-site activity not currently carried out on the site. I emphasise that any liabilities not covered by the fund remain the responsibility of British Energy. There is no question of any exemption. I say categorically that British Energy is, and will remain, responsible for the liabilities associated with its stations.

Mr. Martin O'Neill (Clackmannan): Will the right hon. Gentleman give way?

Mr. Lang: I will, but then I must make progress.

Mr. O'Neill: Does the President of the Board of Trade agree that, if any of the assumptions on the basis of which this contribution to the fund is made prove unfounded—it is generally agreed that £16 million is the lowest possible figure that one can calculate, assuming every optimistic scenario—the result will be either more expensive electricity or a reduction in dividend to the shareholders?

Mr. Lang: The hon. Gentleman may jump to conclusions of that kind. Those figures have been struck

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on the basis of the best possible advice and which will be reviewed quinquennially. Independent trustees are responsible for those matters, and it is the best estimate that those figures will be adequate. As I have said, nothing is set in stone, and they can be reviewed as required, but we are talking about a long-term accumulation of resources.

The final misconception on which I want to put the record straight arises from the stories of a dividend sweetener of £100 million being paid by the taxpayer from a special reserve fund. The first dividend that will be received by investors is an interim dividend in respect of the year ending 31 March 1997. That dividend will be paid by British Energy, using its own cash resources, and there is no question of payment by the taxpayer from a special reserve fund.

Opposition Members have also sought to create fears that the uncovered dividend will be paid for with money needed for long-term liabilities. Again, that is totally untrue. The company is satisfied on cash flow grounds that it will be able to meet all its liabilities. Were there ever to be a question of priorities, of course, liabilities would always come first.

I shall now discuss another benefit arising from this privatisation.

Mr. Ken Purchase (Wolverhampton, North–East): Will the President give way?

Mr. Lang: No; I want to make a little more progress in this short debate.

Opposition Members may have read that the Director General of Electricity Supply announced last week that he expects to be able to announce a reduction in the fossil fuel levy following privatisation from 10 per cent. to 3.7 per cent. That reduction will have been made possible by the nuclear privatisation, because premium payments to Magnox Electric are expected to end at the time of privatisation, except as necessary to recover moneys that were originally due to Magnox but unpaid before privatisation.

The reduction in the levy rate should lead to a reduction in bills of more than 6 per cent. in a full year, or about £15 to £20 in a typical domestic consumer's bill. I look forward to hearing Opposition Members welcome that during the debate.

Mr. John Battle (Leeds, West): Can the Secretary of State confirm that that figure is contingent on the performance of the company, and may well not be anywhere near that level, given that the prospectus says that the company does not even intend to make a profit in the first few years?

Mr. Lang: No. The position is clear, as it has been announced by the Director General of Electricity Supply, and the outstanding payments due from Magnox are held over by agreement and are being collected, so there is no uncertainty about that matter.

Mr. Miller: Will the President give way?

Mr. Lang: I want to press on and talk about the reorganisation of the nuclear industry to form British Energy and Magnox Electric, which I believe will bring wider benefits than those associated with privatisation.

Magnox Electric, which will be staying in the public sector, has been established as a robust independent player in the electricity market. It will be a substantial baseload generator, with about 7 per cent. of electricity output in Great Britain. The objectives we have set require Magnox Electric to operate in a commercial manner, judging any investments by commercial rates of return. We intend that Magnox should be a full competitor in the electricity market, and that this increased competition will be of clear benefit to consumers.

Moreover, focusing management time and expertise on one type of reactor—Magnox—will bring significant benefits in improved efficiency. The Opposition talk only about the downsides of assets and liabilities being left in the public sector, but the Magnox liabilities have always been in the public sector, and that will not change. What has changed as a result of restructuring, however, is that there is now a much clearer focus on Magnox issues, with a renewed enthusiasm at every level of the company.

Magnox Electric is a first-class generator with a proven track record in station decommissioning, and I have every expectation that the creation of an independent Magnox company and its eventual integration with British Nuclear Fuels plc will enable them to build on and further develop that expertise, and will bring significant reductions in costs from greater efficiency in the management of liabilities.

Magnox Electric is a robust public sector entity, which will enhance competition in the electricity market and aims to secure the best possible value for the taxpayer.

Mr. Alan W. Williams: The Minister said that Magnox had a proven track record on station decommissioning. I am astonished by his comment, in view of Trawsfynydd nuclear power station, which closed only a few years ago and will be there for 100 years. Where is this proven track record on station decommissioning?

Mr. Lang: The fact that it takes a long time to decommission a station does not undermine the capacity, skill and efficiency with which decommissioning is undertaken by the company. It has already made enormous progress with Berkeley, at costs substantially less than had been anticipated and provided for.

Mr. Wilson: Will the President give way?

Mr. Lang: I give way to the hon. Gentleman, as this is a matter that concerns his constituency.

Mr. Wilson: Since the possibility of a Hunterston C appears to be precluded by privatisation, it is very important for employment in my constituency to know whether there would be any inhibition to Magnox Electric building on the Hunterston A site, which it will inherit, perhaps for non-nuclear generation. Would be there be any such inhibition?

Mr. Lang: That is not a matter on which I have any decision or any position to announce tonight, when we are debating the privatisation of British Energy. That is a matter for the future. Magnox will remain in the public sector.

We have seen tonight that not only is the Labour party deeply embedded in the old attitudes of clause IV of its constitution, but Labour Members do not understand what privatisation is about.

Last week, Labour launched another of its great attacks on the Government, which was going to be the greatest assault on this privatisation exercise, called its triple whammy—and it was wrong on every point. First, Labour alleged that the Government would not ensure that Magnox had sufficient assets to cover its nuclear liabilities. That simply is not the case. Secondly, Labour said that the cost of reprocessing British Energy's spent fuel would be left with the Government. It will not. That will be met by British Energy as part of its normal commercial operations.

Thirdly, Labour said that the United Kingdom's insurance arrangements are not in accordance with international conventions on civil nuclear liability. In fact, the United Kingdom's own insurance requirement is many times higher than the minimum required under the Brussels convention, and among the highest of all the signatories to that convention. Each and all of those accusations were wrong: not only wrong but fundamentally ignorant of the basic principles of privatisation—not a triple whammy, but a triple boomerang.

Far from nuclear privatisation being a disaster, as the Opposition would try to have people believe, excellent progress is being made. All the major milestones have been reached successfully and to timetable. The next stage will be the issue of the retail prospectus next week, on 26 June.

I remain confident that the final burst of energy will be as successful as the earlier sales, for the industry, the taxpayer and the consumer. I urge the House to reject the motion and to support the Government's amendment.

7.57 pm

Mr. Martin O'Neill (Clackmannan): I welcome the debate. We are in the middle of the nuclear flotation. We have discussed the nuclear industry three times in the past two years—at the time of the nuclear review, on the announcement of the Government's intention to privatise and, recently, following the publication of the Trade and Industry Select Committee report.

Many right hon. and hon. Members were, and are, opposed to the principle of privatisation. My all-party colleagues on the Select Committee expressed their greatest concerns about the taxpayer's interests and were worried that there would be a quick, cut-price sale. Their anxieties centred on the main issues of the valuation of the assets, the definition of the liabilities and the liabilities' subsequent valuation. A distinction must be drawn between what constitutes a liability and what that liability is valued at.

My right hon. Friend the Member for Derby, South (Mrs. Beckett) has already described the doubts that surround the valuation. It seems strange that power stations costing more than £3 billion to construct should be sold for between £1.6 billion and £2.6 billion. At the time of the initial valuation discussions, parallels were drawn with the car leaving the showroom and the change in its value at that time. Of course we all recognise that the price will fall; but when VAT, excise duty and delivery charges do not have to be taken into account, the price will fall very quickly.

Since the last debate on this subject, and since the announcement of the flotation, a report has been published on the annual segregated fund changes by Professor Sadnicki. The paper was prepared for a local authority pressure group that is opposed to nuclear power. There has never been any secret about the author's concerns about the economics of nuclear power. Nevertheless, he and Dr. Gordon McKerran of Sussex university have been influential in constructing models on which the pricing of nuclear energy has been estimated. It is no secret, either, that their work in large measure informed the Government's nuclear review, in terms of the pricing of units of nuclear energy. It could also be argued that their work was influential in persuading the Government not to proceed with the construction of any more nuclear power stations. It certainly influenced British Energy's intentions not to proceed with any nuclear power station construction in the foreseeable future.

The report cannot be lightly dismissed. I do not agree with everything in it; some of its assumptions are over the top and are not necessarily designed to impress accountants—ultimately it is their view that must be taken into account.

Perhaps the Minister will deal this evening with the point that contributions to the initial transfer of the assets may constitute a subsidy under European law. Would they contravene European legislation? It would indeed be embarrassing for the Government if the money that they used as a sweetener for privatisation were found to be contrary to European policy.

The author of the report takes as his outside limit for such contributions a sum of £208 million a year, which compares with the £16 million that the Government have been talking about. I do not think that a realistic figure. I think that £127 million is rather closer; it is achieved by assuming average economic growth of about 2 per cent. until 2026. I am not altogether confident that the Labour Government who will take office next year will stay in power that long, but the lamentable economic growth record of the past 17 years will not necessarily prove to be the model for what will follow.

Why do not the Government mention long-term items such as post-operation waste charges and post-operation payments for BNFL decommissioning? The report's author doubts whether British Energy's commercial freedom can be squared with reassurances that, where liabilities arise, they will be met. If liabilities fall where the assets are, that may restrict British Energy's ability to perform according to the market's wishes. It is pointed out in the report that any surpluses from the constituent elements of BE will be given not to the taxpayer but to Magnox for its liabilities. No one will have been convinced by the superficial gloss that the Secretary of State put on the question of the Magnox liabilities.

The report also raises the issue of post-operational reprocessing and stage 1 decommissioning of the advanced gas-cooled reactors. There is also the problem of the ability of Sizewell B to make contributions after 2025. The lifespan of Sizewell B cannot be guaranteed, so it would be imprudent to make early financial forecasts on such an optimistic view of its time in service. The point is underlined by questioning of the estimates for decommissioning and waste disposal.

We have been repeatedly told by Ministers that liabilities will follow assets, but the figures in the report suggest that the accounting procedures will not be

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sufficiently transparent. Throughout its history, the nuclear industry has been shrouded in secrecy. To some extent, that was inevitable because the industry's purpose in the early days was the production of nuclear weapons, but when the veil has been lifted, there have always been expressions of false optimism—about the value of certain technologies, the cost of certain projects and the predicted cheapness of units of electricity.

Those shortcomings have been seized on by the industry's detractors, and when combined with the—often wholly unsupported—assertions about safety, the technology has been dismissed out of hand.

I believe that the case for nuclear power can and should be made. However, I have never made any secret of my opposition to privatising nuclear power. I am realistic enough to know, though, that once it has been sold off, it will not, barring a catastrophe, be brought back to the public sector. I hope that the debate will give due warning to those considering investing in the industry that the sums do not add up. Later on, taxpayers will not take kindly to being asked to cough up more so as to subsidise the segregated fund.

If the Government cannot meet their responsibilities, the sooner we get a Government who are prepared to do that, the better. The plain fact is that we do not know with any certainty what the costs will be. The Government have consistently chosen the rosiest scenarios, and the figures on which they have based their expectations have almost always been those that are most trouble free. I am not a Jeremiah when it comes to the nuclear industry—I happen to think that it has performed well in some ways—but I am not prepared to watch the industry being handed over to the private sector with no proper consideration being given to the costs of decommissioning or even to the form of that decommissioning. Neither am I convinced that the quinquennial review will be sensitive enough to deal with the problems as they arise.

Within two or three years, and before the five-year cycle is up, there could be serious financial difficulties which taxpayers, not shareholders, will be called upon to deal with. The industry is of great strategic importance. Consequently, it should not be thrown away, and its problems and disadvantages should not be treated as lightly as the Government have approached them this evening.

8.8 pm

Mr. Piers Merchant (Beckenham): I suppose that these days I should begin by declaring a transient interest, in that my wife and I were taken to the ballet about a year ago by Dr. Robert Hawley and his wife. He, of course, is the former chief executive of Nuclear Electric and the current chief executive of British Energy. I hasten to add that we did not discuss the nuclear industry or its privatisation. I mention that—apart from feeling that I ought to—because I know Bob Hawley well. In fact, I worked with him when he led Northern Engineering Industries, the north-east engineering conglomerate.

I am in a position to make a judgment—which is that this man has a tremendous ability in engineering, as well as great experience in private industry. I believe that he will give great leadership to the industry in the private sector. That is important because the House and the public are right to be concerned about the quality of leadership, particularly in an industry that is obviously sensitive.

I strongly support the movement of the nuclear industry into the private sector. I have become a great believer in privatisation, based on my judgment of the experience of privatised industries over the past 15 years. I did not come to the subject in any dogmatic sense and, unlike many of my hon. Friends, I did not start with a strong presumption that only the private sector could deliver the quality and efficiency that we now see in the industries that have been transferred from the state. I have applied my judgment and watched as the industries have been transferred. We have seen a watershed in the development of industry in this country. In industry after industry, successes and efficiencies have sprung from competition.

My right hon. Friend the President of the Board of Trade referred to just one statistic week, but it tells a story. Before privatisation, the industries were costing the taxpayer £50 million a week; the taxpayer is now gaining, in terms of tax paid, approximately £55 million a week. That is only one aspect of it. The benefits that have flowed to consumers are tremendous and the opportunities that the industries have been able to develop are significant.

Three areas in the nuclear industry will gain. First, the consumer will gain because the electricity industry will have additional competition, which will produce greater efficiency. We have already heard that the average electricity bill is likely to be reduced by some £20 as a result of the fall in the fossil fuel levy, which has been made possible as a result of the privatisation that is now going into effect. That benefit will be felt by every consumer of electricity.

Secondly, taxpayers will benefit directly from the proceeds of the sale. They will also benefit as a result of the transfer of liabilities. I have done a quick calculation in my head—approximately £4.4 billion-worth of liabilities will be transferred from the taxpayer to the private sector. That is a significant benefit to the taxpayer.

Thirdly, the industry will benefit in a number of ways: it will be able to make its own commercial judgments, to run its affairs free from political interference, to decide on its investment programme and its capital plans, and—perhaps most significant of all—be free to operate competitively in the international market.

That is a significant market, and a market in which British experience excels. More than 30 countries have nuclear plants in operation or are building plants that are yet to be commissioned. The expertise that the British nuclear industry has to offer is tremendous. Significant markets can be grasped and, if the industry is free to do so, it will benefit significantly. Privatisation will enable that to happen.

Understandably, there is bound to be some public concern about this privatisation. There is always public concern about change. The public have always been sceptical, if not hostile, about privatisation—but they have slowly changed their views as they have seen the successes and benefits that it has brought. This is a particularly sensitive industry and it is understandable that people should be concerned and need to be assured about the safety aspects. It is regrettable that the Labour party has, at times, sought to exploit that fear, which it knows is groundless. The subject has been examined in great detail by a number of bodies involved.

Mr. Jack Thompson (Wansbeck): Does the hon. Gentleman recognise that there is no such thing as total

safety? Therefore, we can predict that, some time in the future, there will be safety problems. Is he confident that the insurance arrangements, and the premiums that have to be paid, are sufficient? Chernobyl is often referred to, but it was a different type of power station. I refer also to Three Mile Island in America and to the PWR, which was a forerunner to Sizewell. That is an important element. There is a lack of public confidence in the industry and the only way that it can be restored is by ensuring that there is proper provision to protect the public when an accident happens.

Mr. Merchant: The hon. Gentleman is right: there have been problems relating to safety in the nuclear industry. However, I remind him that it is not the only industry to be affected in that way. We cannot guarantee total safety in any industry or in any walk of life. However, it is particularly important in this industry that the safety measures, and the policing of them, are taken to the highest level possible. I believe that they have been, and I shall return to that point in a moment.

The hon. Gentleman referred specifically to insurance. He is absolutely right: it is important that the industry is properly and fully insured. He asked me whether I believe that it is adequately insured. Yes, I believe that the arrangements that exist for the industry, and the international arrangements that underpin it, are satisfactory and sufficient to ensure proper protection in the unlikely event of something going seriously wrong.

There are nuclear power stations in this and many other countries. It is true that they pose a potential risk. However, if the hon. Gentleman imagines that there is a link between the extent of safety protection involved and the nature of the ownership, I hope that I can convince him that that is not the case. The Trade and Industry Select Committee looked at this issue thoroughly, and it concluded that there was no reason why there should be any greater safety risk under privatised ownership than there had been under state ownership.

The Health and Safety Executive has examined the problem, and it has said that there is no evidence to suggest that there would be any greater risk under privatisation. The industry has also been examined by the World Association of Nuclear Operators, which has said that there is no evidence to suggest that a privately owned industry carries with it any greater safety risk.

I believe that the reverse is true. The hon. Member for Wansbeck (Mr. Thompson) mentioned the horrific accident at Chernobyl. I remind him that the Russian nuclear industry was not in private hands. Indeed, one could say that the Russian nuclear industry was operating in a society that had taken state control to its ultimate conclusion. The significance of that is that there is a tendency in a command economy for the individuals within the structure not to feel a personal responsibility. Therefore, corners are cut, the buck is passed and the system—in this case, the vital safety system—collapses. That is precisely what happened at Chernobyl.

Mr. Purchase: Will the hon. Gentleman concede that the incident at Three Mile Island occurred while the industry was in private ownership? Is he aware that the costs resulting from that incident have not yet been resolved?

Mr. Merchant: I am aware of those factors, but the worst nuclear accident occurred at Chernobyl. I do not intend to divert attention from accidents that have occurred in the private sector, and the hon. Gentleman points correctly to one of them. I do not suggest that privatisation automatically means that there is no risk at all: I am merely rebutting the claims made by some members of the public—egged on by Labour Members—that privatisation in itself brings a greater risk. That is palpably not true.

Lady Olga Maitland (Sutton and Cheam): Does my hon. Friend agree that there is a great danger of unfounded scaremongering on that point? The allegations made by the hon. Member for Wolverhampton, North-East (Mr. Purchase) about the Three Mile Island incident are not properly founded in fact, and that point has been well established.

Mr. Merchant: My hon. Friend is correct. I wish to quote the comments of two organisations on the safely issue as I believe that it is important to lay to rest the myths that have been propagated in that area. The leading economic consultants, NERA, recently published a report on the impact on safety of privatisation in a number of industries, including the nuclear industry. It concluded:

"Occupational safety standards have improved in nearly all of the privatised firms and industries. In some cases the extent of improvement"

in safety standards

"has been significantly greater than elsewhere in the economy . . . the incidence of such injuries"

to members of the general public

"is very low on average across the privatised firms and industries . . . the performance of privatised companies has improved strongly since privatisation".

My second quotation comes from British Energy. I think that it is important to take account of its view, as it will ultimately be responsible for the industry. Peter Haslam, the director of public affairs, wrote to me in March. He said:

"Whilst the regulatory regime in relation to safety will remain fundamentally unchanged, some people may see the relationship between the NII and the Company as more transparent than whilst both were in the public sector. Safety is paramount and both Nuclear Electric and Scottish Nuclear have a Director with responsibility for safety who reports directly to their respective Chairmen. Each event of any nuclear safety significance is investigated with the utmost rigour and importance is placed upon creating a culture of openness. Moreover, the companies achieved a very real improvement in their safety records from the time of Vesting hand-in-hand with a much improved commercial performance. Profit and safety are not antithetical".

I stress that it is clear that the nuclear industry will maintain safety as paramount. None of the structures that have been set up will be diminished—indeed, they will be enhanced. The independent role of the nuclear installations inspectorate and other agencies responsible for safety will be retained. Those independent bodies will ensure that standards are maintained.

Significantly, the people within the industry will ultimately ensure that high standards are achieved. Within British Energy, we have highly qualified, highly motivated engineers, nuclear scientists and managers who have an absolute interest in safety. They will not compromise their standards, quality or integrity in any way. I have complete faith in them. If their integrity is questioned, they know that they ultimately carry personal

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responsibility within a privatised set-up—far more than in the state sector. If anything goes wrong, there will be no hesitation in pointing the finger at them as individuals. Therefore, they will not take any risks.

If that assurance is not sufficient, we know that they are driven by a commercial motive. They know that, at the end of the day, far from putting profit before safety, the maintenance of the profitability of their company is absolutely dependent on their ensuring that safety is paramount. If anything were to go wrong, the enormous costs incurred would wipe out the company's profit for years to come.

For all those reasons, I believe that a myth has been propagated about safety in a privatised nuclear industry. I believe that the industry will be safer in privatised hands, and that any concerns are misplaced. Above all, I believe that privatisation of the industry will bring enormous benefits to the country, to its people—to the consumer and the taxpayer—and to a great, innovative British industry. For those reasons, I congratulate my right hon. Friend on the verve with which he has pursued the privatisation, and I am delighted that it is virtually in place.

8.25 pm

Mr. Matthew Taylor (Truro): I shall keep my remarks fairly short. I have spoken about this matter twice before in the House and I do not intend to restate the issues. Even at this late stage in the Government's plans, I stress that the privatisation is wrong and will prove hugely costly to the British taxpayer. It also carries some risks that I do not believe the people of this country will accept. Therefore, I urge the Government to think again.

The privatisation and the sweeteners that have been offered to the private sector have incurred criticism from the Select Committee on Trade and Industry. The European Commission has launched an investigation into illegal state aid and we have watched the barely concealed warring between British Energy and the Government over the scale of the liabilities that should follow assets into the private sector.

In spite of the Minister's remarks, it now appears that the war has been well and truly won by private sector interests. We have yet to count the costs that the public will pay through job losses and a tax bill that is likely to run into billions of pounds. There have been repeated ministerial pledges that the taxpayer will not lose out, but the recently published prospectus does not back them up. Amid confusion about the detailed figures, one thing is striking: the taxpayer will be significantly worse off after privatisation.

As the motion points out, proceeds from the sale of the nuclear power stations that are up for grabs are likely to be less than the cost of building Sizewell B alone. In a previous debate on the subject, I described the nuclear industry as a white elephant. Although I was taken to task on that occasion by the hon. Member for Ayr (Mr. Gallie), I stand by my words. How can something that is eventually sold for less than it took to build, and which will be a cost to the taxpayer well into the next millennium, be described as anything but a white elephant?

The money that must be paid out will go towards decommissioning the white elephant. Pledges that the private sector would shoulder the cost of cleaning up the power stations after privatisation have been quietly and comprehensively ditched. Long-term bills for the seven advanced gas-cooled reactors and the Sizewell B pressurised water reactor—amounting to an estimated £6.9 billion—will fall on the taxpayer. Even taking into account the likely proceeds from the sale, that leaves the public sector at least £1.2 billion poorer after privatisation. Why must the taxpayer cover that huge cost? The answer is simple: the privatisation would be impossible if the private sector took on all liabilities as well as the so-called assets of the nuclear industry.

Sir Michael Grylls (North–West Surrey): The hon. Gentleman is talking about the costs of an industry or a product. If he were selling his car, its cost would be quite irrelevant. The price that he gets for it is the price in the market. The price at which people who have applied for shares in this privatisation is the price that they are prepared to pay. He must understand that the price has nothing whatever to do with the cost of the industry.

Mr. Taylor: When we sell a car, that should be the last we see of it. The peculiarity of the nuclear industry is that, once the individual who has bought the car has finished with it, the car is returned and we face an even larger cost for scrapping it safely.

We now know that British Energy is to be exempted from at least some of the costs of reprocessing spent fuel—worth £17 billion. We now know that British Energy is paying only £16 million a year into the fund to pay for the cost of the clean-up operation—which is estimated to be a £3.6 billion saving in comparison with a more realistic and appropriate amount. We now know that the long-term fund assumes investment rates that are likely to leave the taxpayer with a lump sum bill of at least £1.6 billion. Whichever way privatisation is viewed, it is difficult to escape the reality that, yet again, the taxpayer is expected by the Government to subsidise shareholders' profits.

As I have said in the House before, the British public have already paid towards decommissioning through the fossil fuel levy on electricity bills, which has raised £1.8 billion. That public money was diverted to building Sizewell B. Given that the taxpayer is being asked to fork out again for decommissioning, will the Government return that money to the British public? Clearly, the answer is no.

Let us not forget that the privatised power stations are not the only nuclear power stations that will, at some point, need to be decommissioned. What of the Magnox stations—the dirtiest nuclear power stations in the world? They are too much of a liability for even the Government to attempt to privatise them. Who is to pay for that decommissioning? The answer, once again, is the taxpayer. Any profits from the advanced gas-cooled reactors should be going into a decommissioning fund that will cover the eventual cost of all the power stations, but instead it will go into the pockets of British Energy shareholders.

I simply do not believe that there is any way in which private sector efficiencies can cover the liabilities, or the loss of the income stream that the Government would have had for meeting those liabilities—an income stream that we know was inadequate because the Government accept that it is unlikely that the privatised industry will

be building any further nuclear power stations. In other words, it is not worth their while. Profits will simply not cover the real costs of the industry.

At the very least, do the Government agree that proceeds from the privatisation should be specifically designated to help meet Magnox public sector liabilities? The proceeds would probably not cover the cost of decommissioning the Magnox stations, but they would certainly go some way towards doing so. The proceeds should be placed in a segregated fund, and perhaps, the Government could add to them the £228 million gifted by the taxpayer to British Energy in the form of an endowment—a gift that remains totally without justification.

As we have already heard in this debate, this privatisation raises serious questions about safety in the nuclear industry. I do not agree with the hon. Member for Beckenham (Mr. Merchant) that safety issues should be underrated, although I am glad that he accepts that the nuclear industry carries safety risks. Not all Conservative Members would even accept that. I credit him with being honest. After that, we can disagree or not about whether those risks are worth bearing.

When I spoke in a previous debate on the nuclear industry, I was accused by a Labour Member of scaremongering about safety. I do not think that it is scaremongering to remind the Government of the submission made to the Select Committee on Trade and Industry by Captain Killick, the former director of safety and quality at Scottish Nuclear. He sought to remind the Government that a privatised nuclear industry is likely to "seek to make small erosions into safety margins for commercial gain."

I do not think that that personally criticises individuals. It is simply in the nature of the profit-centred job that they will be carrying out. The hon. Member for Beckenham was over-optimistic on that front. If a former director of safety and quality in the nuclear industry is concerned at the safety implications of privatisation, surely it is not scaremongering to take those concerns seriously.

Leaked internal documents from the Clifford Chance law firm show that the Government have been warned that cuts in manpower are compromising safety. Do the Government accept that advice, or do they dismiss it, too, as scaremongering? We have learnt that vital safety information was omitted from the privatisation prospectus. We have learnt that nuclear inspectors are increasingly concerned about the loss of skills in the industry and the ability to cope with an emergency. Do the Government consider them to be scaremongering too? As more and more details about privatisation are brought into the public domain, this privatisation makes less and less sense.

Standing in the Chamber today, it is difficult not to feel a sense of deja vu. We are debating for the third time what everyone knows, but which the Government in their quest for privatisation and short-term Government revenue at any cost still refuse to admit: the proposed sale of the nuclear industry is an expensive error of judgment that will cost the taxpayer dear. The Government's approach to the privatisation can be described only as deceitful and inept. We have received assurance after assurance from Ministers that liabilities will follow assets into the private sector. Those assurances have been steadily watered down over recent months, as the extent to which Parliament has been misled has been slowly uncovered.

The Liberal Democrats have not opposed every privatisation that the Government have proposed. We have sought to address them one by one.

Mr. Eggar: I think that I heard the hon. Gentleman say that Parliament had been misled. I am sure that he did not mean to say that; perhaps he could withdraw that comment.

Mr. Taylor: I think that what the Government have said is misleading. For example, in the previous debate on this subject, I said that the Government had gifted £265 million of taxpayers' money to the privatised nuclear industry. Ministers and others argued that it was not taxpayers' money, but the truth is that that money would otherwise rest with the taxpayer. On a number of other issues, the way in which this privatisation has been addressed is misleading. I do not think that that is unparliamentary or inaccurate.

As I said, the Liberal Democrats have not opposed all privatisations. We have been open to some, and criticised others because of concerns about the way in which industry will respond to those who use the privatised industries, especially utilities such as water. I think that we have been proved right on that.

On nuclear privatisation, the error goes more to the heart of the way in which the Government approach such issues. The Liberal Democrats believe that this privatisation is wholly financially mistaken. Since the Government are not stupid, the privatisation must be about getting short-term returns before the general election and the need for short-term tax cuts. In the long run, the proposed privatisation will be a financial disaster for the British public, and the House should put a stop to it.

8.37 pm

Sir Michael Grylls (North–West Surrey): I should like to follow the remarks of the hon. Member for Truro (Mr. Taylor), but I think that the point I made in my intervention was right. The value of something is its marketplace value, and that is what we should be considering, but we have been around that course. Decommissioning costs, as the hon. Gentleman knows very well, since he has been talking about them, have been dealt with very effectively through the segregated fund. I know that some of my hon. Friends have been very patient and want to speak, so I shall be brief.

Privatisation of the nuclear industry is one more step down the path of the innumerable privatisations that we have successfully launched and seen through during the past 16 years. The hon. Member for Truro said that it is all about money. Governments need money, and taxpayers resent being robbed of too much money, but a much more important reason for privatisation—I say this seriously to the hon. Gentleman—is freeing industry from the dead hand of government. I include our Government in that. I may be able to take the hon. Gentleman with me at least some of the way, because he has just said that his party has not opposed all the privatisations. My recollection is that the Liberal Democrats have not been very enthusiastic about them, but I shall not go down that path.

The real point is that Governments of all complexions have been bad owners of businesses. Business is the real bottom line. Our post-war history shows that to be true. Governments have been bad owners because they have

[Sir Michael Grylls]

not looked at businesses in a commercial or industrial way. Too often we—I include the Labour party, and I am sure that the Conservative party has done this in the past as well—have been tempted by short-term political advantage to freeze prices in the Post Office or, when the Post Office ran telecommunications, to say that it should not put up prices because a general election was coming up, or to tell British Airways, when it was owned by the Government, that although it had plenty of passengers it could not buy any more aircraft because the Government thought that the electorate would be more impressed if they spent money on schools or hospitals.

The argument has only to be put in that way to show how absurd is the ownership of industry by government. We are bad owners. We look at things in the wrong way. We are politicians. Let us be frank: we are concerned with garnering the votes when a general election or a by-election comes along. We would not be here otherwise. Those are the things that guide us; we should not have industries near us with which we can play around.

I remember Sir Ian MacGregor saying, when he was looking after British Coal—he also successfully guided British Steel to privatisation—that when he made decisions they reverberated all the way down the organisation, and the Secretary of State would be on the telephone asking why he was doing what he proposed, was he sure it was the right thing to do and might it not be better to think again because there was to be a question in the House, or the Select Committee wanted everyone up in front of it. Businesses cannot be run in that way.

My first point is that freeing this industry is just one more step down the path of getting industry out of the hands of government—out of state control, freeing it to make its own decisions, get its own investment and recruit its own people. Some of my hon. Friends will remember when some nationalised industries could not recruit, for example, the best finance director for their businesses because they were not allowed by statute to pay them more than a certain sum of money. The Minister was nervous of saying that a finance director should be paid X in case people said that that was a lot of money and he was blamed. Putting it that way shows the absurdity of it all, but that was the world in which we lived before. Changing that world is what privatisation has been about.

If there is change, and people are allowed to run businesses properly and efficiently according to private sector rules and away from politics, in the end—as we have seen with the other privatisations—consumers will benefit. I believe that exactly the same will happen with the nuclear industry. There will be price cuts for the benefit of consumers.

We in the House of Commons should be proud that, in the earlier privatisation of the rest of the electricity industry, we were one of the first countries, including the United States of America, to try—to a large extent we have been successful—to create a competitive market for electricity. That was done not for the Conservative party, not for doctrinaire reasons, not to bring in the money, but for the benefit of consumers. Consumers who gain from a competitive marketplace.

All sorts of clever people can write articles saying that the present electricity market, with a regulator, the pool and all the complications, is not perfect—I am sure that they can make some cogent arguments—but we should take some credit from the fact that we have started, and the market will be refined as the years go by. It is right that we should have privatised electricity generation and that we are now successfully introducing privatisation of the nuclear industry.

I grant the hon. Member for Truro that the establishment of the segregated fund is a fudge in a sense, because nuclear is special. His riposte to me was right, but I think that I, too, am right to say that the actual cost has no relationship to the market price. The hon. Gentleman is right to say that it is a fudge, but it is a balancing act between the contribution that the Government rightly feel that taxpayers should pay for decommissioning, and the contribution that the shareholders will pay for decommissioning. We can argue that the figures should be different, that there should be more for one and less for the other, but that again is a judgment that the Government have had to make. That judgment has to be right, or the privatisation will not be successful.

Mr. Matthew Taylor: My problem is that the Government are sacrificing a known income stream. If someone is to take it over, they have to make a profit, so there must be a loss on that. The only way of making that up is by making efficiency gains in the industry, but nobody will be building new privatised nuclear stations—so how can there be a sufficient gain for the shareholders and how can the Government's return make up for the loss of the income stream? The figures do not add up and nothing the Government have published suggest that they do.

Sir Michael Grylls: The hon. Gentleman will have to wait and see what the efficiency gains will be. We cannot prejudge the matter. It would be ridiculous for me to say that they will be X, Y or Z, and it would be equally ridiculous for him to say that they will not be X, Y or Z. We can, however, make a judgement on the basis of experience. There is no doubt in my mind that the Government underestimated the costs that could be taken out of the regional electricity companies. They were even more inefficient than we thought they were when we privatised them, and huge costs have been taken out of them. I do not know whether there will be such a big cost reduction in the nuclear industry. Let us say that it will not be so much, but I am sure that there will be a large cost reduction in getting away from the Government and running the industry efficiently.

We should also knock on the head the question of safety. Of course it is paramount. In a way, that is a ridiculous thing to say. That is true of any industry. There is nothing particularly special about the nuclear industry, except that a disaster such as occurred at Chernobyl is horrific. In an ordinary factory, a few people are hurt, which is terrible, but it is not a massive disaster that affects thousands of people. It is a question of scale, but the principle is the same.

Parliament has laid down, as hon. Members know, in the Health and Safety at Work etc. Act 1974, how industries should be run safely. The Health and Safety Executive has clearly said that it is happy with the arrangement. If it is not, it will tell the company, and the company will make changes. Once an industry is in the private sector, its directors have a clear responsibility for

safety and, ultimately, they can end up in prison if they neglect their duties. It is a serious business for the people who run companies.

I am sure—I think that the House will agree—that the industry will apply the same rigorous approach to safety whether it is in the public or the private sector. It could be argued that it might be even more rigorous in the private sector, because people's personal futures and the shareholders will be involved. I believe that it will be exactly the same. I compliment those who have worked for so long in the British nuclear industry on the very high standards that have been attained, and which I am sure will be maintained in the future—so we need not have any concerns about that. The structure is in place, through health and safety legislation, the Health and Safety Executive, the duties of the directors and the general responsibilities of the nuclear inspectorate. It is a tightly regulated industry, and quite rightly.

I am confident that this privatisation will follow the path of earlier privatisations, and be another success. I hope that it will be. Some hon. Members have always been against the nuclear industry. I do not want in any way to deride them, because we are all entitled to our view, but it is wrong to carry those views forward to an industry that is successful, has a good safety record, and now has the opportunity to proceed into the private sector. I hope that it will do very well.

Perhaps we should compare the nuclear industry with the mining industry, which has now been successfully privatised. Nobody suggests that, in private hands, coal mines are less safe than they were under public ownership. I do not think that anyone has made that claim. Perhaps they did during debates on privatisation of the coal industry, but I do not think that any hon. Member has said since privatisation that they are being run dangerously. The coal industry has applied stringent and strict safety measures, just as the nuclear industry will when it is in the private sector.

I compliment the Government on this privatisation, and believe that the House will see that it is one more successful privatisation, and one more toy taken out of the hands of government and placed where it should be—in the hands of professional managers.

8.52 pm

Mr. Michael Clapham (Barnsley, West and Penistone): The hon. Member for North-West Surrey (Sir M. Grylls) recognised the uniqueness of the nuclear industry but failed to develop that point. Had he done so, he would have recognised that that uniqueness marks it out as an industry that should remain in the public sector.

The United Kingdom's nuclear industry is unique in that it is made up of a mix of stations that are peculiarly British in design, with the exception of the pressurised water reactor. Although the industry lacks the uniformity that is found in some countries—for example, France—the stations are linked in most important ways, so it just does not make any economic sense to privatise the advanced gas-cooled reactors and PWRs and separate them from the Magnox stations.

Together, the AGRs and PWRs have massive liabilities. Magnox stations will be the first stations to be decommissioned, and as a PWR station costs some £3 billion and may have a life of some 30 years, it should be part of the public sector so that the income stream that it generates can go towards meeting the enormous liabilities that will have to be met. The House may be aware that the Sadnicki report, which was published on 5 June this year, showed that it is likely that the public sector will be left with liabilities of some £6.9 billion as a result of this privatisation.

I must question some of the points that the Minister made, because on this privatisation the Government have been consistently economical with the truth. They know full well that, if they put their cards on the table, they would not attract investors to the industry. Even though they have kept a veil over certain information, they have still had to use at least £100 million to attract investors.

In the nuclear review, the Government said that the full liability would follow the asset. This evening, I heard the President of the Board of Trade confirm that from the Dispatch Box, but there is still much scepticism. I share some of the fears voiced by the hon. Member for Truro (Mr. Taylor), who speaks for the Liberal Democrats. The House will be aware that the Select Committee on Trade and Industry reported after making a thorough study, yet it was, to some degree, sceptical about the breadth of the segregated fund.

The Select Committee made two recommendations in that regard: first, that the Government should establish more reliable arrangements to ensure that long-term liabilities arising after the closure of the stations are discharged; and secondly, that the Government should set out in detail in the prospectus for British Energy their conclusions about the appropriate level of contributions to the segregated fund, and that the level of provision for that fund should be prudent.

As far as I am aware, that detail has not appeared in the prospectus; because it has been light on information, people are sceptical of the Government's motives. Liabilities for both Magnox and the AGRs, with PWRs, are massive. In undiscounted terms, they are £31.6 billion. Those for the AGRs and PWRs are £14.6 billion. If the Government are correct in what they have been telling the House, the whole of that £14.6 billion will follow the asset.

When we examine the position a little more closely, however, we see that there are certain questions to be raised. The Sadnicki report, published on 5 June, claims that liabilities of £6.9 billion will be left in the public sector. The report begins by looking at the segregated fund. The fund provides for British Energy to contribute just £16 million annually, but the report suggests that that sum should be increased by 800 per cent., to £127 million a year, if the liabilities are to be met.

The report also discusses the discounting of liabilities that already rest with British Nuclear Fuels plc, which—in terms of fuel that has been reprocessed by BNFL—is estimated to be worth some £4 billion. Sadnicki's analysis suggests that the Government will reduce that to just £1.7 billion. The report also examines the way in which the Government are applying the interest rate. It considers the 2 per cent. that Government actuaries advise to be insufficient to ensure that the fund will accrue enough to meet all its liabilities.

Let me sum up the report's analysis. It suggests that the public sector will be left with liabilities of £6.9 billion, but that is not the end of the story: the £6.9 billion will be in addition to the £17 billion of liabilities already created by the Magnox stations. In other words, the public

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sector is likely to be left with a massive £23.9 billion of liabilities as a result of privatisation. It would seem to any sensible person that an industry that creates the liabilities created by the nuclear industry must provide the income stream that the newer stations are able to provide in order to meet such liabilities; in this instance, however, the income stream will go into the private sector, and those massive liabilities will fall on the taxpayer.

Much has been said about safety. I do not want to cover ground that has already been covered in our last debate, but I wish to draw attention to the latest report by the law firm Clifford Chance, which was asked to carry out a survey of the industry and report to the Government. In that report, which has been made available, Clifford Chance stresses that the reduction in skilled manpower in the nuclear industry could lead to error. The industry relies on highly skilled manpower, and in an industry such as this mistakes can be disastrous.

None of that information has been published in the prospectus, but Barclays de Zoete Wedd—the company that has been advising the Government—suggests that the industry will be able to make a profit only by increasing the performance of AGRs from its current 72 per cent. to 82.5 per cent., an enormous leap. The AGRs have so far achieved an operating performance of no more than 74 per cent., back in 1985, and 82.5 per cent. does not seem achievable. Those who are using the prospectus as a guide to investment should have had that information, so that they could make a judgment. The Government know full well however that, if the Clifford Chance report were made available to them, they would decide not to invest after one look at it, because there are so many risks.

The last time we debated the issue, I told the House about the informal network in the industry that passes information from station to station and from engineer to engineer. That is particularly important in relation to safety. When those who gave evidence to the Trade and Industry Select Committee were questioned, they said that there would continue to be no such thing as commercial confidentiality to cut across the network. Since then, I have had the opportunity to talk to senior people in the industry, who now believe that commercial confidentiality is likely to reign. That means that an important network, along which a good deal of information about safety is passed, is likely to be cut. Again, that will add to risk in the nuclear industry.

One of the other things to which the Minister has not referred and which was in the Clifford Chance report concerns liabilities in relation to common law damages. I note, for example, that *The Guardian* today refers to the report on the issue. *The Guardian* suggests that the 20,000 "radiation workers" who have been close to radiation—workers who are currently in the industry and who have worked in it—face a high cancer risk, and that, by the end of the century, each year, 200 people who have worked in that nuclear industry sector are likely to develop cancer.

At present, the industry has a no-faults common law system, but if settlements amount to £20,000 on average, 200 people a year means £4 million of common law liabilities. None of that information, however, appeared in the prospectus. Why was that information not in the prospectus?

The nuclear industry is unique and it needs to be linked together because of the enormous liabilities. When one part of it is privatised, especially the part that comprises newer stations that create an income stream, that income stream is no longer available to deal with the liabilities; consequently, the taxpayer must meet those liabilities.

As I have said, those liabilities are enormous. The segregated fund is not sufficient to be able to cater for them, so clearly the taxpayer will be that much worse off from privatisation. The asset's cash value is extremely low and privatisation would not be possible if sweeteners were not available to investors. If privatisation were abandoned, as it should be, the AGRs and PWRs would be kept in the public sector and the revenue stream that they would generate would go towards dealing with the liabilities. In that sense, it would relieve future taxpayers of having to meet the industry's enormous cost.

9.7 pm

Lady Olga Maitland (Sutton and Cheam): I have been listening to a litany of hostile speeches by Opposition Members, bashing the nuclear industry and bashing privatisation.

Mr. Battle: Bashing the figures.

Lady Olga Maitland: The Labour party is bashing the figures without any justification. It is sad that, by running down the industry in that way, it does no—

Mr. Clapham: Will the hon. Lady give way?

Lady Olga Maitland: No. I am going to continue, because the hon. Gentleman has had plenty of time to make his remarks.

Mr. Clapham: I want to return to that point.

Lady Olga Maitland: Nevertheless, I am going to continue.

The nuclear industry has been a source of enormous pride to the country. I am delighted by the idea that, at long last, we are going to privatise it, which is marvellous news for customers, for taxpayers and, ultimately, for the nuclear industry.

I first became interested in the industry in the 1960s, a long time ago, when my father was known as Patrick Maitland and was the prospective Member of Parliament for Caithness and Sutherland. I remember going around Dounreay, which was up and running and a thriving show for the future: there was no doubt about it. Ultimately, we will run out of fossil fuels and everyone, everywhere will have to rely on the nuclear industry. I had an opportunity to learn at first hand how it would become part of our everyday lives and how not only we but our children would depend on it. Dounreay meant a great deal for the whole country and brought a tremendous amount of vibrancy to the local economy in terms of jobs and infrastructure.

Moving on from those early days, it is exciting to think what privatisation will do for the industry and the country. Nuclear energy will undoubtedly gain much greater commercial freedom. It is appropriate for the Government to hand over all management decisions to the professionals, who know the business and should control

investment—so that they no longer have to be influenced by public spending levels or other considerations. The industry should have the freedom to compete for and win business in overseas markets, like any other venture.

The right to manage the industry professionally matters, but so do the industry's customers. We will all benefit from lower electricity bills. Surely there cannot be anything wrong with that prospect. It is absolutely right to support greater competition in the electricity generation market, which will come from greater efficiency, responding to consumer need and lower prices. A typical household electricity bill is set to fall by £20 as a result of nuclear privatisation and will tumble further as time passes. The taxpayer will also benefit. The proceeds of privatisation will go into the public purse, which must be good news, and the company's liabilities will be transferred from the public to the private sector—which will then take responsibility and run the risks.

I acknowledge that safety is paramount, but I intensely dislike Labour's exploitation of that aspect for political purposes, to frighten people when there are no grounds for doing so. Scaremongering about the nuclear industry has been going on a long time and is unacceptable. In the 1980s, the Campaign for Nuclear Disarmament concerned itself with defence issues; but as soon as it started losing that argument, CND turned its attention to the nuclear industry for political purposes and tried to terrorise the public into feeling uncertain and uncomfortable. If such propagandists think that they are winning, they are wrong. The Government have consistently put a high price on safety. There is no reason, just because the industry is to be privatised, for anyone to believe that safety will be jeopardised.

The existing regulatory mechanisms will remain in place. The nuclear installations inspectorate will continue to enforce safety. Other bodies that have offered an opinion are in no doubt that safety will be properly regulated and rigorously applied. The Select Committee on Trade and Industry, after extensive investigation, concluded that the privatisation of British Energy need not result in any reduction in safety.

The World Association of Nuclear Operators said that it is

"aware of no evidence to suggest that the ownership (i. e. public or private) has any bearing on the level of safety and reliability achieved".

As my hon. Friend the Member for Beckenham (Mr. Merchant) pointed out in his speech, the Health and Safety Executive has made clear its support; it has no doubts about the matter.

In the light of all that evidence and that strong support, I am sorry that the right hon. Member for Derby, South (Mrs. Beckett) should, on a quite unfounded basis, turn up the fear factor.

Mr. Battle: She has not.

Lady Olga Maitland: The right hon. Lady issued a press release on 17 November last year, which stated:

"people have all along feared that safety would take second place to the Conservatives' need to raise money for tax cuts".

If that is not blatant scaremongering for political purposes—without any foundation whatsoever—I do not know what is. That quotation tells me and everyone else one thing: Labour is certainly not fit to govern.

I am delighted with this debate. I am delighted that we have had the opportunity to welcome the privatisation of a very important part of British industry. I have absolutely no doubt that everyone will benefit, that the electorate will feel comfortable about the way in which we are transferring the industry into the private sector and that they will give it their total support.

9.15 pm

Mr. Ken Purchase (Wolverhampton, North–East): It comes ill from the hon. Member for Sutton and Cheam (Lady Olga Maitland) and from Conservative Members generally to complain that Opposition Members have in some way for political purposes raised the spectre of a nuclear incident. It comes very ill from them because the purpose of this privatisation is completely political—to get a few more quid in the jam jar so that the Government can give it away in tax cuts to sweeten the electorate before the next general election. If anyone is playing politics with the nuclear industry, the blame rests fairly and squarely on Conservative Members. There should be no doubt about that in people's minds.

It is interesting that at least two Conservative Members who have spoken in this debate—especially the hon. Member for Beckenham (Mr. Merchant)—made the point that, in general, safety records of former Government-owned utilities have improved since privatisation. A report which came out only a few days ago stated that safety records had improved.

In the years between privatisation and now, would it not be amazing if gains had not been made in industry and plant safety and operation? It would have been even more amazing if, in 1945, we had nationalised the coal industry, for example, on the basis that we wanted to improve safety. It would have been even more amazing had real gains in safety not been made.

As technology moves on, men and women work more safely, and processes, efficiency and effectiveness are improved. Those are normal developments in a dynamic technology, and they have occurred in this and in many other industries. It would therefore be quite extraordinary if the claim that safety records have improved could not be substantiated.

The point is that the nuclear industry's safety record should be second to none—a point that Opposition Members have repeatedly proclaimed. The point is that privatisation—or commercialisation—brings to bear unnecessary pressure on workers to cut corners, to increase productivity to meet specific financial targets. That is particularly relevant to safety in the nuclear industry, because, so far as possible, nuclear reactors must continue working without interruption if they are to operate most economically.

Very often—three times recently—we have heard about incidents in which a reactor should have been closed down but was closed down too late or not at all. Fines have been levied for those incidents. We are introducing an unnecessary commercial imperative into the industry. The British nuclear industry has one of the best safety records. It is continuing to make considerable productivity gains and, for as long as the installations remain in commission, it will continue to produce electricity at a lower and lower cost.

Sir Michael Grylls: I am following the hon. Gentleman's argument carefully. He said that the

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pressures on a privatised nuclear industry would make it less safe. If he could point to any of the industries that we have privatised in all these years in which that has happened, his argument might have some strength. I cannot recall any that have become less safe because of commercial pressures in the private sector.

Mr. Purchase: The hon. Gentleman need not exercise his memory any longer. Right now, the level of injuries in the coal industry is rising.

Mr. Eggar *indicated dissent.*

Mr. Purchase: It is true. The level is much higher than it was under the National Coal Board.

The issue of ownership is now in the political frame for both sides of the House and there is merit in arguing that it is outcome, not process, that is important. The nuclear industry is special, because the inherent dangers of an accident are tumultuous compared to those from any other form of energy generation. Because of that, it is important that it should remain the responsibility of the Government of the day. The Government should not be attempting to get out from under that responsibility.

I mentioned earlier that the incident at Three Mile Island did not involve just a matter of ownership. That nuclear incident almost led to a catastrophe, and to this day, settlements have not been made in the civil courts for those who claim to have suffered injury.

Anyone considering investing in the British nuclear industry, particularly those intending to hold the shares for any length of time—that is another matter—should recognise that the insurable costs that he or she is likely to have to meet will grow year on year as the underwriters and the industry begin to understand that the risks cannot be properly quantified. The message that should go out is that insurance premiums will rise and there is likely to be an increasing liability on the industry in private hands to meet the unquantifiable risks attached to it.

The Secretary of State mentioned the £100 million dividend that will be provided early in the life of this privatisation. He said that it will come about because the industry has a healthy cash flow. It is true that the industry is generating cash, but the Secretary of State will surely recognise that, although the cash flow might appear to be large, it may not necessarily be positive when measured against the company's liabilities either on or off the balance sheet. Cash flow is simply a measure of ability to pay current bills, not past or future bills. In truth, the present liabilities, on a discounted basis or otherwise, are very large. That is why the Government have to make special arrangements to discount at an inappropriate rate.

It is estimated that, by some miracle—Treasury magic—£7 billion has been knocked off the cost of disposing of the liabilities. That has been done very simply. It is not a miracle and is not even a sleight of hand. It is no more than a cheap trick. The Government have changed the discount rate from 2 to 3 per cent. so that the liability is down from £21 billion to £14 billion. One can play that game for ever.

I was privileged to serve on the Committee that considered the Crossrail Bill. The Government became anxious about the liabilities, the costs and the payback on the investment and changed the discount rate the other way. They knocked it down from 8 to 6 per cent. to give a better cash flow. That is merely an accountants's manoeuvre—and they will do what they are told in the interest of serving their political masters. There has been jiggery-pokery in determining the liabilities of the industry.

I shall briefly discuss what the brokers have had to say about the privatisation. *[Interruption.]* I always listen to what they have to say. I like to see how the shares that I have not got would have been doing had I bought any.

Mr. Lang: Does the hon. Gentleman not let the union do it for him?

Mr. Purchase: I do not at all let the union do it for me.

Justin Urquhart-Stewart of Barclays said:

"This is only for certain people because there are obvious risks. The business isn't even profitable yet."

That bears out what I was saying about paying the dividend from cash flow, which is fully committed before a dividend has been paid. He added:

"Please Sids, don't enter this one."

Eric Hathorn of Henderson Crosthwaite expects stags to make a quick profit when trading starts in the middle of next month. That is because everyone is looking at the short term. No one wants to hold the stock for long; people know that the liabilities will catch up with them. It is good for the stags. Mr. Hathorn will not be classifying the stock as high-quality earnings. He says:

"You cannot feel sure that you will get a steady growth in profits. And if anything goes wrong, you have a scare of BSE proportions."

If that is what the broking world says, other people should be careful.

Finally, decommissioning is a muddle. It was never properly explained or dealt with in the House or in Select Committee. It is estimated that decommissioning costs will amount to some £4 billion, according to the utility's estimates. However, the discounted cost, due to compounding, will be only £700 million. That is what the industry says. The Minister said something similar this evening.

Barclays de Zoete Wedd estimates that decommissioning costs will amount to 11 per cent. of nuclear liabilities. The discount is so large because the period in which funds can be compounded is very long—175 years. Put simply, that means that generations as yet unborn will pick up the price tag for the folly of the Government's privatisation plans for the nuclear industry. It is a special industry for which Government, and Government alone, should bear responsibility. There is no way the Government—in the immortal words of the late John Smith, the "Not me guv, Government"—will properly accept their responsibilities.

The typical lifetime of a modern nuclear power station is 40 years, with perhaps one or two extensions. That is followed by 135 years of decommissioning. That second period starts with three years to remove highly radioactive fuel elements, after which the plant must be left to cool for 130 years.

There are two counts to answer. The liabilities of the industry cannot be properly quantified; nor can the insurance risks. Responsibility for the industry lies solely with the Government of the day. Failure to take responsibility will be paid for not at the next general

election, or even the one after, but by generations as yet unborn. That is the responsibility that the Government bear and the burden that they should consider. It is the reason that they should not press on with what they call the final burst, which, unfortunately, in historic language, may prove to be a final solution.

9.29 pm

Mr. John Battle (Leeds, West): My hon. Friend the Member for Wolverhampton, North–East (Mr. Purchase), in an excellent speech, referred to the reaction of some of the City brokers to this sale. I shall begin by quoting a comment that appeared in the Lex column of the *Financial Times*. It started wonderfully:

"Go to a closing down sale, and you expect to pick up something cheap. Certainly, the final offering of the British government's great privatisation bazaar—British Energy, the nuclear generator—looks a classic bargain in the making. Inevitably, many investors will fall back on yield-based valuations which underrate the company's potential to gear up and churn out cash. Furthermore, daunted by British Energy's vulnerable revenues and heavy long-term liabilities, they may even demand a higher yield than even Railtrack fetched."

It is a disgrace that the House has not had the opportunity to debate this privatisation properly in Government time, as it did the privatisation of Railtrack. It is estimated that this privatisation will, in the short term, perhaps raise as much cash as that privatisation. We last debated nuclear privatisation in Opposition time on 26 March. Since then, our detailed questions on the financial deal and the details have never been properly answered. Indeed, as we have seen since the draft prospectus has been published, those questions are even more pertinent now than when we posed them on 26 March.

We still have not received a proper response from the Government on the Floor of the House to the Trade and Industry Select Committee's report on nuclear privatisation. The Government seem determined to push on with it regardless of the costs and, to some extent, in contempt of consideration in the House. Why? On 8 November 1989, the Government were totally opposed to any sale of the nuclear industry. The nuclear industry was withdrawn from the proposed privatisation of the electricity industry.

The then Minister declared in the House that retaining the nuclear industry in the public sector was

"the best way of ensuring a long-term future for nuclear power in this country."—[*Official Report*, 8 November 1989; Vol. 159, c.1174.]

Those were the words of the Minister at the Dispatch Box. Now the Government, in a desperate dash for cash, are day by day sacrificing any long-term interests on the altar of the short-term cash fix, in a final bid to buy back what many of us now regard as their irretrievably lost popularity.

Let us recall the history. On 9 November 1989, the then Secretary of State for Energy, now Lord Wakeham, was adamant. He spoke about the unprecedented guarantees that were being sought by the City if privatisation was even mooted. He said:

"I am not willing to underwrite the private sector in this way."—[*Official Report*, 9 November 1989; Vol. 159, c. 1171.]

Nuclear power stations were originally kept out of electricity privatisation precisely because, if the liabilities were to follow the assets, those power stations would be totally unattractive to the market. The power stations would have been unsellable and the Government knew that.

So what did the Government have to do? They realised that they had to make nuclear power stations sellable, and did so by fudging the relationship between the liabilities and the assets and pushing as much as they could on to the public sector.

Ever since 4 March this year, when the marketing programme was launched, we have seen nothing but more and more underwriting, as each week has moved towards the final sell-off. New sweeteners have been revealed week by week to make the industry more acceptable to any prospective buyer. It has been the sweetener deal of the century.

Let us not forget that the Government are not privatising all the nuclear industry. That rather kills off the arguments of Conservative Members who have spoken in eulogistic terms about privatisation in principle. This is the Government who decided to privatise a bit of the nuclear industry. They are privatising the seven modern advanced gas-cooled reactors and the new pressurised water reactor, Sizewell B, which was opened only a few weeks ago. They are leaving the nine aging Magnox stations and BNFL behind, leaving all their liabilities in the public sector.

In other words, the Government are flogging off the current cash-generating end of the business, leaving behind in the public sector a large part of the liabilities for reprocessing spent fuel, decommissioning and shutting down nuclear plants, and the management, treatment and disposal of radioactive waste. All those irradiated liabilities are being left behind effectively in the public sector, yet we have repeatedly been told that yes, liabilities will follow assets.

Our opposition to the privatisation of the nuclear industry has been focused around the financing of the deal.

Mr. Miller: I wanted to put this point to the President of the Board of Trade, but he would not give way. Does my hon. Friend agree that the problem might be even worse than he has described because, in recent years, the Magnox stations have been run at an extremely high output level, thus bringing forward embrittlement problems, benefiting the Exchequer to the disadvantage of the new company? Does he think that the short-term attitude adopted by the company emphasises the way that it has appallingly abused a great asset of the country?

Mr. Battle: My hon. Friend pinpoints in detail the short-termism that is going on. He is absolutely right.

I add as a rider that all that we have seen from the Government and in the prospectus is based on a rosy, most optimistic possible assessment. My hon. Friend the Member for Clackmannan (Mr. O'Neill) said that the assumption of the load of the new industry sector was originally set at 82 per cent. for the seven AGRs and Sizewell B. Never in history has that figure been reached. I gather that the Government have dropped the figure to 75 per cent. now, but the best year's performance was 74 per cent., as my hon. Friend said.

Those are incredibly rosy assessments of what will happen to the privatised bit, but they are based, as my hon. Friend said, on what has been happening to what is

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left behind as a short-term deal to prime the industry for sell-off. In other words, the Government's nuclear sums are skewed in favour of a massively subsidised sweetener deal. That is the reality. Eight power stations are being sold off for less than the price of building one and taxpayers will be left with billions of pounds of nuclear liabilities well into the next century.

Let us look at some nuclear arithmetic. City estimates now say that the sale will raise £1.7 billion. The Government's original estimate was £2.6 billion, yet Sizewell B, the power station that has just been opened, cost £2.964 billion to build in March 1995 prices.

That power station was built from the proceeds of the nuclear levy that was stuck on to everyone's electricity bill, ostensibly to pay for the waste disposal of the liabilities. In other words, electricity consumers paid to build Sizewell B directly, although Parliament was never told about that. The French were, in the deal with the interconnector, but not Parliament.

Then what is revealed to us? On 13 June this year, not in this place but in the House of Lords, the Government conceded that the historic cost of the power station is £9.3 billion. Yes, we do know the difference between market cost and historic cost, but the historic cost does not magically disappear. Even the asset value of British Energy was written down by £1 billion from £6 billion to £5 billion between the publication of last year's accounts and the launch of the prospectus. That £1 billion disappeared from somewhere in the accounts.

In a written reply in May this year, the Minister told his colleague, the hon. Member for Colchester, South and Maldon (Mr. Whittingdale):

"there has been a permanent diminution in the value of certain nuclear fixed assets of about £1.2 billion"

since 31 March 1995. Furthermore, he said:

"the fixed assets will stand in the balance sheet of British Energy at approximately £5 billion."—[*Official Report*, 10 May 1996; Vol. 277, c. 295.]

That was the first time the Government admitted that they had marked down the price by £1 billion at public expense. The liabilities associated with the Magnox stations were valued at £8.5 billion by the Government at the time of the nuclear review, and they were to be met from the £2.6 billion built up from the value of the assets. Now we find that the AGR and PWR sale proceeds will be much less than £2.6 billion, so the shortfall is bound to fall on the general taxpayer.

In that written answer to which I just referred—one of those planted replies that gives us information if we look out for it on a wet Friday afternoon—the Minister said that taxpayers' liabilities would be capped at £3.8 billion—a maximum, not an estimated actual spend. It is reasonable to argue that any gap between the sale proceeds and the amount paid for by taxpayers in this way is a cost to taxpayers—of decommissioning Magnox stations—without the benefits of the revenue stream from the power stations that are being sold off.

I predict that, before many years are out, if the sale proceeds on the terms proposed by the Government, the Public Accounts Committee will find itself exposing a scandal of Pergau dam proportions, as the financial fixing that has gone into preparing British Energy for the market is revealed. My hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham), a member of the Select Committee with great expertise in those matters, used a wonderful parliamentary expression: the best that we can say about the figures, he said, is that the Government are being economical with the truth. My hon. Friend the Member for Wolverhampton, North-East spoke of accountancy manoeuvring. Both expressions accurately reflect what is going on.

Let us consider the liabilities for a moment, not forgetting that the Government are selling off only the more modern half of the industry. The Government promised that a shortfall in the decommissioning of the older Magnox stations would be met by the sale proceeds, not least because the older Magnox stations will lose the income from the newer nuclear generators. As the sale proceeds will be insufficient to cover the decommissioning costs, Ministers have loaded the £3.8 billion back on the taxpayer.

Certainly, the Government have set up a segregated sinking fund to deal with British Energy's liabilities; but while BE puts in £16 million a year, the public sector companies remaining behind will contribute £228 million after privatisation. In other words, British Energy's clean-up costs come in the form of a dowry—the Secretary of State's word. I understand that a dowry is a gift for setting up a new relationship. In this case, the Government will extract it from the balance sheets of the publicly owned nuclear companies.

I want to ask the Minister again for an answer to a question that we have regularly posed. Is he any clearer yet about the financial relationship between BNFL and the Magnox industry? The Government propose a merger, but neither knows what liabilities it will have to pick up. As Mark Baker of Magnox put it in his evidence to the Select Committee, he is still not fully aware of the eventual shape of his balance sheet.

This is a short-term, short-sighted financial fix—aptly advertised as a final burst of energy at the end of the Government's programme. Perhaps it is their last gasp before they disappear completely. The claims that we have heard tonight about cheaper electricity prices are pretty rich coming from the Conservative party, which slapped VAT on electricity bills. If they removed it, there would be much greater savings than there will be under this scheme.

The long-term future of British Energy remains the great unknown. Will the newly privatised entity continue to sell its electricity through the pool to the grid on privileged terms, or will it be asked to compete on an equal footing with other private generators? This week's *Utility Week* states:

"British Energy faces the prospect of defaulting on a £500 million loan taken out with five banks as part of its leap into the private sector because of changes to rules . . . This could dent the profitability of the privatised company. Indeed BE's pathfinder prospectus said any Grid Code change having a 'material adverse effect' could be grounds for defaulting on the loan."

I would be interested to hear the Minister's comments on that. What about the dash for gas? It is suggested that British Energy will move away from nuclear energy and move into gas. Everyone is moving into gas, so its prospects as a competitor are being diminished.

No one believes that this is a good long-term investment. Recently, a stockbroker in Yorkshire tried to talk up the prospectus on the radio. He was asked whether

he would buy shares and he said, "Certainly not in the long term." He was complimented on his honesty. He said that the shares would be of value only in the short term—that people with £300 to spare will buy on day one, but they will sell on day two and pick up a tidy sum on the way out. It is a subsidised sale.

The Government are selling off taxpayers' assets at a massively knocked-down price—they are trying to get as much liquid cash as they can to prime a pre-election tax bribe. This is a desperate last dash for cash. It should be called off because we will all pay for generations to come. Perhaps it is too late for the Government to call this off, but they ought to allow a party with a longer-term vision to put its prospectus before the British people and to call a general election.

9.45 pm

The Minister for Industry and Energy (Mr. Tim Eggar): I congratulate the right hon. and hon. Members who have attended the debate—greater men or women hath made no greater sacrifice than to attend the debate this evening. I have a little reservation about the judgment of the Labour Front Bench in choosing this topic at this time. I think that the Scots are more loyal to the alternative attractions than the English, and I can understand why.

It would have been helpful to the reputation of the hon. Member for Leeds, West (Mr. Battle) and of the House if the hon. Gentleman had made some elementary inquiries before writing his speech. He went on at some length about the absence of accounts for Magnox Electric—yet I have a copy of them in my hand. They were published, and well publicised, at the end of last week. A call to Magnox Electric or to my office would have revealed that, and I would have been delighted to pass them on to the hon. Gentleman.

The main theme of the Labour party's attack—if it can be called that—has been a reprise of the argument that it has used at every privatisation debate. The Labour party has opposed every privatisation over the past 17 years and it has used almost identical arguments every time—although even NERA has come up with a safety analysis that shows that the Labour party's safety scares in relation to privatisation have been ill founded.

We believe that privatisation is good for the customer, good for the company and for the shareholder, and good for the taxpayer. We believe that the privatisation of Nuclear Electric will be as successful as previous privatisations.

I have enjoyed one particular aspect of the debate. The hon. Member for Wolverhampton, North–East (Mr. Purchase) did something quite remarkable: he obviously sat down with the *Financial Times* and a great mound of brokers' circulars at his side last Sunday night and worked out the best investment opportunities for the Purchase household. He came across selective quotations from particular brokers, on the flotation of British Energy.

I welcome the hon. Gentleman to the capitalist world and to the world of wealth creation. I have a wonderful image of him up there in the north sitting behind his reproduction oak desk. Now that he is a modern new Labour man, perhaps he is linked to the Internet. If the reports were on the screen in front of him, he would not have to look through a great mound of documents. I have obviously impugned the hon. Gentleman, so I shall give way.

Mr. Purchase: I have been involved in wealth creation for almost all my working life. I use the tools of the trade and not the *Financial Times*. I was the chap who created the production output for the *Financial Times* to write about.

Mr. Eggar: I am delighted with that rewriting of history. I wish the hon. Gentleman well in his new career as a stock market analyst—I am sure that it will enhance his prospects under new Labour.

Safety was a recurring theme in hon. Members' speeches. I make it absolutely clear that there is no way in which the Government or the company will imperil safety. While I was absent from the Chamber, I understand that the hon. Member for Barnsley, West and Penistone (Mr. Clapham) referred to today's *Guardian* article. The story was totally predictable—only yesterday afternoon, I guessed that *The Guardian* would run another nuclear scare story this morning. True to form, it did just that and, true to form, that story proved to be as unfounded as the previous ones.

What I found particularly reprehensible about the article—I understand that the hon. Gentleman referred to this point—was its reference to the national average risk of dying from cancer. It is true that, nationally, the average risk of dying from cancer is one in four. However, in practice and as a matter of fact, it is not the case that nuclear workers are at a greater risk of contracting cancer. Research shows categorically that average cancer rates among workers in the nuclear industry are below the national average. It does the hon. Gentleman no credit to repeat such a scare story.

Mr. Clapham: I raised that statistic in the context of liabilities for common law damages. The article in *The Guardian* said that, by the end of the century, probably 200 people per year would have a common law claim against the nuclear industry. Therefore, I ask whether there is a no-fault scheme. How do the Government intend to replace that scheme? If we are talking about an average of £20,000 per claim, that amounts to a big liability of about £4 million per year. If that is the case, the information should have been in the prospectus.

Mr. Eggar: The hon. Gentleman is stating, at least implicitly, that cancer is caused by working in the nuclear industry. There is no evidence that that is so. Whatever other debates we may have about the nuclear industry, it does no one any good to promulgate such a scare story.

The hon. Member for Leeds, West referred to statements by my noble Friend Lord Wakeham in November 1989. It is quite true: we decided at that time that it was not in the taxpayers' interest to sell the nuclear industry. It is a great credit to the management and the employees—including the trade unions—in the nuclear industry that they improved the efficiency and the productivity of that industry so that it can now be privatised, with good returns for the taxpayer and benefits for those same employees.

Mr. Wilson: Will the Minister give way?

Mr. Eggar: No, I shall not give way to the hon. Gentleman. He has not been present during the debate except at the very beginning.

Mr. Wilson *rose—*

Mr. Eggar: I will not give way. The hon. Gentleman did not sit through the debate.

[Mr. Eggar]

I must repeat again that liabilities have followed assets in the proposals for the sale of British Energy. We have made it clear in the past that that will happen, and I repeat quite categorically and unreservedly that liabilities will follow assets and that British Energy is responsible and will remain responsible for the liabilities that are associated with its stations.

The right hon. Member for Derby, South (Mrs. Beckett) and the hon. Member for Leeds, West made two particular criticisms. They accused the Government of setting the dividend at too high a level and, almost in the same breath, criticised us for selling British Energy too cheaply. New Labour claims to be the friend of industry and, like the hon. Member for Wolverhampton, North–East, to have learned how financial markets work. It has, however, failed to grasp a very simple point. All other things being equal, a higher dividend being paid by the company increases its value, and in contradistinction, a lower dividend decreases its value. That simple fact means that the Government cannot at the same time be setting too high a dividend, which was one accusation, and simultaneously be selling the company too cheaply. Almost all companies are valued in relation to a multiple of the dividend that is being paid.

The hon. Member for Leeds, West simply does not understand the difference between profits in accounting terms and cash flow. It is up to the directors of the company to decide what they can afford to pay in dividends. As a general rule, from the taxpayers' point of view, the higher the dividend, the higher the proceeds that will be realised. The hon. Gentleman must understand that, by arguing for lower dividends, he is in effect arguing for lower proceeds for the taxpayer. He may not understand that, but it is an irrefutable fact, and it would be welcome if he admitted it.

When I first entered the House back in 1979, the Government owned the gas industry, the electricity industry, the coal industry and, in practice, much of the United Kingdom's rapidly expanding oil industry. As my hon. Friend the Member for North–West Surrey (Sir M. Grylls) said, in effect Ministers decided prices and made investment decisions. Those great utility industries were in practice cynically used as part of micro-economic decision taking by—one regrets to say—Governments of both major parties. As my right hon. Friend the President of the Board of Trade said, under Labour, that system gave us 2 per cent. increases in electricity prices on a six-weekly basis. As he also said, it meant that taxpayers paid £50 million a week in subsidies rather than receiving £55 million a week in taxes as they do now.

In practice, back in 1979, the Government decided what energy we should be provided with in our homes and what we should pay for it. That is all behind us. The sale of British Energy completes the privatisation of the energy sector. The benefits of that privatisation programme for customers are there for all to see. We in Britain have led the world in creating competitive energy markets. This privatisation shows that we are maintaining that lead.

The Opposition have opposed the privatisation of the nuclear industry, just as they have opposed every other privatisation. They said that electricity privatisation would mean that prices would rise. In practice and in fact, prices have fallen. They said that nuclear privatisation would saddle the taxpayer with huge liabilities and compromise safety. In fact, liabilities will follow assets into the private sector and everybody has made it clear that safety will continue to be paramount.

Privatisation is good for the company, for shareholders, for employees and for consumers, who will benefit from increased competition and from more downward pressure on prices. Privatisation is good for the taxpayer, who will benefit from significant proceeds and a substantial reduction in the cost of liabilities left in the public sector.

I ask the House to support the Government's amendment.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 235, Noes 266.

Division No. 152] **[10.00 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eastham, Ken
Etherington, Bill
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fraser, John
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
Garrett, John
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Janner, Greville

Jenkins, Brian *(SE Staff)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Sheerman, Barry
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Sutcliffe, Gerry
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Ms Ann Coffey and
Ms Janet Anderson.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*

Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wiltshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and Mr. Simon Burns.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the publication of the Pathfinder prospectus for the sale of British Energy which confirms that the sale fulfils the Government's commitment to ensuring that liabilities follow assets into the private sector and is a good deal for the taxpayer who will benefit from equity proceeds, debt repayment and the permanent transfer to the private sector of responsibility for almost £4 billion of nuclear liabilities, for British Energy employees who will now have the opportunity to take a real stake in the future of their industry, for Magnox Electric which will be a robust public sector company capable of meeting its liabilities as they fall due; and further notes that the privatisation of British Energy serves the long term interests of the taxpayer, the industry, and consumers; and condemns the persistent attempts by the Opposition to undermine this and other privatisations.

TRIBUNALS OF INQUIRY (EVIDENCE) ACT 1921

Motion made, and Question put,

That it is expedient that a Tribunal be established for inquiring into a definite matter of urgent public importance, that is to say, the abuse of children in care in the former County Council areas of Gwynedd and Clwyd.—[*Dr. Liam Fox.*]

Hon. Members: Object.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): As there is no Business of the House motion, the debate cannot continue if hon. Members object. The motion must be tabled on a later date.

ESTIMATES

Motion made, and Question put forthwith, pursuant to Standing Order No. 131(2) (Liaison Committee),

That this House agrees with the Report [11th June] of the Liaison Committee.—[*Dr. Liam Fox.*]

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation),

CIVIL AVIATION

That the draft Stansted Airport Aircraft Movement Limit (Amendment) Order 1996, which was laid before this House on 20th May, be approved.—*[Dr. Liam Fox.]*

Question agreed to.

Orders of the Day

TRUSTS OF LAND AND APPOINTMENT OF TRUSTEES BILL [*LORDS*]

Order for Second Reading read.

Motion made, and Question put forthwith, pursuant to Standing Order No. 90(6) (Second Reading Committees), That the Bill be now read a Second time.

Question agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 102(9) (European Standing Committees),

CONSERVATION OF WETLANDS

That this House takes note of European Community Document No. 8564/95, relating to the wise use and conservation of wetlands; welcomes the call for a Community strategy on the conservation and wise use of wetlands; supports the Ramsar Convention's definition of sustainable use as 'human use of a wetland so that it may yield the greatest continuous benefit to present generations while maintaining its potential to meet the needs and aspirations of future generations'; shares the Government's concern to avoid duplication of existing national and international provisions; and shares the Government's view that the planned Demonstration Programme on coastal management will be a helpful and important means of providing information on broader issues of co-ordination.—*[Dr. Liam Fox.]*

Question agreed to.

LOCAL GOVERNMENT FINANCE (SCOTLAND)

Ordered,

That the Order [11th June] that the Special Grant Report on Community Care Special Grant and Supplementary Mismatch Scheme Grant for 1996-97 be referred to the Scottish Grand Committee be discharged and that the instrument shall stand referred to a Standing Committee on Delegated Legislation.—[*Dr. Liam Fox.*]

Mr. R. Massey (Blight Compensation)

Motion made, and Question proposed, That this House do now adjourn.—*[Dr. Liam Fox.]*

10.14 pm

Sir Peter Fry (Wellingborough): I have introduced this matter for consideration only after protracted correspondence between my constituent Mr. Massey and myself, and between myself and the Highways Agency and the Ministers responsible for roads and for local government. There has also been correspondence between Mr. Massey and a host of public servants. The failure to make any impact, stretching back well into 1994, necessitated my bringing the case to public attention.

The Higham Ferrers and Rushden A6 bypass was dreamed up before the war, was thought to have died and was forgotten, only to be resurrected in recent years—a welcome, if somewhat unexpected, resurrection. There was such little faith in it ever being built that, when my constituent Mr. Massey bought his house in Elizabeth way, Higham Ferrers, in 1970, he tells me that his solicitor did not bother to tell him that the road was a possibility. The local council built some bungalows for the retired, which will be well within 100 yd of the new road.

I do not want, however, to spend time arguing the road's merits. It is broadly welcomed as being needed, and I am grateful to my hon. Friend the Minister for Transport in London for his help in ensuring that it is to be part of the private finance initiative, and moves are being made to seek tenders. Like all such projects, however, some people have suffered. One of them is Mr. Massey.

There are three main concerns. The first is road blight generally. It has increased as a result of the slowdown in new road construction. Uncertainty as to if, as well as when, a project is to be built has grown. Secondly, the guidelines for discretionary purchase under section 246(2A) of the Highways Act 1980 have never been especially generous, but, as amended after the Owen case, they have become much less generous. The statutory and other preconditions seem to ensure that the minimum number of houses will be included in the scheme. Thirdly, as it stands in law, the assessment system for council tax purposes has no mechanism to reflect severe reductions in value resulting from road blight.

I will take those points in turn and relate them to Mr. Massey's case.

Road blight can have the most disastrous effects on an individual's finances. Mr. Massey says that, even with the general drop in market values, his house should be worth nearly £80,000 on independent estimates, but an agent puts its current value at £65,000. That is a serious matter for my constituent. There is no guarantee that he could sell even at £65,000 before the road is built, which, at best, is still two years or more away. Made redundant more than five years ago, he wished to sell his house to invest the capital in a new business. He is now in his 60s, but will receive no pension until he reaches the age of 65, so he has been living off his savings.

In the normal course of events, Mr. Massey could have sold his house, moved and invested, but the bypass plans, together with the legislation on discretionary purchase, have produced the present unfortunate position. Even if

[Sir Peter Fry]

the date for building the road is fixed, his loss is established, as it will take property prices some time to recover. By then, Mr. Massey, like all of us, will be a few years older.

There is a need to assess possible purchase guidelines on a more sympathetic premise than currently exists. Mr. Massey's first application for his house to be bought met the condition regarding the closeness of the new road of less than 100 m from his home and the hardship criterion, and it was tacitly accepted that he also met the requirement of not being able to sell his property.

At that time, the one criterion that Mr. Massey did not quite meet was the estimated level of traffic noise by the year 2013, which was calculated at 63 dB to the human ear. The level set by the Highways Agency at which noise has a serious effect is 68 dB. The agency quotes 62.5 dB as the level at which communication starts becoming difficult, and 70 dB as reflecting the noise made by a passenger vehicle travelling at 60 km per hour at 7 m, yet Mr. Massey—like all of us—is supposed to accept a higher level in his home.

We are all aware of homes in which communication becomes difficult, but I never realised that it had to meet a standard set by the Department before compensation for road noise became applicable. It could provide an excuse for all sorts of silences in all kinds of families. Even a noise level of 63 dB is clearly an inconvenience.

Mr. Massey has pointed out in a number of letters that the estimated noise level is based on traffic flows and density 17 years ahead, in 2013. The Department's forecasting record is not encouraging. From my years on the Transport Select Committee, I know that previous forecasts by Ministers, before my hon. Friend began his tenure in office, have been dismally wrong—well on the low side.

The figure given for 2013 must be a guess, and is probably a poor one at that. The Department has admitted the possibility of a 20 per cent. error either way in some of its other traffic forecasts. In Mr. Massey's case, that would mean that he could suffer noise levels well above those estimated—even approaching that of a modern twin-engine jet—by the year 2013, which is so far away that such an estimate is realistic in view of Mr. Massey's present problems.

No wonder my constituent feels that the rules or guidelines are made to ensure the minimum number of purchases. My opinion is that the guidelines have been drawn too tightly. If one meets all the criteria, bar one that depends on an unprovable forecast, one does not qualify for purchase consideration. That seems extremely hard law.

It is obvious from all the communications that the Highways Agency has considerable sympathy with my constituent. In a letter dated 9 February 1995, the agency's Mr. Keith McKenzie wrote:

"I am sorry to have to give you a disappointing decision after so lengthy an exchange of correspondence. However, there is a slight possibility that this decision may be subject to review now that the Highways Agency's application for leave to appeal to the House of Lords in the Lt Col Owen case has been rejected. New guidelines are being prepared, but I am unable to say when they will be introduced, or exactly what they will contain. However, the main effect of the changes will be that the Highways Agency will need to take into account loss in value of the property attributable to a proposed scheme when assessing whether its enjoyment is seriously affected, and therefore whether it falls to be considered for discretionary blight. Your case will be reconsidered when the new guidelines are introduced."

A change was necessary—as quoted—because the Highways Agency lost its case against Colonel Owen of Gloucestershire.

What in fact happened? When the new guidelines were issued, there were some sweet-sounding phrases, such as

"each application for discretionary purchase will be considered on its merits".

Further on in the document, after listing three major factors constituting "severe effects", it states:

"The factors listed in these guidelines are not exhaustive. Other factors or combination of factors may cause serious effects and this Agency will take these into account when considering your application".

The net result of the changes, however, was that they were not helpful. Instead of an applicant having to show that no offer for the property was received within 5 per cent. of the unaffected market value, as under the old guidelines, the figure was raised to 15 per cent. So much for the hints of a promise to Mr. Massey that a change might help him.

I believe that the whole basis of discretionary purchase needs to be re-examined. There seems to be a case for special consideration in cases of exceptional financial hardship, such as Mr. Massey's. Perhaps it should not be necessary to meet all the criteria to be considered for purchase.

As for council tax valuation, Mr. Massey's local council and the district valuation officer have been sympathetic, but say that they have no power to do anything. I realise that my hon. Friend the Minister is not responsible for this part of Government policy, but I hope that he will pass on my concerns to his colleagues at the Department of the Environment. It is bad enough to see the value of one's house falling because of market forces, but to see it fall much further because of road blight, to have no redress and still to have no chance of even a lower council tax valuation and banding only adds insult to injury.

I see my constituent's case as follows. He has been injured because he became redundant, because he is prevented from helping himself, and because of the operation of the law as it is now interpreted. The insult is that the Highways Agency gave him hope that the change in the guidelines might be beneficial. In fact, it made matters worse.

My constituent and those in a similar position deserve consideration. They deserve another look at the guidelines, and they deserve better.

I hope that I have shown that Mr. Massey has a real problem and a justified sense of injustice. My purpose in raising this matter is my belief that it illustrates a very real issue for very many people. Governments, whether local or national, take decisions—to build roads, to alter the lines of roads and to improve roads—which impinge greatly on the lives and finances of families.

To my mind, we have not yet shown, under any Government, the necessary concern or taken the necessary action to help many of those families. I believe that fact is a challenge for my hon. Friend the Minister and for his Department and its policy in the future.

10.27 pm

The Minister for Transport in London (Mr. Steve Norris): I congratulate my hon. Friend the Member for Wellingborough (Sir P. Fry) on securing this opportunity to discuss this case, which, as he rightly says, is of wider interest to many hon. Members, precisely because people such as Mr. Massey have been affected.

It is important to start by setting out the principles on which the Department will compensate those who are affected by schemes introduced by the Highways Agency. Similar arrangements exist for schemes introduced by local authorities, but it might be more appropriate to concentrate in this case on matters relevant to my Department.

The general principle, as my hon. Friend has rightly said, is that, where properties are required for a scheme and where the property falls within the line that the road scheme will take, the property will be acquired at value. A compulsory purchase order mechanism exists to ensure that a scheme can proceed once it has achieved the necessary powers. Clearly, there will be those who have properties which are not on the line of route but are adjacent to it, and that is what we are concerned about tonight.

Parliament quite properly recognised that there needed to be a system that would compensate such people for loss in value. However, I do not believe that it is unreasonable to accept the proposition that it will never be possible to compensate every owner whose property might be affected to a slight degree by a new scheme. Were we to attempt to do so, we would rapidly enter a world in which government would be wholly unworkable, and in which the cost of new pieces of infrastructure would be unaffordable.

The general principle is clear, and is contained in part I of the Land Compensation Act 1973. It establishes that, a year after a scheme is opened—a year after a road has been built—a property owner, subject to certain qualifications about being in residence and so on, who can establish that there has been a diminution in value will be compensated for that diminution.

In the direct context of Mr. Massey and the Higham Ferrers and Rushden bypass, let me make one thing clear. A year after the opening of the scheme, Mr. Massey would have an unequivocal right to compensation under part I of the Land Compensation Act.

If that is so, we turn to the proposition that, in addition to those powers, discretionary powers should be available to the Secretary of State. The circumstances about which we are concerned are those where, essentially, the individual cannot wait. I say that because I suspect that, quite frequently, the nature of discretionary purchase is not as well understood as it might be. I can understand why that is so, because emotions can run high in such matters.

If we are to have a scheme that advances the claim that Mr. Massey would be able to make under the Land Compensation Act, we need to establish certain things. First, we need to establish that Mr. Massey had no foreknowledge of the scheme when he purchased his property. Secondly, we need to prove that the scheme will have an effect, which it is not possible to determine exactly, because the road has not yet been built.

My hon. Friend talked about how one calculates the effect of noise. If he will allow me, I must tell him, gently, that I disagree with his view on that. Having established that there is a loss of value, a further test needs to be applied, and that is the test of a pressing need to sell. It is the pressing need to sell that ultimately determines that it is right in equity for Parliament and the Department to authorise the purchase of an individual's property in advance of the scheme even being built.

Let me deal with the calculation of loss of value. As my hon. Friend said, following the reassessment of the guidelines in the wake of the Owen judgment, two elements remain to be proven. One is the effect of noise on the scheme. He said that calculations that predict noise levels many years ahead may be inaccurate. I do not think that I do him any injustice by recalling that he said that they may be wildly inaccurate. That is true, but I remind him that the purpose of using a predictive, rather than an actual, calculation is twofold.

First, because the scheme has not been built, all calculations of noise level must necessarily be predictive. Secondly, it would be unfair to the occupier of a property to assess noise only at the point at which the scheme was first opened. A date many years in the future is picked precisely because traffic builds up over time.

Although I admit that such predictive science is inexact, I know that my hon. Friend, with his experience, will acknowledge that the officials who make such calculations do so as objectively as they are able. The test is good for the people concerned, because they get the benefit of the doubt in respect of the growth of traffic on a piece of road, even though it is unlikely to happen for many years.

In the case of Mr. Massey, much depends on the assessment both of noise and of diminution in value. On noise, I believe that there is no disagreement between Mr. Massey, his agent and the Department on the proposition that the predicted noise is unlikely to reach the levels that are generally considered to trigger the threshold for discretionary purchase.

On diminution in value, the position is more marginal. I can put some figures on the case that my hon. Friend made. The district valuer, whose opinion is the important one in such cases, assesses the unaffected value of Mr. Massey's property at £70,000, and the affected value at £60,000. He thus calculates a diminution in value of 14 per cent. While 14 per cent. is a material difference, it is less than the figure of 15 per cent. that my hon. Friend mentioned, which was in turn drawn from paragraph 3(a) of the new guidelines.

My hon. Friend said that 15 per cent. is rather higher than 5 per cent. He is right, but in calculating serious effect and diminution in value, it is necessary to establish that the diminution in value is significant. He will accept that, if one asks for a valuation from any three private valuers, there will be a margin of difference of about 10 per cent. That sort of fluctuation can be tested any day, in any town, anywhere.

So the figure of 15 per cent. is designed to indicate the figure at which there has been beyond doubt not merely a difference in valuation but an undoubted diminution in value arising from the prospect, if not the reality, of a scheme. That said, the difference in this particular case is 14 per cent. Taking account both of the fact that the noise calculations would appear to indicate that Mr. Massey's particular property will not suffer to the extent of the increase in noise normally taken into account in schemes such as this, and that the value of his property will not be

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diminished by more than 14 per cent. according to the district valuer's calculations, the Highways Agency has concluded that Mr. Massey's claim cannot be met. Let me be clear that it cannot be met on the grounds that he has not passed the tests of serious effect by way of noise or diminution in value.

I appreciate that the decision will come as a disappointment to Mr. Massey. I understand that he has suffered the loss of his job and that he seeks to use the proceeds of the sale of his property perhaps to re-establish himself in some business for the future. I am therefore concerned that my hon. Friend should be given every opportunity to prosecute his case.

Although I have not so far been made aware of any exceptional circumstances which would enable me to change my opinion in this case, if my hon. Friend believes that there are exceptional factors which have not been made known to the agency or to me or given adequate consideration, I invite my hon. Friend to write to me about them, and he and I will discuss the matter further.

I am, of course, concerned that, if it is agreed that the affected value of Mr. Massey's property should be £60,000 if he markets the property properly with a view to sale, he ought to be able to receive that figure. If, after he has properly marketed it, the indications are that he is not able to receive that sort of consideration, I should certainly wish to look at the case again.

I am extremely grateful to my hon. Friend for, as he rightly says, raising an extremely important subject, which is of interest to every Member of the House of Commons. I hope that he will accept that, having wrestled with such difficult cases for several years, I know that we will never be in a position to satisfy all those who feel aggrieved by the existence of a scheme—particularly one which, as he has every right to say, has a long history of not becoming a reality. Nothing is more frustrating.

In this case, I am satisfied that the guidelines have been properly applied, and, with regret, I concur with the officials, including Mr. McKenzie, who have been in touch with Mr. Massey. I fear that I cannot at this stage exercise discretion on his behalf. I simply underline the fact that, if circumstances prove not to be as predicted or assumed, I should be very happy to go on discussing the matter with my hon. Friend.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Eleven o'clock.

House of Commons

Wednesday 19 June 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

POINT OF ORDER

Mrs. Ann Clwyd (Cynon Valley): On a point of order, Madam Speaker. I tabled two motions in the Table Office last night, about the North Wales police. Neither has appeared on the Order Paper this morning.

Madam Speaker: I am not aware of the activities of the hon. Lady last night in relation to the Table Office, but of course I will be glad to make inquiries to find out what it was all about.

Further Education (Scotland)

Motion made, and Question proposed, That this House do now adjourn.—*[Dr. Liam Fox.]*

9.35 am

Mr. Dennis Canavan (Falkirk, West): I am grateful for the opportunity to introduce this debate on the very important matter of the funding of Scottish colleges of further education. Perhaps a better title for the debate would be "The underfunding of Scottish colleges of further education", because the underfunding is so serious that some colleges are rapidly approaching a crisis.

Many of the problems stem from 1993, when the Government removed Scottish colleges of further education from local education authority control. Before 1993, there was a strong element of local control and accountability, and local education authorities were able to take decisions to improve the funding of the further education colleges, taking into account local circumstances and priorities.

However, since incorporation was introduced in 1993, the 43 colleges have depended almost entirely on central Government instead of local government for funding. Since the financial year 1994-95, there has been a cut of grant in aid from £241 million to £230 million, with a further planned reduction to £211 million by the year 1998-99, making a total reduction at 1994-95 prices of £30 million or 12.5 per cent., yet there has been an increase of 23 per cent. in full-time equivalent student numbers since incorporation and an increase of 50 per cent. in students taking higher education courses in FE colleges. The Minister may tell us later that the revenue element for the current financial year increased compared with that for last year, but the extra revenue was funded by cutting the capital element.

Twenty-eight of the 43 colleges have suffered real cuts in income this year, and although the cut for any individual college has been limited to a maximum of 5 per cent.—about 8 per cent. after taking inflation into account—there is no guarantee that there will be such a limit next year. The consequences for many colleges have been very serious. Twelve colleges suffered the maximum cuts, including some of the largest colleges in Scotland, such as Bell, Dundee, Fife and Inverness, as well as some of the smaller colleges, such as Coatbridge and Thurso. Another victim of the maximum cut is the Jewel and Esk Valley college, which suffered such a bad cut last year that the management resorted to compulsory redundancies.

The underfunding has been exacerbated by the fact that Scottish Enterprise is also cutting its training budget, which in effect will reduce the income to colleges that participate in training schemes funded by local enterprise companies.

Responsibility for student bursaries has been transferred from local education authorities to the colleges, but despite the increasing number of students the total amount for bursaries has been frozen at £45 million a year for the next three years. As a result, many students will inevitably suffer considerable hardship.

It is ironic, too, that at a time when the number of students is increasing the number of staff in many colleges is decreasing. Last year saw the first ever compulsory redundancies, and more jobs are threatened if the underfunding continues. At Falkirk college in my constituency, the college authorities have apparently run out of volunteers opting for early retirement; and the Scottish Office pension scheme for early retirers is limited to employees over the age of 50. Since incorporation, more than 100 employees, including teaching and support staff, have left Falkirk college. The financial restrictions imposed by the Government also have a limiting effect on salary negotiations. That in turn has an adverse effect on staff morale.

Education is not, however, simply a job for teachers and lecturers. Teachers' jobs are very important, of course, but what is even more important is the valuable service that teachers provide by improving the educational, training and job opportunities of students—including the 200,000 students who attend Scottish colleges of further education. If there is a significant reduction in the number of teachers, that could lead to larger class sizes, and it could have an adverse effect on the quality of education.

There is also a danger of some entire courses being discontinued, and even of the scrapping of whole areas of the curriculum. Specialist courses will be available in fewer colleges, so students will be obliged to travel further and colleges may feel obliged to drop courses whose cost per student is relatively high—for instance, in construction and engineering.

The Government have also frozen the intakes to higher education courses in FE colleges and have stopped the introduction of new higher national certificate, higher national diploma and degree courses. Yet Ministers tell us that they agree about the need to increase the number of people who are educated and vocationally trained to high standards.

This country does not compare well with our major industrial competitors in the proportion of our work force with full craft and technician qualifications. The FE colleges have a key role in providing such qualifications, which are essential to our economic and industrial regeneration. It therefore does not make economic sense to deprive the colleges of the resources to do the job.

[Mr. Dennis Canavan]

The cuts also affect buildings maintenance and equipment, and students will find it difficult to reach their full potential if they are in oversized classes, in overcrowded classrooms or ill-equipped workshops. Later, the Minister may refer to the private finance initiative, but the PFI will not be enough to renew or replace dilapidated buildings or obsolete equipment; and some colleges may be forced to cut recurrent expenditure in order to fund essential capital projects.

The reason for the crisis facing many colleges is not just the inadequacy of the total grant in aid from the Scottish Office. There are also allegations about the unfairness of the formula used to allocate to each college its share of the grant. The total grant is divided up according to SUMs, or student units of measurement, generated by each college in the previous financial year. A SUM is defined as 40 hours of teaching delivered to a student.

Although some other factors are also taken into account, there is considerable concern that the formula does not take sufficient account of the diversity of the 43 college system. Some colleges are large, others are small. Some are in urban areas, others in small towns or rural areas. Some are polytechnics, others are virtually monotechnics. Some may have stronger community links than others.

The larger colleges complain that all 43 colleges receive the same amount of "institutional factor", irrespective of size. The institutional factor currently amounts to about £250,000 a year, which can be as much as 10 per cent. of the budget of a small college, compared with only 2 per cent. of the budget of a large one. The polytechnics complain that the formula discriminates against them because they have a greater proportion of higher education courses—for example, higher national certificate courses—which are more expensive to operate but which attract less money than further education courses under the existing formula. Yet the skills gap in this country is mainly at HNC or SVQ III and IV levels, which—ironically—are the worst funded courses in Scottish FE colleges.

The formula also discriminates against colleges in areas with low potential for assistance from the European social fund or the European regional development fund. This could amount to a difference of as much as £1 million a year between the amounts of help available for colleges of similar size.

There are also complaints about the fact that the funding is based on past student numbers, thereby limiting the opportunity to fund future developments, especially if high capital investment is required for new proposals. Such projects at Falkirk college would include biotechnology, food technology, petrochemical plant and mechatronics. The college management has set the laudable objective of becoming mid-Scotland's polytechnic by the year 2000, but Government underfunding will make it more difficult to achieve that objective.

The volatile operation of the funding formula has also been criticised. It tends to produce some large annual variations in the budgets of some colleges, so that it is quite possible for a college to make people redundant one year and take on additional staff the following year. Obviously, that does not help with continuity or planning. Such volatility could be alleviated if the funding formula were based on the numbers of full-time equivalent students—a methodology already used by the higher education funding councils. If the core funding for each college were supplemented by development funding, that would also help with planning.

Moreover, the Government should stop the capping of higher education in those colleges, and should end the unfair anomaly that higher education courses in FE colleges attract less funding than further education courses. The funding of higher education courses should be the same in the FE colleges as in the universities, and the Government should look at the possibility of making the Scottish Higher Education Funding Council responsible for the funding of all higher education in Scotland, both in universities and in colleges of further education.

Finally, the Government should give further consideration to strengthening the links between colleges and local education authorities by decentralising the funding process. I realise the Government's unwillingness to turn back the clock, but perhaps some contractual arrangement between the colleges and the local education authorities for the funding of further education courses would enable the different characters of the colleges to be recognised and would enable the colleges to retain the benefits of incorporation while giving them an element of local control and accountability.

In any event, the Government must give urgent consideration to the serious problem of underfunding of the colleges. The further education colleges have made an important contribution to increasing the participation of people in education, particularly young people. By 1998, the total number of 17 and 18-year-olds will have increased by 12 per cent. since 1995. The Government have set a key target for 2000—that 70 per cent. of young people will have at least an SVQ III qualification. However, last year only 51 per cent. of young people had that qualification—19 per cent. short of the target—and last year's figure was lower than that for 1993. The colleges have an important role in meeting the key targets for 2000.

Mrs. Margaret Ewing (Moray): The hon. Gentleman referred to young people in our colleges. Does he accept that further education colleges also have a significant role for women whose families have grown up and who wish to return to college to undertake courses? One of the difficulties that these women face is that some of the colleges charge for creche and nursery facilities. This aspect should be looked at in depth. Women should be encouraged back into employment.

Mr. Canavan: I agree with the hon. Lady. Many of the courses that appeal to women may be discontinued if the Government do not provide adequate funding, which will severely limit education opportunities for many women throughout Scotland.

The colleges have traditionally played an important part in Scottish life, enabling many people to continue their education—whether it be for their individual development and enlightenment or for the acquisition of the types of vocational qualifications that are so essential for industry, commerce and the economy. If the colleges are to continue their excellent work, they must be given sufficient resources.

The Government must face up to their responsibilities. They introduced incorporation, so they can no longer pass the buck to local education authorities. The Government must provide the resources now. More expenditure on the colleges should be a top priority: it is an investment in education, an investment in training, an investment in people, and therefore an investment in Scotland's future.

9.53 am

Mr. William McKelvey (Kilmarnock and Loudoun): Good morning, Madam Speaker. I congratulate my learned Friend the Member for Falkirk, West (Mr. Canavan) on securing this important debate and on covering it so eloquently. He has left little for other hon. Members to say, other than to mention important issues that concern the colleges that he did not mention, such as Kilmarnock college.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. Is there a precedent for a colleague saying good morning to you?

Madam Speaker: No, I do not think that there is. In four and a half years, I do not think that anyone has ever said good morning or good afternoon to me—which is why I appreciated it this morning, after a rather late night.

Mr. McKelvey: Madam Speaker, the point that you raise is valid: late nights and early mornings sometimes mean that we lose our sparkle.

Kilmarnock college is in my thoughts at the present time because of the Government's proposal to decrease the overall amount of funding for further education over the next two years. The proposal flies in the face of the success of all the colleges that have been mentioned, such as Kilmarnock college which is in my constituency. Evidence from Government reports has identified the need for a well trained and well educated work force, particularly at technician level in industries such as electronics, textiles, food and drink, and engineering.

All those industries are well represented in Ayrshire, particularly in Kilmarnock. In fact, the area used to be even better represented by these industries, before the loss of Massey Ferguson and almost 1,800 jobs at the stroke of a pen. That was some time ago. No multinational company of that size ever came back to Kilmarnock or to many other areas of Scotland. However, the small firms have done extremely well and we hope that their success continues.

Kilmarnock college has an effective working relationship with Enterprise Ayrshire and local authorities to deliver innovative training schemes. Kilmarnock college is working with small and medium-sized engineering companies, offering work-based training in a flexible, multi-skilling project. One has to ask why—at a time when ambitious national training targets have been set—are the Government squeezing the very organisations that are making the greatest contribution to achieving their targets?

Why are the Government reducing funding to further education colleges when, at the same time, they are producing competitiveness documents that indicate the need for Scotland to have a well trained work force to compete in European and international markets? Electronics, textiles and engineering are the industries in which we need to have a highly skilled and well qualified work force. These industries are already in Ayrshire, but why have the Government reduced the amount of money available to further education when an increase is needed?

At the same time, I see no logic in allowing colleges to expand their full-time provision at higher national certificate and higher national diploma levels in areas where there is a proven need for engineering, science and technology. The Scottish Office further education funding unit should be working much closer with colleges to allow growth in areas that are vital to our local economies, particularly in engineering and electronics. They are holding at current levels the courses in soft areas, such as arts and social science. I am not a critic of holding the places in those so-called soft areas.

I am concerned that further education colleges do not have the necessary modern buildings and equipment to provide the appropriate courses to meet local needs. Some of the buildings are modern, but they have proved to be totally inadequate for the Scottish climate, particularly those that have flat roofs. Kilmarnock college has to spend some £500,000 on roof repairs at its Kilmarnock campus and some £250,000 on roof repairs at its Irvine campus.

I would have expected the college to receive a generous capital allocation from the further education funding unit so that it could tackle the problems. There is no point taking people into a building if the roof is likely to fall in at any time. Roofing repairs cannot be put off until next year so far as capital expenditure is concerned—they have to be done now. What did the further education funding unit give Kilmarnock college to tackle this pressing problem? Nothing.

It is also important that colleges are able to purchase modern equipment that allows relevant and appropriate training to take place. In engineering, computer-aided design and manufacturing equipment, electronics equipment and science equipment are essential if we are to keep up the struggle with the competition in Europe and beyond. Electronic equipment and science equipment are vital, and my learned Friend the Member for Falkirk, West covered those points very well. However, they are worth underlining and I want to hear what excuse the Minister will give for not providing the funding necessary to purchase that equipment.

Unlike the higher education sector—universities have diverse sources of funding—further education colleges struggle to provide such equipment. As I have said, the Scottish Office allocation to Kilmarnock college this year is zero. How long can that be allowed to continue? It must not continue and I hope that the Minister will announce today if not a solution to the whole problem, at least some capital funding that will enable Kilmarnock college to begin to repair its roofing.

Like us, the Government must recognise the importance of further education to the economic and social well-being of our local economies and our communities such as Kilmarnock and Loudoun and other areas of Ayrshire and supply adequate funding so that colleges, including Kilmarnock college, can provide adequate further education within the terms of the Further and Higher Education (Scotland) Act 1992. The Act states that the Secretary of State has a duty to make adequate further education available throughout Scotland and I think that he and the Minister are in danger of defaulting on their duty in that regard. The Secretary of State is also in

[Mr. McKelvey]

danger of failing in his duty to the people of Kilmarnock, of Ayrshire and of Scotland as a whole. I look forward to hearing the Minister confirm today that not only is he seriously concerned about the issues that hon. Members will outline but that he has immediate plans to reverse the trend.

10.1 am

Mr. Andrew Welsh (Angus, East): I congratulate the hon. Member for Falkirk, West (Mr. Canavan) on his choice of subject for debate. While there has been considerable concentration on nursery, primary and secondary education due to the Government's interference and bungling in those areas and upon university education due to massive under-resourcing, the further education sector has been left out of the limelight. This debate gives credit where it is due. I know from my time as a senior lecturer at Angus college and at Dundee college the massive value of further education and the range of subjects that are taught at FE level.

Further education colleges have always been at the innovative and the pioneering edge of the education system. The hallmarks and the strengths of the FE sector are flexible courses, staff who are willing to adapt and reflect changing needs and the ability to cope with a wide range of demands for different courses—from the practical to the out-and-out academic. I enjoyed teaching in further education and I witnessed at first hand a period of growth at Angus and Dundee colleges which showed the FE system in its best light.

More than 200,000 students participate in either full-time or part-time further education—an increase of more than 50 per cent. since 1993. There is certainly a demand for further education. It has always been particularly important in the Scottish context as a provider of education and employment. According to the McNicholl report, further education colleges generated an estimated £600 million and 19,000 full-time equivalent jobs for the Scottish economy in 1993-94. They sustain many Scottish communities as both employers and education providers. I believe that we should invest in the sector—greater investment will be repaid handsomely in the future.

Under Government policy, which has consistently attacked local authorities, the right to award bursaries has been removed and the colleges are now funded directly by the Secretary of State for Scotland. The move to a new funding methodology was established through the use of a formula which directly links the level of funding to the volume and quality of learning. The key criteria in formula funding are student recruitment and retention. It represents an abrupt change from historic funding and has caused major difficulties for individual colleges.

While grant allocations are based entirely on the number of students at respective colleges, the Government have sought to encourage the growth of private finance initiatives. I believe that the loss of control associated with the development of PFIs undermines accountability. The Government have cut capital grants assuming that PFIs will step in, but the lack of proper investment has hit developments in science, engineering and technology. I am told that there are no funds to prepare for and implement "Higher Still" in 1998. I hope that the Minister will address those problems directly.

Some £11 million was axed from the Government's previous funding plans for further education colleges in 1995, despite a projected increase of 12 per cent. in the number of young people aged 17 and 18 in the period 1995-98. Thus the success of further education colleges is leading to their being penalised. The cuts also ignored the fact that the Government are already under-performing in terms of their training targets.

The effect of the cuts has been twofold. First, the need to make savings has caused huge staffing problems. The hon. Gentleman underlined that point admirably when he pointed out that Falkirk college of technology was forced to save £670,000, which is equivalent to 35 jobs. Lecturers at Coatbridge college have not had a salary increase since April 1994, which led to a strike by Educational Institute of Scotland members.

Secondly, there has been an attack on the national character of further education colleges, as increased funding for one college reduces funding for another. Simple numbers of students is a crude means of evaluation, which ignores special needs and the importance of the continued existence of a diverse choice of colleges at a time when increasing numbers should be a prime objective. FE colleges contribute greatly to the Scottish economy and we should build on that strength.

The Association of Scottish Colleges has offered some possible solutions to the problem and I recommend its suggestions to the Minister. They include an increase in the overall recurrent grant, a relaxation of capping, stronger policy support for vocational training, support to implement "Higher Still" in 1998 and more capital funds to bring buildings and equipment up to modern standards. Instead of greater investment, the Government propose further cuts in resources.

I note with despair that grant aid to colleges will be reduced by £15 million in the next three years—a cumulative reduction of 12.5 per cent. Those cuts are not sustainable without hefty redundancies of staff and a loss of quality and/or range of teaching—which is the strength of the FE sector. The PFI certainly cannot renew or replace dilapidated buildings or obsolete equipment. There is a danger that funds for bursaries in vocational further education will be frozen and that there will be a shortfall in key training targets.

The Government are failing the further education sector which would amply repay the extra investment that it needs. I have worked in further education and I know its strengths and the immense benefits that it offers across society. I echo the point made by my hon. Friend the Member for Moray (Mrs. Ewing): some of the best students I taught were women with families who returned to education. Many of them went on to university and they now have degrees. They are a credit to the further education sector, and their progress should be developed rather than hindered by a lack of investment.

Young people relish the further education atmosphere. Mature students who are given a second chance at education are faced with a dazzling range of courses that meet the needs of individuals and industry. I believe that further education is an asset that the Government are failing to resource properly. In so doing, they are making a major mistake.

10.8 am

Mr. Tam Dalyell (Linlithgow): I say amen to the considered, well argued and well informed speech by my hon. Friend the Member for Falkirk, West (Mr. Canavan), who knows and cares a great deal about the issue. My hon. Friend the Member for Kilmarnock and Loudoun (Mr. McKelvey) and the hon. Member for Angus, East (Mr. Welsh) also made important speeches and raised many issues which deserve answers. I hope that the House will forgive me if I stick to a wholly local issue: the proposed relocation of West Lothian college to Livingston.

I am not casting aspersions on the motives of those who have made the proposal. I do not doubt their good faith and I understand perfectly well the attractions of a college under one roof on a single site rather than the difficulties that inevitably arise with an institution based on two separate sites, although it may not be such a serious problem to have two sites for a further education college which, by its very nature, would be concerned with full-time learning rather than part-time courses. But any such move would tear the heart out of the proud town of Bathgate.

Those of us in the area of Bathgate have accepted that the police headquarters, the council headquarters and a number of other important institutions should move to the new town, but at some point we must ask questions about the centres of old boroughs. The Minister should take it from me, as the local Member of Parliament and a local person, that the removal of that college from Bathgate would be a serious matter for the town and for that part of West Lothian. I therefore have five questions to ask.

First, what are the responsibilities of the board of management of the college to the Scottish Office? Perhaps I should know, but I am not the only one who is not clear about that. Secondly, the proposal has leaked out, but has the Scottish Office been consulted—it may not have been—and, if so, what did it say? Thirdly, what has the Scottish Office advised about staff and resource requirements? As my hon. Friend the Member for Falkirk, West has said, there is a desperate shortage of resources and so many other urgent priorities. Has the Scottish Office been consulted about the proposal as a priority for the use of scarce resources and, again, what has it advised?

Fourthly, what consideration has been given to the proposal by planners in the Scottish Office? West Lothian council has not been consulted about the rebuilding—if there is to be rebuilding—or new building on the St. Mary academy site and on the land above the college which, as far as we know, is free land on which major building work could take place. Has consultation taken place about that proposal?

Fifthly, as I understand the current proposals—I am open to correction—the builders are to erect a new building on the Livingston site. In return, West Lothian college proposes to give—I repeat, give—the current buildings and land to the builders, though not the old academy, which I believe is listed, because it belongs to the people of Bathgate. We are uncertain about who the people of Bathgate are in that respect, other than the successors to the old West Lothian county council. That is a grey area. As I understand it, West Lothian college will then lease—I repeat, lease—the new building and equipment from the builders. If I have understood it right, and if other people have understood it right, that arrangement raises a few eyebrows. What does the Scottish Office think about the leasing proposal?

The issue is the future of the town of Bathgate. I ask those questions, in gentle tones, because I genuinely do not know the answers. I do not want to jump to any conclusions until there has been a proper discussion.

10.14 am

Mrs. Maria Fyfe (Glasgow, Maryhill): I wish to add my congratulations to my hon. Friend the Member for Falkirk, West (Mr. Canavan) on obtaining this debate on the subject of further education. The subject has been much neglected in debate in the House and it is high time that further education, especially Scottish further education, got a thorough airing. My hon. Friend the Member for Kilmarnock and Loudoun (Mr. McKelvey) spoke about equipment and facilities for people undertaking skills training and I fully support all that he said.

I wish to raise an aspect of further education that has always been neglected—the wider general education of students in further education. Everyone who has ever worked in further education knows, as the hon. Member for Angus, East (Mr. Welsh) will confirm, that there is not only a long-standing lack of appropriate funding, but sometimes a problem, unfortunately, with the attitudes of the traditional craft teachers, who regarded any time spent on general education as a waste of students' time. It has always been a struggle to provide appropriate general education for students who come straight from school and spend some years on day release or block release.

When my hon. Friend the Member for Falkirk, West mentioned the fact that teacher numbers in FE were dropping, he filled me with alarm. I taught in FE for some years and I remember what happens when there are not enough teachers to serve the students' needs. Teachers get landed with timetables that have far too many class contact hours and they cannot get through timetables of that size without using devices to overcome the problems, such as doubling up classes; that is not good for the students, but it is one of the strategies that teachers are forced to adopt when they have marking or preparation to do for other classes.

Teachers are also asked to teach subjects that they are not qualified to teach. I recall my first week in FE. I had spent several years acquiring an honours degree in economic history, with English as my second subject, but I was given a timetable that included four periods of chemistry. I went to the head of department and said that there must have been a mistake. He said that the students were only studying chemistry at a low level and that I need be only one chapter ahead of them. I refused point blank to teach chemistry because I had not spent all those years acquiring my qualifications to end up teaching a subject that I could have taught equally badly when I left school. I failed science in my third year at school and never attempted it again.

It is nonsense that teachers can be asked to teach subjects that they are not qualified in, but it happens. I was able to resist the request because I was in a full-time, permanent post and I had a union that could back me up if necessary. But now, when so many people have short-term, impermanent posts and contracts, they find it difficult to resist such nonsensical suggestions.

[Mrs. Maria Fyfe]

Such problems will lead to a failure to educate young people in further education so well as they could be educated.

Another problem is the discontinuation of courses because there are not enough staff to teach them. Another danger, which has not yet been mentioned, is the requirement that a course must have a certain number of bodies in the classroom to be taught. If a small number of students genuinely want to do a course and are appropriately qualified for it and keen to get started, they might be disappointed unless the number of bums on seats can be increased.

What happens is that people for whom that course is not really appropriate are persuaded by unscrupulous persons to enter that course, which might not be right for them because it is either beyond or beneath their capacities. It might not be a suitable subject area for them. In some instances students will be directed to the course merely to get it started. If they later fall by the wayside, too bad. Some will say, "At least the course was started." We must avoid such nonsense taking place in further education. We know, of course, that they arise because of shortage of funds.

I should like to know—the Minister will probably not be able to tell me when he replies, but the information could be set out in a written answer—what is spent per head on further education and higher education students. We know that HE necessarily costs a great deal of money. We have seen the results of underfunding in FE, however, which can be grotesque. I spent several years in a business studies college, which was virtually asked by the local authority not to use so much paper. That was a nonsensical request of a business studies college. We were not making paper aeroplanes. Paper was being used for work.

Anyone who has taught general education in an FE college will recognise the Wilt syndrome. Tom Sharpe wrote about the experience of a general studies teacher staggering from block A to block D with 20 copies of "Shane" in his arms. Tom Sharpe was not exaggerating and he was not joking. Students do not have the funds to enable them to buy their own books. I remember ancient and battered copies of texts that we had to cart from room to room, or even block to block, so that we might give work to students. We had constantly to spend time devising our own materials or finding them because there were insufficient funds. That time could have been spent on teaching. Those are examples of what happens when there is underfunding in further education.

The market has been brought into further education and, as a result, colleges are competing with one another for courses instead of adopting a more sensible planning approach to ensure that colleges play to their own strengths and teach the subjects which are traditional to them and which they are accustomed to teach. A planning approach would ensure that students' needs were better met than at present. Students now are even more disadvantaged than they were 20 years ago when I was involved in FE.

I look forward to the day when we have a Scottish Parliament. At long last we shall have a dedicated and elected body that will take the interest in FE that is now sadly lacking.

10.23 am

Mr. James Wallace (Orkney and Shetland): I shall speak only briefly because the debate takes place on the firm foundation provided by the hon. Member for Falkirk, West (Mr. Canavan), who covered almost all the ground. It was tempting to say, "Let the Minister reply to that." The hon. Gentleman made all the key points.

I take up the final remark of the hon. Member for Glasgow, Maryhill (Mrs. Fyfe). I, too, look forward to the day when there is a Scottish Parliament. If it works as those who are involved in the constitutional convention foresee, it will use committees and have a greater involvement in consultation. As a result, the further education and higher education institutions will have a close link with the Scottish Parliament. When it makes decisions that affect FE and HE, and other education sectors, they will be informed ones. I have no doubt that it will legislate accordingly. There will be good and close links between the Scottish Parliament and those involved in the various education sectors.

When the Government took legislation through the House to take FE colleges away from local authority control, the proposal was met with considerable resistance, and naturally so. There is considerable concern when Government have the opportunity to centralise. They follow up that process with direct controls over funding, which is really the substance of the debate.

In a local context, I appreciated the fact that the Scottish Office gave proper recognition to the fact that the FE colleges in both Orkney and Shetland were closely integrated with the secondary schools on both islands. Since structural changes have taken place, it has been pleasing to watch the development of FE facilities on both Orkney and Shetland. I had the great pleasure last year of opening some splendid new facilities for the FE college on Shetland. I know that on Orkney considerable efforts are being made to establish the FE college in its own right. I believe that we shall see it moving away from its integration with the secondary school.

What we have achieved locally on the islands echoes one of the calls made by the hon. Member for Falkirk, West. There should be a way of establishing better links with the local education authority and FE colleges. It is important to establish a link between the community and its FE college. That is something that we have achieved on Orkney and Shetland because of our slightly different status.

It is important to develop—I am sure that this is not exclusive to FE colleges in the highlands and islands—distance learning techniques. A considerable amount of education is now delivered by that means, and I am sure that the technique will be developed still further in years to come. Many FE colleges will play an important part in the development of the university of the highlands and islands. It is thought that the university should not be concentrated in one place and instead should be a multi-campus institution. I am sure that FE colleges have a considerable and important role to play in that context.

We have heard that, since the incorporation of FE colleges, there have been considerable achievements in terms of increasing numbers of students and efficiency gains, which last year were assessed as 4.2 per cent. As has been said this morning, however, we cannot go on and on increasing numbers and expecting efficiency gains to be achieved. Increasing numbers pose their own

problems in terms of providing accommodation and ensuring that proper staff time is made available to students.

The cry that is coming from the debate is that it must be recognised that we cannot continue to reduce funding year upon year. There is a predicted reduction in funding of about 4 per cent. in real terms, year on year, from now until 1998-99. That will lead to a reduction in the quality of the education provided, and it is bound to have an effect on staff morale, especially if there are redundancies to meet lower budgets. Reduced funding will also have an effect on students.

Those engaged in FE, and the nation as a whole, face a considerable challenge. It is clear that FE is an important resource and an important opportunity for the 60 per cent. of young people who do not wish to enter HE. It is an important sector in which the skills of our young people can be developed. When we consider the targets that have been set by the Government and the Advisory Scottish Council for Education and Training, we realise how far we are still falling behind. One of the most alarming targets is that 60 per cent. of the work force should have SVQ III qualifications by the year 2000. We had reached 47 per cent. by 1995, and the position was static. Given the trends that have been discussed this morning, it is difficult to see how the gap can be bridged satisfactorily in the four years left to do it.

Everyone—the Government and the Opposition, the Confederation of British Industry and the Scottish Trades Union Council—agree that it is important to improve the skills and training of our young people. As the hon. Member for Moray (Mrs. Ewing) rightly reminded us, it is not only young people and women returners who are to be considered. We must increasingly recognise that in a rapidly changing world the skills that young people acquire at the age of 18 or 19 may not be the skills that they need for employment or employability when they reach the age of 35 or 40. We shall increasingly see people returning to colleges to update their skills, and the FE colleges in Scotland will have a significant role to play.

We must maintain a network of FE colleges which achieve high standards. That can be done only if it is accepted that there must be the funding and resources that go with producing the quality education that our country and especially our young people so desperately need.

10.29 am

Mrs. Helen Liddell (Monklands, East): I join my hon. Friends in congratulating my hon. Friend the Member for Falkirk, West (Mr. Canavan) on securing this important debate, as further education has become very much the orphan of the education system, which is regrettable, as it is a tremendous window of opportunity for people and, indeed, the economy.

I hope that such an experienced parliamentarian as my hon. Friend will not consider it amiss if I—as an inexperienced parliamentarian—echo the points made by my hon. Friend the Member for Linlithgow (Mr. Dalyell) and pay tribute to the considered nature of my hon. Friend's speech, much of which was obviously the result of considerable thought and experience. I listened to it with interest and will read it tomorrow with even greater interest, as he gave us some pointers to the future that merit detailed consideration by my hon. Friends and me, and also by the Government. Many of my hon. Friend's points about the future of higher education funding and the relationship with further education funding are important. The key point he made is at the root of the debate—the paucity of funding for further education in Scotland, which is of considerable importance to Scotland.

Since taking over the education brief, I have had lengthy discussions with representatives from further education colleges. Indeed, I have a constituency interest, as a further education college is adjacent to my constituency. In the House today are representatives of the further education colleges, who have travelled all the way from Scotland at considerable inconvenience and expense, so it is with regret that I see that on the Government Benches the Minister sits isolated with only the Whip for interest. Do none of his hon. Friends represent areas with an interest in further education? Further education is at the heart of the education system in Scotland, and it is regrettable that Conservative Members have not taken more interest in the debate, given that all the Opposition parties in Scotland have been represented and a number of significant points have been made.

The extent of the funding cut affecting colleges—half the colleges have suffered quite a severe cut—is causing grave concern to all of us who are concerned about the future of further education in Scotland. The point has been made repeatedly that there has been a continuing quest for efficiency on the part of the Government, not recognising that year-on-year quests for efficiency, with student numbers increasing, as the hon. Member for Orkney and Shetland (Mr. Wallace) pointed out, are not the route to efficiency but are the route to reducing quality. That point was made by my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe). I shudder to think what I would have done if I had been asked to teach chemistry. I referred in Committee yesterday to the lengths to which I went to get a higher in Latin, which involved learning Latin off by heart to get through the exam. I should add that I was successful and now have a higher in Latin, but do not ask me to translate any of it.

This is the European Year of Lifelong Learning, and the hon. Member for Aberdeen, South (Mr. Robertson), in his capacity as Scotland's Education Minister, took part in its impressive launch at the new conference centre in Edinburgh just few months ago, in the presence of Mrs. Edith Cresson. Is it not ironic therefore that this year we are cutting the resources to one of the key elements of lifelong learning—further education?

My hon. Friends and the Minister will recognise that I have a specific interest in this in relation to the career of my personal assistant, Mr. Frank Roy, who was a Ravenscraig shop steward and was made redundant as a consequence of the closure of that plant. The closure had a devastating effect on the economy not just of Lanarkshire but of all Scotland. With the help of Motherwell college, he got his highers, and with his own determination he got a degree from Glasgow Caledonian university. He now works for me, which is a bit of a dip in his prospects, but in the next few months my hon. Friends and I look forward to welcoming him to the Labour Benches as the Member of Parliament for Motherwell and Wishart. *[Interruption.]*

[Mrs. Helen Liddell]

I have a limited sense of direction, but I am sure that my hon. Friend, as he will be at that time, will be a great help to a Labour Government, given his wide range of skills and his common sense. Common sense is lacking in the Government's attitude to further education in Scotland. It is common sense to build up the skills base of our economy. As my hon. Friend the Member for Kilmarnock and Loudoun (Mr. McKelvey) pointed out, what is the point of competitiveness White Papers when we are slipping to 35th place in the world list of educational qualifications? We are cutting the very means by which people can acquire skills throughout their career.

Those of us who are in our prime left school, but the opportunity was there to pursue further or higher education and to look forward to a reasonable spread of careers, until the Conservative Government took over in 1979. Now our children will probably have to change careers three or four times in their working lives, not just as a consequence of the policies of the Conservative party Government but because of industrial and technological change. One key way to ensure change in the skills base is through an adequate system of further education. My party pledges itself to a strong and vibrant further education sector.

I have taken on board a number of the points made by my hon. Friend the Member for Falkirk, West, which are extremely interesting. I have also taken into account one of the significant points made by the hon. Member for Orkney and Shetland regarding asset targets. We recognise that, if we are to have a viable economy in future, we must increase the skills base. I pay tribute to the work carried out by the advisory committee on education and training in Scotland, which has done a tremendous amount of work in identifying the weaknesses in the skills base.

I was particularly impressed with some of the points made by the Association of Scottish Colleges, which I had hoped to meet on Monday. Because of parliamentary business at the Scottish Grand Committee in Perth, however, I was not able to do so. That association and the Educational Institute of Scotland pointed to the shortfall in meeting the asset targets in Scotland. To an extent, that is because Ministers refuse to accept ownership for the targets and refuse to accept responsibility for the funding of further education to ensure that we meet them.

In another part of the House, we have discussed in the past few weeks the establishment of a single examination board that will take into account the Scottish Examination Board and the Scottish Vocational Education Council to ensure that the examination structure in place for the introduction of "Higher Still", which is a radical change in post-16 education in Scotland. One important element to secure changes in post-16 education in Scotland is to ensure that our further education colleges are equipped to prepare themselves for "Higher Still", and they are limited as a consequence of the decisions that the Government have taken on funding.

How many colleges began this year with a deficit? Further education colleges have been under pressure not just because of the impact of incorporation but because of the policies that the Government have adopted. One of the positive consequences of incorporation is the involvement of local businesses in further education. Many business men and women are appalled at the way in which the Government have conducted further education funding: they continually move the goalposts. They insist on efficiency savings whenever they are not prepared to make resources available, and they fail to recognise the crying need of local industry for a well-skilled work force.

I listened with great interest to the points made by my hon. Friend the Member for Linlithgow, who pointed out the difficulties that Bathgate is likely to experience as a consequence of the decision to centre his further education college in Livingston. I do not wish to go into specific constituency points, but my constituency is adjacent to Bathgate and I recognise the extent to which a college can give some vibrancy, life and hope to a community. My constituency is adjacent to Coatbridge college and I recognise the significance that it brings to the local community. I know from my local employers how important it is to have the college nearby, one with which they can co-operate and get a ready supply of skilled workers.

The hon. Member for Angus, East (Mr. Welsh), who has worked in further education, made an important point about the availability of resources. He also spoke of the need for a diverse range of courses. We in Scotland pride ourselves on the diversity of our education system, which must be extended and maintained in further education. The point was amplified by my hon. Friend the Member for Maryhill, who referred to her own experience and made an interesting point about the quest for improved general education standards in Scotland. That relates to the availability of general education in further education colleges for those pursuing craft courses.

If we are to have multi-skilling, and if new skills are to be available for the future, people must have the self-confidence that will enable them to change skills. That may not seem important, given the self-confidence of my hon. Friends, but increasing people's confidence is difficult in Scotland, partly because we have experienced generations of high unemployment. Our education system is very sound on the basics, which gives us the edge, but we lose out through not giving people enough self-confidence. That is one of the great things that educational qualifications can provide, because achievement in the further education sector is recognised.

It is regrettable that we have had to have this debate. It would have been much better if we had gathered here to examine the opportunities for further education in Scotland. As we approach the turn of the century, new industries and opportunities will emerge. I hope that that will happen under a Labour Government.

Those of us who represent Lanarkshire constituencies are very conscious of the impact of inward investment and companies such as Chunghwa Picture Tubes, and of the need to provide the diversity of skills that that company will require. The same position is replicated throughout Scotland. Another important part of Scotland's economic future is tourism. Many of our colleges provide courses in hospitality, which are vital to the improvement of the service that we offer the tourist industry. They, as well as the many science and technology-based courses of which we have been so proud in the past, are important in Scotland.

I cannot understand the reasoning of the Scottish Office. I hope that the Minister will be good enough to give us a clue to why he is selling not just the family

silver but the future in refusing to fund our colleges adequately. It is not necessary to travel far to find colleges that are doing sterling work in deplorable conditions. There will be no sustainable future for those colleges if there are to be hefty staff redundancies, and a lessening of the quality and range of teaching because of the pressures put on teachers who must work in dilapidated buildings with obsolete equipment that the private finance initiative cannot renew or replace.

The only form of growth that has taken place is the granting of responsibility to colleges for the allocation of bursaries. We shall be discussing that elsewhere in the House of Commons in the next few days, but is it not ironic that the Government, while trimming and fiddling at the edges, are ducking the key issue? If we are to invest in the future of the Scottish economy and the confidence of our young people, and secure the place in the world economy which I believe we are capable of securing rather than languishing where the Government have put us, the investment that we make in education is crucial.

I commend the speech of my hon. Friend the Member for Falkirk, West. He made valid points that summed up the issues that people in Scotland are currently discussing. As my hon. Friend the Member for Kilmarnock and Loudoun pointed out, in investing in further education we are investing in training, education, our people and our country's future.

This morning's debate shows the nature of the issues that a Scottish parliament will address. It will be in tune with the demands of the people of Scotland, and will provide a degree of co-ordination and commitment that I consider important. I hope that the damage that the Government are doing to further education will not have dug in so deep that it will be too difficult for us to address in the early days of a Labour Government.

10.44 am

The Parliamentary Under-Secretary of State for Scotland (Mr. Raymond S. Robertson): I join other hon. Members in congratulating the hon. Member for Falkirk, West (Mr. Canavan) on securing the debate. It has been a good debate, and, although I may not have agreed with everything—indeed, anything—said by Opposition Members, I do not doubt their sincerity for a moment. That applies both to the specific constituency cases cited by the hon. Members for Kilmarnock and Loudoun (Mr. McKelvey) and for Livingston (Mr. Cook) and to the more general points that were made.

Mr. Canavan: Did I hear the Minister say that he did not agree with anything that had been said by Opposition Members?

Mr. Robertson: I did not agree with everything, and perhaps with anything, but the hon. Gentleman may agree with some of what I say. As I have said, I do not doubt Opposition Members' sincerity, although part of what was said by the hon. Member for Monklands, East (Mrs. Liddell) seemed unnecessarily strident.

The debate is important because of the vital role that our colleges play in meeting the skills needs of the Scottish economy. I hope that the hon. Member for Falkirk, West read the article in yesterday's edition of *The Herald*, which said that substantial growth in the uptake of Scottish vocational qualifications was being stimulated throughout Scotland by the further education sector. That flies in the face of one of the central points of the hon. Gentleman's speech.

No one disputes the fact that we need a highly competitive and skilled work force in an increasingly competitive global economy. The role of colleges, and their success—for I believe they are successful—is not mentioned often or loudly enough. Today's wide-ranging debate has highlighted some of those successes, but, unfortunately, it has also misrepresented the dynamism of Scotland's FE sector to a great extent. I welcome the opportunity to make clear the Government's support for the colleges, and to describe what we have done and will do in the future.

I am personally committed to that, having visited nine colleges in virtually as many months. I did that because I wanted to see at first hand what they were doing and how they were doing it. I was impressed by the enthusiasm and commitment of the management, staff and students whom I met, and I pay tribute to them.

In the period since April 1993—which, after all, was only just over three years ago—colleges have built on earlier strengths and, through that liberating process, have achieved some remarkable advances. Incorporation has assisted college responsiveness by devolving decision making to local level, and has led colleges to look critically at their structures and systems to ensure that they are appropriate to a dynamic environment.

The hon. Member for Kilmarnock and Loudoun asked why a college in his constituency had received a nil capital allocation for this year. Capital works in our colleges are increasingly being funded successfully from the private finance initiative. What the hon. Gentleman did not mention was that Kilmarnock college had received 5.12 per cent. additional funding this year and last year had received a capital grant of more than £500,000. I was concerned by much of what the hon. Gentleman said, however, and I shall be happy for my officials to meet representatives of the college as a matter of urgency to see whether the issues that he raised can be explored further.

The hon. Member for Linlithgow (Mr. Dalyell) mentioned the relocation of West Lothian college from Bathgate to Livingston. The college has not yet assessed the financial and other implications of the option to relocate the entire college. In reaching its conclusions, it will have regard to the best interests of education and training in the West Lothian area as a whole, and we shall study those conclusions carefully.

The hon. Gentleman asked five specific questions. If he does not mind, I shall reply to them fully in writing.

Mr. Dalyell: Obviously such a reply is much better than an immediate response, but will the Minister assure me that the officials will sit down with all concerned and discuss the position before any final decisions are made?

Mr. Robertson: I do not hesitate to give the hon. Gentleman that assurance.

As the hon. Member for Monklands, East said, colleges are also involving employers, as major stakeholders, in what they do. That involvement takes place at many levels: on the board of management to ensure strategic vision, with the local enterprise company to collaborate in the local achievement of education and training targets and with individual

[Mr. Robertson]

employers to meet their specific needs. What characterises the 220,000 students who attend colleges is the differences between them, and that is the strength of those colleges. About a third of college activities are undertaken by part-time students, with 5 per cent. of students studying by open or flexible learning. In recent years, much of the growth in Scottish higher education has occurred in colleges.

The hon. Member for Glasgow, Maryhill (Mrs. Fyfe) spoke of staff numbers being in decline. That is not true. In October 1992, there were 6,850 teaching staff, but since incorporation the number has risen, to just under 7,000 in 1994-95. The increases in the volume of student activity in 1994-95 over the previous year were as follows: art and design, up 14 per cent.; social studies, languages and communication, up 9 per cent.; and special needs programmes, up 17 per cent.

Mrs. Fyfe: If the Minister cannot answer my question now, perhaps he will write to me, but what is the student to staff ratio now compared with five or 10 years ago?

Mr. Robertson: The hon. Lady has asked a number of specific questions and I shall reply in writing.

Mr. Wallace: The Minister said that staff numbers have increased. Are his figures for full-time equivalent staff?

Mr. Robertson: Yes, they are.

Mrs. Fyfe: Will the Minister give a written answer on how many of those staff are in permanent posts and how many are on short-term contracts?

Mr. Robertson: I shall write to the hon. Lady. If she wants me to write to her again, perhaps she will write to me and we may make some progress.

We funded growth, but, following rapid expansion, it has proved necessary to hold full-time numbers to their current record levels, although colleges are being encouraged to continue to expand the number of students on part-time higher education courses.

Such provision is not capped. Just under half of all students are over 25, reflecting the range of innovative programmes on offer and the colleges' commitment to lifelong learning. Increasingly, colleges provide training for employers on their premises, often to Scottish vocational qualification standards. I want to encourage these trends, with colleges increasing student participation further, particularly by introducing more part-time provision and open and flexible learning opportunities in partnership with employers.

The goal of increasing student participation has been one of our major objectives since incorporation, and we are meeting the objective. In the academic year 1994-95, student activity increased by 6 per cent. Colleges will continue to increase activity this academic year and in future. That growth is being stimulated by the funding of colleges and by the way in which funds are distributed.

Listening to some hon. Members, one would think that colleges do not have the resources to fund that expansion. Since incorporation in April 1993, recurrent funding for further education has increased by 14 per cent. In each year, the recurrent funding made available to colleges has increased. In 1996-97, £233 million will be available. That has been possible despite the need to maintain downward pressure on public expenditure.

The hon. Member for Monklands, East, in a wide-ranging and well-crafted speech, said that the Government were underfunding further education. I assume that she missed out the page in her speech that stated by how much we are doing so and how quickly and how much an incoming Labour Government would put into Scottish higher education. I give her the chance to rectify her mistake, which she made when she turned over two pages in her speech instead of one.

Mrs. Liddell: I was aware that a number of colleagues had made the point and I did not wish to be unnecessarily repetitive. However, £45 million less is available to colleges than employers say they need simply to maintain 1995 service levels.

Mr. Robertson: No, it was not that page but the one that states how much a Labour Government would invest in their first year in office.

Mrs. Liddell: I recognise that the Minister is practising for being in opposition, questioning the next Government. We will adequately fund Scottish further education. My hon. Friend the Member for Dunfermline, East (Mr. Brown) has published wide-ranging proposals that will ensure that our young people get the skills and training that the Government's funding of further education is limiting.

Mr. Robertson: I hope that all those from the colleges who are watching the debate and those who will read it later heard the hon. Lady refuse to give any commitment on how much an incoming Labour Government—that will not happen—will spend.

The challenge for now and for the future is to maintain and improve standards while increasing efficiency. We have set the colleges challenging targets, delivering efficiency savings of 4 per cent. each year. I am pleased to say that the colleges are achieving that, and there is no reason why they cannot continue to do so.

At the time of incorporation, the costs of providing further education varied enormously throughout Scotland. In some colleges, it cost about twice as much to teach comparable subjects. Colleges were not funded coherently or systematically. We have therefore gradually phased in a newer and fairer approach to allocating funds, based on student activity achieved by colleges. This aims to ensure that a reasonable balance is struck between resources that colleges receive from the taxpayer and the need to encourage them to deliver value-for-money increases in student participation and high standards, which they are achieving.

I make no apologies for the new funding formula, requiring high-cost colleges to find efficiencies to bring them closer to the average. The wide variation in colleges' cost efficiencies could not continue. We are assisting colleges to make the necessary adjustments by restructuring funds—£4 million in 1995-96—for retraining or enabling staff to take early retirement. This is not all about shedding staff; restructuring must reflect

the changing pattern of demand for courses. Many colleges are recruiting staff to meet the changing and growing demand in new areas, as the hon. Member for Falkirk, West said, such as mechatronics.

Our decisions on college funding reflect our view that, increasingly, the private finance initiative will replace capital grant funding. It is an important policy in bringing together a new partnership between the private and public sectors. Despite Opposition Members' comments, colleges are enthusiastic about it.

Mr. Canavan: We do not doubt colleges' enthusiasm, but it would be greater if they received sufficient resources to do the job. The figures that I quoted were given to me by the Association of Scottish Colleges, which in turn were extracted from the Scottish Office's plans. Taking revenue and capital expenditure into account, in real terms, there will be a 12.5 per cent. reduction in the amount that the Scottish Office gives colleges from 1994-95 to the financial year 1998-99. How on earth can the Minister justify such a massive decrease in assistance to colleges?

Mr. Robertson: Unfortunately, the hon. Gentleman has not been listening to me. I am glad that he accepts that colleges are enthusiastic about the private finance initiative.

Two projects—a new campus for Falkirk college in Stirling and a new campus for West Lothian college in Livingston—are at an advanced stage. The PFI is not the only public and private partnership that is under way. By operating more efficiently, colleges are freeing resources to improve their buildings and equipment, both directly and through the freedom to borrow. There are examples all over Scotland.

Among the best is the new multi-million-pound campus at James Watt college at the waterfront development in Greenock. Perth college has attracted £2 million of support from the Gannochy trust for a new library and study centre, which will put it at the forefront of the use of new technology.

I was pleased to inaugurate the construction of that building, where I announced a grant of £200,000 to assist with equipment. The policy document "Training for the Future" announced an allocation of £500,000 to equip colleges generally with new technological equipment. We have also invested substantially in upgrading college buildings since incorporation, with capital grants of £46 million. Hon. Members who visit colleges will see the transformation for themselves.

The list of achievements is long: the multi-million-pound project at Edinburgh's Telford college, whose refurbished north campus opened on Monday; Cardonald college, where investment of £4 million has been made; and Langside college's business school, which I recently opened.

If we are to face future challenges, a partnership approach is important. I should like briefly to identify what they will be. We must strive to provide better guidance, raise participation and improve success in achieving qualifications. We are working with colleges in these areas.

The "Higher Still" reforms, which will be implemented in academic session 1998-99, will provide a unified programme of academic and vocational learning, leading to certificates on a subject or group basis.

Information technology opens up an exciting new way of responding imaginatively to the needs of students and employers. Colleges need to facilitate that process, and we have the excellent example of Fife college, which demonstrated to me the use of telematics to support training in small and medium-sized enterprises. Information technology will also provide a way of delivering much of the teaching and learning at the new university of the Highlands and Islands. I am confident that further education colleges in Scotland will have more students studying more subjects with more staff and money than ever before. That is a tribute to the Government, and it is unfortunate that Opposition Members cannot see that.

Defence and Security (Europe)

10.59 am

Mr. John Wilkinson (Ruislip–Northwood): I am grateful for the opportunity to raise the subject of Britain's role in Europe's defence and security policy and to address issues of the utmost topicality and importance.

The outcome of the first round of the Russian presidential elections last weekend has demonstrated how finely balanced are the political forces in the Russian federation. The emergence of General Lebed, with his background as former commander of the Russian 14th army in Moldova and of operational experience in Afghanistan, as national security adviser to President Yeltsin has more than domestic significance.

At the European summit in Florence on Friday, it is possible—if the beef crisis permits—that there will be discussion of Europe's common foreign and security policy. It is certainly a theme for the intergovernmental conference, and Britain's views should be more influential than most. The United Kingdom is, with France, one of only two nuclear powers in Europe, so the UK's strategic weight is disproportionate to its military manpower. We are the sole nation within NATO, apart from the United States of America, to have troops permanently stationed outside its national territory in Europe, and beyond—for example, in the Falklands and Hong Kong. Also, with principal NATO subordinate commands—Allied Forces North West at High Wycombe and Headquarters Eastern Atlantic at Northwood—Britain is the cornerstone of Europe's defence and security architecture.

With major US military facilities still located in Britain, the UK is crucial for the projection of American power to Europe and the maintenance of a balance of forces and security on the continent. In defence terms, the UK has long been at the heart of Europe. It would be even more so if it had persuaded the rest of the Western European Union to allow the other organs of the institution to join the council located in London, by offering County hall as the headquarters for the whole organisation, instead of succumbing to the European impetus towards Brussels, which seems so fundamental these days.

Mr. Jim Marshall (Leicester, South): I hesitate to interrupt the hon. Gentleman so early in his speech, but does he not realise that if the WEU is to be an effective European pillar for NATO, it is essential that liaison and co-operation between those organisations has practical and real significance? That prospect will be enhanced if the WEU is situated in Brussels, where there can be regular personal and other forms of contact.

Mr. Wilkinson: I totally understand the point, but I was thinking about Britain's influence in defence affairs. As ours is an Atlantic nation, that influence should be important. The concomitant risk of locating the WEU in Brussels is that it could be over-influenced by the European Union and its aspirations to take over much of the WEU's role, but I do not dispute that there is considerable validity in the hon. Gentleman's argument.

From 1945 to the end of the 1980s, the artificial division of Europe by Soviet force of arms dominated defence debates in the House, and the necessity for deterrence of potentially aggressive Warsaw pact forces through the doctrine of flexible response determined the character and scale of the military dispositions of the western alliance and its nuclear-based strategy. Paradoxically, the division of our continent remains the greatest challenge for Europe's security policy and overall strategy.

In the days of the cold war, the imperative was the perpetuation of the artificial division of Europe through the containment of the potentially aggressive Warsaw pact along the iron curtain. Today, inclusive initiatives are emerging to hasten the end of the political divisions that plagued our continent for so long. Those initiatives are crucial in extending to fellow European nations which were denied democracy for four decades after world war two the fruits of political and economic liberty, underpinned by collective security arrangements that offer genuine defence guarantees and no provocation to any neighbouring state.

NATO's post-cold war adaptation has been rapid and remarkable. The rationalisation and reorganisation of its integrated command structure to reflect the lower level of its assigned forces have been impressive. NATO's continuation as a defensive alliance after the former Soviet forces had gone home from central Europe was fully justified by the organisation's decisive role in bringing the Bosnian war to a halt when the United Nations, WEU and European Union had between them failed. NATO's implementation force in Bosnia, which even contains contingents of non-NATO countries, has kept the peace in that country and provides the security necessary for economic reconstruction and, hopefully before too long, for successful democratic elections.

In the Gulf war, the coalition of western and Arab nations that successfully defended Saudi Arabia and liberated Kuwait was made possible by the long experience of the western allies' armed forces and military commanders of working together in NATO's integrated military structure. NATO has, through the North Atlantic Co-operation Council and the partnership for peace programme, shown commendable initiative in adapting to the realities of contemporary Europe, which is mercifully no longer imperilled by hostile ideology or aggressively configured forces.

Instability in the Russian federation, as in Chechnya and the sovereign republics on its southern flanks, provides risks and unpredictable contingencies. NATO's new Balkan involvement is supposedly limited to the end of this year, but could prove longer lasting. The impact of militant and fundamentalist Islam from Turkey to Morocco poses a new orientation to Europe's security arrangements and a real danger in the Mediterranean basin. Nuclear and chemical proliferation allied to ballistic missile transfers to aggressive regimes challenges the processes of arms control and demonstrates the need for NATO in Europe to acquire its own ballistic missile defence.

NATO's defensive credentials are impeccable, and the democratic nature of its member states unquestionable. There is no reasonable cause for delaying NATO's expansion to the east. By what justification should the genuine democracies of central Europe and the Baltic states be denied the security guarantees previously extended by NATO to Turkey, Greece and Portugal when those countries, for a time, did not have democratic Governments?

Why should Russia have a veto on the purely defensive security arrangements of sovereign democratic states? This is particularly so when the example of Norway showed that it could be—throughout the cold war, as a full NATO member—a good neighbour of Russia, with a common border and a sensitivity to the Nordic balance, which made it wholly appropriate that neither NATO nuclear weapons nor NATO foreign troops should be stationed on Norway's soil in time of peace.

Today, the Norwegian model has relevance for the full and early NATO membership of the Baltic states. The cost of Russia's interventions in Afghanistan and Chechnya have shown the Russian people and the Russian military how bloody was their denial of legitimate self-determinations and how high was the cost to the Russian armed forces—a lesson that General Lebed has never forgotten.

There has never been a qualifying contribution for NATO membership. Luxembourg has been a welcome member with only one battalion of troops, no air force and, certainly, no navy. Iceland has no armed forces at all. Importantly, through the Organisation for Security and Co-operation in Europe, there is now—there was not previously—an over-arching instrument for crisis management and for better understanding across the European continent. Through the partnership for peace there is also, of course, an experience of military dialogue upon which to build.

In the cold war, the European Community—which in those days was a purely economic organisation—never offered security guarantees or kept the peace. It was an example of free enterprise principles jointly applied for the common good. Today, the European Community—I use the word advisedly—could, as a community, be a unifying force for the new Europe rather than a potential source of division, which it promises to be as a political entity.

The objective of ever closer union via the chosen path of economic and monetary union, as laid down in the Maastricht treaty—to which the Government fatally subscribed in the fullest sense, committing themselves not only to the end of Union, but to the financial means of bringing the European Union about through the ever larger budgetary contributions agreed at the Edinburgh summit in 1992—is incompatible with the much more important goal of swift enlargement to include all the democracies of eastern and central Europe, and not only the Visegrad three.

Our deliberations in the European Standing Committee have revealed the huge additional cost of extending the common agricultural policy, on enlargement of the European Union, to the acceding countries to the east, especially to Hungary and to Poland. It is small wonder that the European Commission is now talking of admitting only the Visegrad three in 2002, with no firm date for equally eligible states such as Estonia. Why should those countries be in only the second division of applicant countries?

Applicant nations regard their accession to the European Union as an element in their overall security policy. Are western-oriented democracies to be left out in the cold? Procrastination over their entry will feed resentment among their people and their political classes, especially since the European Union is denying them access, through its tariffs, to its market for their cheap agricultural produce and, in some instances, dumping on them surplus food over-produced by European Union farmers through the munificent operations of CAP subsidies.

It is a similar tale with the Western European Union, to full membership of which central and eastern European countries reasonably aspire. If one takes contemporary rhetoric at its face value, the WEU is either the European defence identity or the European pillar of NATO. The recent NATO council in Berlin enhanced further this apparent status by affirming the assignment to WEU of combined NATO joint task forces. Those NATO formations are, in the first instance, for performing the St. Petersburg tasks of peacekeeping and humanitarian relief, but conceivably—by implication—they are ultimately for military operations when the United States does not want to invoke its security guarantee, including a nuclear option, or when it might not wish to imperil its good bilateral relations with the Russian Federation.

My hon. Friend the Minister knows that the House of Commons Select Committee on Defence was very sceptical about the efficacy of the WEU as a military organisation. However, the ministerial council of the WEU—in its Birmingham communiqué in May, to which the Government subscribed—called the WEU

"the defence component of the European Union".

As such, applicant countries take it very seriously. They do not deserve to be disappointed in their desire to join the WEU as full members.

There are two elements to Europe's defence and security policy that are of intense interest to the United Kingdom, and upon which Britain has direct influence. The first is the ambition of the European Union to arrogate to itself a military competence through armaments co-operation. The Franco-German armaments agency, which the United Kingdom has recently joined, might be the first stage in that process. If so, I believe that it will be a retrograde step.

If the purpose of the agency is to predispose the participating nations against the procurement of equipment from the United States, it could diminish the operational effectiveness of the British and European armed forces, which need to be able to buy the best equipment, or the most cost-effective equipment, from whatever source. It could have the adverse effect of excluding European industry from lucrative American programmes, recent examples of which include the C130J Hercules, the AH64 Apache, potentially the Orion 2000 and many others.

In my judgment, an imposed and unnecessary bureaucratic and managerial superstructure will not enhance cost-effective European arms procurement. The NATO management agency and the NATO Eurofighter management agency, for the Tornado and the Eurofighter programmes—to provide only two examples—were bad enough. Where would such an agency be located? How would it be staffed? How would its programmes be funded? Would it not merely duplicate the work of NATO's committee of national armaments directors, which is already experienced in seeking to harmonise operational requirements and to maximise ...pment standardisation between member states?

[Mr. Wilkinson]

The main impetus to collaboration should be commercial rather than political. This is particularly true in a world in which there is a diminishing market for armaments and in which defence equipment exports are crucial for the prosperity of defence companies.

There is a final aspect of Europe's defence and security policy to which Britain can make a key contribution. *The Sunday Telegraph* of 2 June reported that the Foreign Affairs and Security Committee of the European Parliament had proposed in a draft report that the EU take over the nuclear weapons now owned by Britain and France. The draft report is alleged to say that, without them,

"the European Union will never be able to adopt a common foreign and security policy".

Apparently, the report was adopted, and Marlene Lenz, a German Member of the European Parliament, was reported in *The Sunday Telegraph* as saying:

"If we have a union, and we need a strong union, there should be a military capability to it—and nuclear weapons would be part of that".

That would circumvent the basic law of the Federal German Republic that forbids nuclear weapons, and as French sources have suggested that the French nuclear deterrent should be held in trust for the European Union, it is important to take those dangerous aspirations seriously—for dangerous they are.

A nuclear European Union would in effect be a super-power, incapable of fulfilling, as Britain must urge that it does, its nobler destiny, which is to transform itself into a genuine community of sovereign independent states—a community whose objectives are free trade and friendship, which would be an instrument for reconciliation and harmony within a reunited continent.

11.20 am

Sir Russell Johnston (Inverness, Nairn and Lochaber): I congratulate the hon. Member for Ruislip–Northwood (Mr. Wilkinson) on securing a debate on this important issue, but it was a pity that his Euro-scepticism so coloured his speech, especially towards its conclusion, when he spent some time on the common agricultural policy. His political attitude to the Union, which is very different from mine, means that he found himself in a way contradicting his own knowledge of defence questions, and adopting what in my view are unrealistic positions.

Co-operation and yet more co-operation is the name of the game. That has long been argued by Liberals both in the House and elsewhere; it is not a new position. I remember vividly that almost 20 years ago, in 1977, in the European Parliament of which the hon. Gentleman is so disdainful, my noble Friend Lord Gladwyn was responsible for producing a trail-blazing report on common weapons procurement in Europe. We have come some way since those days, but not far or fast enough.

As recently as 13 June, the Institute for Public Policy Research produced a document called "About Turn, Forward March with Europe". I shall quote briefly from the press release that accompanied the publication of the book, which was edited by Jane Sharp, the director of the defence and security programme at the IPPR. Apparently the document

"asserts that Britain can no longer afford, either politically or financially, to pursue a foreign and defence policy separately from her major European partners."

That contradicts what the hon. Member for Ruislip–Northwood said. The press release continues:

"Britain must integrate more deeply with France and Germany at all levels of defence planning and procurement.

The link with the United States in NATO remains vital but Britain has to recognise that the special relationship with Washington is over. Britain can best influence world events in future as part of a strong and cohesive Europe.

The book is critical of much conventional thinking about defence",

and so on. That is a good basic position, very different from that outlined by the hon. Member for Ruislip–Northwood.

My hon. and learned Friend the Member for Fife, North–East (Mr. Campbell), who speaks on such matters for our party, expressed the same feeling a couple of years ago in the *Defence Industry Digest*, succinctly and with the clarity that his legal mind gives him:

"The European Union consists of many middle-ranking powers none of which can really afford"—

again the word "afford" is used—

"to maintain a full range of capabilities but which collectively form an extremely formidable alliance. Burden sharing, force specialisation and common procurement are all areas that should be examined. Once the CFSP has developed there may be scope for greater equality in expenditure on security among member states. Britain and France, which"—

as the hon. Gentleman said—

"provide most of the capability, should be recompensed by those who spend less."

The German position, which the hon. Gentleman also touched upon, is changing and will continue to change. It has already changed, when Germany sent troops into former Yugoslavia, and it will change further. It will not remain static. The Franco-German Eurocorps and the British-Dutch marine force have developed slowly, but I think that those exercises point in the right direction.

I do not know whether the swear word "Maastricht" passed the hon. Gentleman's lips, but it certainly hovered in the air above him, so it might be useful if I remind the House exactly what the Maastricht treaty said when we passed it. As I recall, the Minister of State was most active at that time. The treaty called for the European Union to develop political co-operation, in particular through the implementation of

"a common foreign and security policy including the eventual framing of a common defence policy, which might in time lead to a common defence".

The language is cautious, very likely because of the United Kingdom's reservations, but the intent is clear. The treaty both sets an objective and recognises technical and financial realities.

The hon. Member for Ruislip–Northwood said that the Western European Union was possibly over-influenced by the European Union, partly but not entirely because of its location in Brussels. I believe that he said that it was subject to the risk of dread diseases by being stationed there. I am not sure whether I know what he means by the idea of "over-influence". The EU is not a monolith apart from the United Kingdom; the United Kingdom is part of it. The hon. Gentleman may not be happy about that, but it is a fact.

The United Kingdom's aim must be to work within the WEU, NATO and the EU. We must sit down with our colleagues there and work out political objectives. In our view the main flaw in previous defence reviews has been the fact that they have often been Treasury driven, rather than our having sat down and asked what we are capable of doing, who we are doing it with, how the activity should be shared out together, what we are prepared to undertake and what we are not prepared to undertake.

For example, we were prepared to undertake to try to control the situation in the former Yugoslavia, but if there were a widespread repetition of the Chechnya conflict in the Soviet Union I do not think that we would endeavour to intervene, because we do not have the capacity to do anything about such matters. We must draw lines, too.

I shall conclude by referring to the former Yugoslavia, because the hon. Gentleman touched on arms control at the end of his speech. I find the lifting of the arms embargo, which I believe took place yesterday, worrying. I do not think that it contributes much to the safety of our troops there, and I am sure that the French would agree with me. I should like to know what the Government's position is.

According to *The Guardian* today:

"The Bosnian Serbs will face the most radical cuts in the region"—

the lifting of the embargo is based on concomitant cuts—

"leaving them with 500 artillery pieces and 137 tanks, nearly halving their present force. The poorly-armed federation would have to acquire significant amounts of new equipment to reach its new ceilings of 273 tanks and 1,000 pieces of artillery."

Then cometh the crunch:

"However, much will depend on verification procedures and these must rely on trust, a rare commodity."

It is indeed a rare commodity, which is still, sadly, virtually absent in the former Yugoslavia. Considering the risks that we and other western European countries—notably France and the Netherlands, as well as, of course, the Americans—have taken on ourselves to try to sort out a dreadful position, opening the floodgates to more arms entering the region is a mistake.

11.30 am

Mr. Edward Garnier (Harborough): I am grateful to be called and particularly grateful to my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson) for choosing this subject for this morning's 11 o'clock debate. I do not think that we have debated a more important subject in the past few weeks. The importance of it is highlighted by the fact that it takes place in the interim between the first and second rounds of the Russian presidential elections. Whether my hon. Friend chose today and the subject for his debate knowing that that might be the backdrop or it was simply a gift from the Prince of Serendip does not matter. I congratulate him on the subject and the timing of the debate.

I agree wholeheartedly with much of what my hon. Friend the Member for Ruislip–Northwood said—in fact, almost 95 per cent. of it. Before we came into the Chamber, my hon. Friend confessed that he was going to make one or two generalisations. On the contrary, he made a highly detailed, well-argued and tightly constructed speech, which would have done the Europeans great credit. When I say the Europeans I mean those in the 16th and 17th centuries who created those wonderfully detailed tapestries in the low countries. My hon. Friend's speech was excellent and taught us much.

It is regrettable that my hon. Friend the Member for Ruislip–Northwood and I are the only Conservative Back Benchers present—he to make the speech and I to listen to it. Parliament is diminished and those whom we represent are less well served when such speeches are listened to only by those who have to be present and one or two others who feel it of interest to be present. I trust that what my hon. Friend said will be reported widely and digested with pleasure.

Not only those in my party have failed to attend this debate. I note that the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) is wearing a very tasteful blue shirt, and I am particularly delighted that he has found time away from his duties in Scotland and elsewhere to be with us to represent his party. He always speaks with great learning and experience on foreign and defence policy, and although his speech—I hope that he will not think me rude—did not marry entirely with what my hon. Friend the Member for Ruislip–Northwood said, it was worth listening to. I hope that it will be digested—perhaps not quite so comfortably—by the great British public when it is read.

I look across the Chamber to the official Opposition. It is always a personal pleasure to see the hon. Member for Gateshead, East (Ms Quin) because she speaks with great intelligence and sincerity. It is a pity that, behind her, the massed ranks of new Labour are notable for their absence rather than their presence. I am not blaming anyone, but it is worth observing that the Chamber is empty and it is a pity that the speech of my hon. Friend the Member for Ruislip–Northwood has been listened to with such poverty in the numbers of the audience.

Ms Ann Coffey (Stockport): Come on, get on with it.

Mr. Garnier: My hon. Friend the Member for Ruislip–Northwood, who I know is a keen critic of Europe, devoted some of his speech to the common agricultural policy. I draw his attention to the fact that the European Union donates huge sums to—I think—the Greek economy to subsidise its tobacco farmers. One could not put a cigarette paper between what my hon. Friend said and what I, eventually, will get round to saying—[HON. MEMBERS: "Hear, hear"]—on Britain's role in European defence and security policy. I fear, however, that we could put a complete cigar box between what the hon. Member for Inverness, Nairn and Lochaber said and what my hon. Friend and I have to say.

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis): Not much tobacco is grown in Harborough.

Mr. Garnier: My hon. Friend is quite right. We do not grow much tobacco in Harborough.

My hon. Friend the Minister may be able to form a bridge—in so far as one is necessary—between my hon. Friend the Member for Ruislip–Northwood and myself, but I fear that the gap between Inverness and Harborough is unbridgeable.

There are important lessons to be learnt not only from what my hon. Friend the Member for Ruislip–Northwood said but from the wider political scene in

[Mr. Garnier]

Europe. We cannot understand Britain's role in Europe's defence and security policy without bearing in mind the Russian elections and what is going on there. There are three dominant themes at the centre of Russian politics at the moment. First, there is the continuing need for reform of the social and economic structure of that much-troubled country. Secondly, there is a desire for protection.

Over the past 10 or so years, there has been severe dislocation in Russian society—not only since the collapse of the iron curtain but before it. Millions of Russians see themselves as victims. They are homeless, poor and out of work and fear that they will not have a home, get a job or have the domestic security that they believe was their right. During the presidential elections, demands for the people of Russia and particular sectors of Russian industry to be protected were advocated.

The third theme that ran through the Russian elections was nationhood. Now, 25 million ethnic Russians live outside the borders of the Russian Federation. The Russians, whether they live within or without the Federation, have a deep and sometimes melancholic sense of nationhood. General Lebed, to whom my hon. Friend the Member for Ruislip–Northwood referred, and who came third in the presidential elections, is the author of "The Dash to the South". I understand that he is now the new ally of President Yeltsin, which leaves Zyuganov as the second-placed presidential candidate—the communist—and his only hope of victory lying in the hands of Zhirinovsky. That must have a profound and direct consequence for us and the way in which we look on our defence and security role in Europe.

Sir Russell Johnston: I am sorry to interrupt the hon. and learned Gentleman so early in his speech, but surely it was a matter of encouragement that support for Zhirinovsky fell by—I think—3 per cent.

Mr. Garnier: It was encouraging that Zhirinovsky got 4.8 per cent. or thereabouts—

Sir Russell Johnston: Five point five per cent.

Mr. Garnier: It was a relatively small amount but none the less significant when it comes to tactical voting in the second round. I do not want to become too bogged down in the detail of Russian politics in the debate that my hon. Friend the Member for Ruislip–Northwood has initiated.

What is important to us is how the new, developing Russia will regard its near abroad after the shenanigans in Chechnya. How will it regard our desire for an enlarged NATO? Will it want to expand not contract its armed forces, especially its navy, to satisfy domestic concerns and protect what it sees as its expanding capitalist economy as it looks to new markets overseas? How does that touch on us? I suggest that it affects us directly and most vitally.

Politicians of all parties—including the two main Opposition parties and those outside the House—may whip themselves into a lather over local government spending, social security spending and its consequences for future tax breaks, and the BSE crisis which, of course, are all greatly important, but they shrink into insignificance when one considers the matters that my hon. Friend the Member for Ruislip–Northwood has addressed this morning. Another world exists outside Britain. It is changing and we ignore it at our peril.

Defence matters to us in a world where Russia is politically and economically unstable and unsure of its future and of how it is regarded by the rest of the world. Defence matters when the politicians and bureaucrats of western Europe are talking about closer integration, while our experience of eastern Europe, the Balkans and the former Soviet Union is of disintegration. Some of it, happily, has been peaceful, such as the split between the Czech and Slovak republics. Other experiences of the disintegration in eastern Europe and the former Soviet Union have been profoundly violent. We need look no further than the former Yugoslavia to see an example of that.

One also needs look no further than the former Yugoslavia to see Britain's importance as a European military power with a significant and influential role to play. The work of our forces there is an example of our co-operation with our European allies, our NATO allies, those in the WEU and across the Atlantic as well as within the main continental bloc. I am glad that others have found time this morning to praise and draw attention to the work of our forces in that troubled country.

Defence matters in a world where the collapse of the Soviet bloc and the huge economic strains that that has caused has brought about huge economic migration from the eastern bloc into the west and where economic pressure has forced the peoples of northern Africa to move into southern Europe. It matters in a world where each country wishes to take a more or less aggressive stand against those who wish to move into it for economic reasons as opposed to reasons of racial, political or religious persecution.

Defence matters in a western Europe that will be failing if it refuses to look outside the confines of the European Union and to recognise the need for a strategic global overview, encompassing the transatlantic link with the United States and Canada. Europe must also recognise the importance of fostering relations with Japan and the other democracies of Asia and Australasia, not just commercially but militarily as well. An inward-looking, exclusive European Union that tries to hammer a wish list into a prefabricated mould of politically correct Europeanism, including a European standing army, a European Union foreign and security policy that takes no account of intergovernmentalism, national co-operation and the need for practical answers to questions of practicalities and which wishes to translate the WEU into the European Union and fails to see the continuing need for NATO right across our continent would be damaging and contrary to the interests of this country.

My criticism of those who advocate such policies is not to deny the need for unity of purpose or to say that this country has no place in the security picture of the European continent—far from it. We certainly need to be part of it. We have experience on the world stage as members of NATO and WEU and as one of the two European members of the permanent five on the UN Security Council. We also have military capability in manning and planning and good intelligence services.

My hon. Friend the Member for Ruislip–Northwood read a passage from the European Union report published earlier this month about a desire to bring the nuclear

capability of individual member states such as France and the United Kingdom within the competence of the European Union machinery. That is deeply disturbing and misunderstands the needs of the future development of the European military scene. It misunderstands our natural desire to maintain an independent nuclear deterrent.

All the experience and skills that I have mentioned, our equipment, both nuclear and conventional, our will to protect our national interests wherever they are threatened, within or outside Europe and our determination to back our words with actions suggest that the British approach to the security of Europe is better and more realistic and will work.

Since our policy commands respect beyond the limits of the European Union, on the wider continent of Europe, in the United States and, at this juncture, in the Kremlin, it is the policy that should be preferred. Although I sincerely respect the views of the hon. Member for Inverness, Nairn and Lochaber, I suspect that the Liberal Democrats' views on co-operation mean something rather different from those of my hon. Friend the Member for Ruislip–Northwood and me. I urge my hon. Friend the Minister to reject them out of hand.

11.45 am

Ms Joyce Quin (Gateshead, East): I congratulate the hon. Member for Ruislip–Northwood (Mr. Wilkinson) on his success in securing this Adjournment debate and on his choice of subject. This subject is often lost in wider defence debates or wider debates on the European Union such as the one that we will no doubt be having in the Chamber tomorrow. The debate has provided an opportunity to focus specifically on the hon. Gentleman's choice of topic. The choice of subject is timely because of the United Kingdom presidency of the Western European Union and because of the discussions taking place within the intergovernmental conference.

When I saw the subject for debate today I wondered whether a Defence Minister would represent the Government rather than a Foreign Office Minister. I hope that the fact that it is attended by the Minister of State, Foreign and Commonwealth Office means that the Secretary of State for Defence is temporarily silenced after his disgraceful speech the other evening. He should go back to his history books and remember that it was a Labour Government who helped to set up NATO. We need no lessons in patriotism from him. I was rather relieved to see that the editorial in the *Daily Mail* described his speech as one puffed up with "patriotic bombast". That described it nicely.

The speech of made by the hon. Member for Ruislip–Northwood was interesting and was perhaps less strongly marked than usual with his suspicion of anything to do with the European Union, although there was a little bit of that, particularly in his exchange with my hon. Friend the Member for Leicester, South (Mr. Marshall).

The hon. Gentleman made many valid points. One which I strongly endorse was that about the protectionist impulses in economic policy which some European countries are showing to countries of central and eastern Europe and to Russia. That is completely unacceptable. We have an economic duty to the countries of central and eastern Europe to be as open as we can. I believe strongly that it is in our long-term interests to be generous and to help create that large pan-European market that is capable of benefiting all the countries involved.

I shall comment on the Opposition's position on some of the issues raised by the hon. Gentleman and others. The Labour party has a strong commitment to NATO and see it as the cornerstone of our defence policy. Active membership of NATO and participation in it is an essential part of our defence strategy. Obviously, we agree with the comments made this morning about the fact that NATO is now, self-evidently, operating in a different European and world climate and that its role has to be re-evaluated in that respect while building on the co-operation and achievements that it already has to its credit.

Obviously, enlargement of NATO will be an important subject for years to come, and we very much welcome initiatives that have already been taken, through the Partnership for Peace programme, with many countries of central and eastern Europe and many countries who were formerly viewed as enemy countries and well outside any co-operative framework with NATO. Such Partnership for Peace programmes are important, as will be eventual enlargement of NATO, but we want enlargement of NATO to take place in a way that does not create new divisions in the European continent. We must consider that important aspect at every opportunity.

That does not mean giving Russia or anyone else a veto over any one country's application for membership, but it does involve ensuring that we work for and build a stable and peaceful European continent for the future. It is an especially difficult time for Russia, as many hon. Members have said. Obviously, we are glad that the elections in Russia took place on schedule, and we are keen, as I believe is everyone in the House, to support the continuing reform process in Russia, to help underpin democracy and to create economic relationships that will be vital for the future.

The WEU was mentioned by all participants in the debate. We welcome recent moves to strengthen the WEU as the European pillar of NATO. We welcome France's decision to reintegrate itself into NATO and to play an active part in the WEU, to which it has always been strongly attached, as it has been to NATO. We welcome the initiatives of the combined joint task forces, which were mentioned by the hon. Member for Ruislip-Northwood, and we welcome the initiatives regarding the Petersburg tasks—which he also mentioned—of peacekeeping, humanitarian relief and so on. We believe that there is room for the WEU to take several important initiatives and act in a distinctively European way, but in a way that does not cause political tensions in the transatlantic relationship. I do not envisage any significant danger of that happening. We want the WEU, not to duplicate NATO activities, but to be able to supplement and enhance the work of the wider alliance.

In terms of the role of the European Union in this process, we feel that the common foreign and security policy should remain a separate pillar in the pillar structure as we know it, and that decisions in the common foreign and security policy should be taken by unanimity. We do not see the European Union as taking over the Western European Union, and obviously there are question marks concerning the future development of a defence role for the European Union, which make progress in this area very difficult.

The 15 countries of the European Union have somewhat different defence traditions. Some have a neutral status, although the type of neutrality of countries

[Ms Joyce Quin]

that profess neutral status varies case by case, naturally, because of the history of the countries concerned and their different traditions, and sometimes their different international links or geopolitical situation.

That means that, especially during the intergovernmental conference, it is unlikely that the position regarding European defence co-operation will change dramatically, but it would be interesting to hear from the Minister some more details about the discussions between European Union countries in that area.

We have all had an opportunity to read the report of the reflection group, in which the Minister of State participated, but that document is often very unsatisfactory in that it says, "Some countries thought this, some countries thought that," so we must rely on press leaks to find out what countries said and which countries committed themselves to specific policies. Perhaps, in the interests of openness in the European Union, the Minister might give us a few more details this morning about the breakdown between countries on the key issues of how the European defence identity may or may not develop in future, and what different countries in the European Union regard as the respective roles of the European Union and the Western European Union.

As the wider common foreign and security policy was mentioned, especially by the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston), perhaps the Minister will tell us something about the continuing thoughts of the Government about appointing a European Union foreign policy representative. I understand that the Foreign Secretary favoured that proposal but many of his hon. Friends did not.

I strongly support what was said by Opposition Members about the institutional links between the Western European Union and the European Union. We want closer relations between the WEU and the European Union; Brussels, which has been the home of NATO and the European institutions, would be an obvious place for that liaison to occur.

I am glad that there are now contacts between the WEU Assembly and Members of the European Parliament, especially the security and disarmament sub-committee of the European Parliament's Foreign Affairs Committee. It makes sense that those Members of the European Parliament who are especially involved in examining that aspect of policy within the European Union framework are able to discuss regularly with their parliamentary counterparts in the WEU Assembly. I pay tribute to the work of my colleagues here on the WEU Assembly and to the Labour Members of the European Parliament who are involved in that liaison process.

Sir Russell Johnston: Often a false antithesis is made between the advisory Parliamentary Assembly of the WEU and the European Parliament; there are reports from the European Parliament of a sort of takeover. Does the hon. Lady agree that, even if WEU becomes more integrated into the European Union, that is no reason necessarily to abolish the advisory Parliamentary Assembly, which offers a useful outlet for national Parliaments to speak on defence matters in Europe?

Ms Quin: I agree. In any case, I do not envisage the abolition of the WEU Assembly, and I believe that national parliamentarians who have built up expertise in that regard need to have a close dialogue with Members of the European Parliament, who come at it from a slightly different angle but who have an equal interest in parliamentary and public scrutiny of the matters being considered.

More generally, it appears that, despite the fears that some Members of the House occasionally express about competition between the European Parliament and national Parliaments, there is a great deal, especially in the short term, that can be done to improve joint scrutiny by both national and European Parliaments of many of the issues that are important in the eyes of the public, but are not publicly debated as much as we should like.

Mr. Wilkinson: I wish to add a further point to that made by the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston). Is it not the case, though, that, as long as national Parliaments have responsibility for voting budgets for national defence, and as long as national Defence Ministers are answerable to those Parliaments—indeed, in some European Parliaments, the Defence Committees have very important roles—the purpose and function of the Assembly of WEU will be central to the formulation of a common European view on defence? That is not to say that there is no merit in Members of the European Parliament taking an interest; increasing interest in, and intelligent inquiry about, matters of defence, at whatever level in Europe, is all to the good.

Ms Quin: Obviously the budgetary aspects are important, but that does not undermine the importance of the institutional links between the two bodies, which are now more necessary than ever before and which need strengthening.

We also believe in the idea of back-to-back sessions between the WEU and the relevant institutions of the Council of Ministers, as offering more co-ordination and better dialogue between the WEU and the European Union. That would make a great deal of sense.

The hon. Member for Ruislip–Northwood also mentioned arms procurement. The Opposition can see important advantages in collaboration between European countries in arms production and in improving competition, but we have doubts about the way in which the system works at present. If a country is to have a 10 per cent. involvement in a project, it has to have 10 per cent. of the economic activity involved in the arms effort in question. That often seems to work against the interests of competitiveness and open tendering. Given the efficiency of some of our arms industries, we should bear this in mind when planning for the future.

Finally, I believe strongly that the end of the cold war presents us with enormous opportunities. Because of the growth of nationalisms and xenophobia in many parts of the EU—the latter is not always absent, unfortunately, from the United Kingdom—there is always a danger of renationalisation in this important area of defence and security policy. Labour does not want that to happen. We want the end of the cold war to be put to good purpose, by building on the achievements of the international co-operation that we already enjoy in defence and security matters. Based on our European and international commitments, we must try to build towards a wider, more peaceful, stable and prosperous European continent.

12.1 pm

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis): Our debate takes place against the background of some important developments in the European security landscape. In Bosnia, British troops are playing a leading role in the success of IFOR—the NATO implementation force—which is the largest military operation in NATO's history. In NATO itself, important work on enlargement and the changes needed to adapt the alliance to new strategic realities is under way. There is also the intergovernmental conference, the agenda of which includes European security and defence.

I therefore congratulate my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson) on his choice of subject and I welcome the debate which, for these reasons and for others that my hon. Friend outlined, is especially timely.

All the speeches in this debate have been of a high quality. Although I do not agree with everything that has been said, hon. Members have put their arguments cogently. I must tell my hon. and learned Friend the Member for Harborough (Mr. Garnier) that building a bridge between him and the Liberal Democrat spokesman on this subject is beyond my meagre abilities—although, as he remembers, I have spent some time bridge-building with him in the past.

Because the debate is so timely, some of the issues it covers are highly sensitive, so I shall choose my language with care today, for reasons that the House will understand. I might add, for the benefit of the hon. Member for Gateshead, East (Ms Quin), that I am responding to the debate because, quite apart from its European dimension, my responsibilities cover international security, including NATO; the Western European Union; and nuclear weapons. There is no hidden agenda behind my appearance.

The term Europe's defence and security policy carries the risk of misinterpretation. Like many of the other catch-phrases—such as the European pillar of the alliance—it is something of a misnomer. I say that because our defence is not a purely European concern. It is primarily to NATO, a transatlantic organisation, that we owe the peace that we have enjoyed for the past 50 years, so when we consider Britain's role in European security and defence, it is right to start with our contribution to NATO.

That contribution remains substantial. On any measure, Britain more than pulls its weight. For example, our contribution to IFOR involves about 11,500 personnel—a much greater effort proportionate to population, gross domestic product or the size of our armed forces than any other nation has been able to make. We can all be rightly proud of the work of these service men and women. The shared values and interests on which the alliance was built remain as strong as ever. As Bosnia has shown, the American presence in Europe continues to be an essential contribution to security.

The end of the cold war does not mean that we no longer need to be ready to defend ourselves and to keep the Atlantic community together. For the British Government, a strong NATO remains the key; it informs everything that we do.

The experience in Bosnia has also shown that a greater European contribution is one of the most effective ways of keeping NATO strong. Two thirds of IFOR's personnel are European. France is fielding a substantial contingent—testimony to the strength that NATO will draw from France's welcome decision to participate more fully in the alliance. European countries outside NATO—Finland, Sweden, Russia and nine central European countries—are also making significant contributions.

The challenge that we face with IFOR, with future NATO operations and at the intergovernmental conference is to allow the widest possible range of European countries to contribute to security, but that must be done in a way that strengthens the Atlantic alliance. That, I believe, was the thrust of my hon. Friend's speech this morning.

The hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) asked me a question about Bosnia. The United Kingdom is committed to keeping the balance of armaments at the lowest possible level consistent with regional security in that part of the world. The parties have committed themselves to agreed levels of armaments. The agreement was signed in Florence at the Bosnia review conference on 14 June. The NATO-led implementation force has agreed to verify compliance with the agreement, so compliance will not be, as the hon. Gentleman seemed to imply, voluntary. Verification will be done in conjunction with Organisation for Security and Co-operation in Europe arms control experts, leading to a verified reduction in the armaments held by some, particularly the Bosnian Serbs. Some room will be left for rearming by the Bosnian-Croat Federation, however.

Sir Russell Johnston: The fact that General Mladic is still at large and confident enough to go to Belgrade without being arrested—and still in charge of the Bosnian Serb army—leads many of us to doubt whether he will co-operate in any large-scale reduction in armaments.

Mr. Davis: I will not be drawn any further on this—nor would the hon. Gentleman expect me to be. My point stands.

Britain is leading the way towards the new flexibility goals in three key areas. First, the Atlantic alliance has not stood still as the world has changed around it. The end of the cold war and subsequent regional instability have changed the strategic environment radically. Since the fall of the iron curtain, Britain has played a key role in moving NATO towards the more flexible structure that is now required. The landmark decisions taken by NATO Ministers in Berlin on 3 June were a mark of our success. They pave the way for reform of NATO's command structure, allowing it to respond quickly and effectively to future regional crises such as the one that occurred in Bosnia.

Agreement on the combined joint task force concept will allow NATO headquarters facilities to be deployed systematically for operations involving NATO and non-NATO countries. The decision to build a European security and defence identity within NATO will allow the Western European Union to provide political control and strategic direction for European operations drawing on NATO assets, capabilities and planning.

The last point is of fundamental importance. It means, in effect, that a European identity can be built in partnership with NATO, using common structures. It also means that NATO will be able to draw strength from the desire of Europeans to do more for their security—both

[Mr. Davis]

in operations involving all the allies and, more rarely, when the United States does not wish to be directly involved in European operations under WEU political control. This ends the prospect of any European Union identity competing with NATO—that is an important point.

Secondly, no one would claim that the Western European Union has been a central player in European security during the past 50 years, important though its actions have been. It gained useful experience in operations in the Gulf and in Yugoslavia. It will need more experience, and robust machinery for control and direction of operations using NATO assets, if it is to fulfil the role accorded to it at Berlin.

That role will not involve operations of the scale and complexity of IFOR. Such tasks must continue to be carried out by European countries working together with our north American partners. The Western European Union should be able to carry out smaller peacekeeping and humanitarian tasks, working closely with NATO and the European Union. Giving the WEU the necessary operational capability to do just that has been the top priority for the British presidency of the WEU in the first half of this year.

We have made considerable progress over the past six months. This is summarised in the declaration of the Western European Union Ministers at Birmingham on 7 May, a copy of which has been deposited in the Library. In short, we have developed working links with NATO. The conclusion of a security agreement between the two organisations last month means that the WEU will be able to receive classified NATO intelligence and information in the future.

We have promoted practical co-operation between the WEU and the EU where it makes sense for the two organisations to work together, such as in relation to evacuation planning and Mostar. We have established within the WEU a situation centre and an intelligence section, both of which are vital if the WEU council is to have the up-to-the-minute information that is needed to make operational decisions.

We have made it easier for the widest possible range of European countries to contribute to the work of the WEU by agreeing to procedures for the participation of neutral countries in WEU operations, by allowing the central European associate partners to play a greater role and by strengthening relations with Russia and the Ukraine. I am grateful for the recognition that all these measures received in the Defence Committee's recent report on the WEU, to which my hon. Friend the Member for Ruislip–Northwood referred.

These developments, and the decisions taken by NATO Foreign Ministers at Berlin, are of fundamental importance for the intergovernmental conference—which is the third area that I intend to address. Defence is one of the issues that Maastricht agreed should be reviewed at the IGC. In our view, there is no urgent need to rewrite the provisions of the Maastricht treaty that deal with defence. The IGC is not central to the future of European defence—the success of IFOR and NATO adaptation is much more important to the evolution of what is sometimes called the European security architecture. The IGC must avoid decisions that are driven by institutional theology rather than operational logic—that is an important point.

Arrangements for European security and defence must respond not only to a desire for bureaucratic or institutional tidiness, but to the real security challenges that we face in the years ahead. That is why we will continue to oppose proposals that aim at an eventual merger of the EU and WEU, or subordinating the WEU to the authority of the EU. Those approaches are simply not practical—they would be a recipe for less effective, not more effective, European action.

Not all members of the EU are full members of the WEU. It would be wrong for countries that do not share obligations to defend each other's territory as enshrined in article V of the Washington treaty and to have an equal say in decisions on defence binding those who do. The Berlin Foreign Ministers' communiqué makes quite clear that NATO assets and capabilities are to be made available on a case-by-case basis for European operations under the control and direction of WEU.

It is not realistic to expect allies to make these assets available if the EU ultimately gives the orders. The EU has neither the expertise nor the purely intergovernmental structure necessary for the life-and-death decisions that are needed during military operations. There can be no question of the Government allowing the Commission, the European Parliament or the European Court of Justice a say in decisions affecting the safety of British forces; the IGC can complement the progress already made in NATO and the WEU towards effective and credible arrangements open to a wide range of European countries.

Last year, the Prime Minister set out in the House our approach to defence at the IGC. He made clear that keeping NATO strong as the bedrock of European security would be our first priority. That remains the case, and it will always remain the case. He underlined our determination to develop European defence co-operation in the WEU as a means of strengthening NATO. He proposed a reinforced partnership between the EU and an autonomous WEU so that the political, economic and military elements of European crisis management could be properly co-ordinated.

I shall now address some of the specific points that hon. Members have raised during the debate and, first, I refer to co-operation in defence equipment procurement. We play a full and active part in the western European armaments group, which is the main forum for the discussion of issues related to European armaments co-operation. We are also exploring with France and Germany the conditions for cooperation within the armaments structure that they have pioneered. Both countries have agreed in principle to United Kingdom participation. This is good news for British industry and for the British taxpayer. Discussions with France and Germany are at a preliminary stage at this point. We hope to start work soon on an intergovernmental memorandum of understanding that will define in more detail how the armaments structure will work.

We believe that intergovernmental decision-making remains the correct approach to this and to all other policy areas related to defence, but we have no desire for a "Fortress Europe" to develop. We value our transatlantic defence trading relationship and we will continue to conduct business with the United States where that best

suits our requirements. We remain committed to value for money and to competition in our procurement. European protectionism is a recipe for stagnation, as the hon. Member for Gateshead, East said.

My hon. Friend the Member for Ruislip–Northwood raised the question of a specifically European nuclear deterrent. I see no advantage in addressing this issue outside the transatlantic framework. Nuclear deterrence is bound up with the defence of our territory and that of our allies. Collective territorial deterrence is a matter for Europeans and north Americans working together in NATO. No Government are seriously suggesting that that should change—we certainly are not.

I agree that to give the EU military responsibilities for which it is not equipped would impede the task of extending stability and prosperity to the east. It would create a new obstacle to EU membership for central European countries and it would unnecessarily provoke Russian fears—a point that was touched on by my hon. and learned Friend the Member for Harborough and by my hon. Friend the Member for Ruislip–Northwood.

The developments in NATO and in the WEU that I have described today reflect the considerable progress we have made, but more can be done in the EU to improve the working relationship with the WEU. The Maastricht treaty already provides for the EU to request action from the WEU, and access to NATO assets and capabilities will put it in a much stronger position to respond to such requests in future. However, the habit of practical co-operation that we have been encouraging over the past six months must be built up if the two organisations are to work together effectively in such cases. We have proposed back-to-back arrangements from the highest level down to facilitate that.

There is sometimes a tendency in Europe to mistake pragmatism for a lack of vision. That could not be further from the truth in this case. Our approach to the IGC is based on a clear view of the defence and security policies that are needed to preserve peace and prosperity in Europe. It is underpinned by an ability and a readiness to deploy military force when circumstances require it. That ability makes our voice in the debate an influential one and it ensures that Britain will continue to play a leading role in Europe's defence and security policy.

River Claw (Pollution)

12.20 pm

Miss Emma Nicholson (Torridge and West Devon): I am grateful for the opportunity to debate this subject, and I am glad that I have been called to introduce it a little earlier than I or the Minister expected. I raise an important matter regarding an incident that is crucial for my constituents. Although the Environment Agency and the farming family concerned have acted speedily and efficiently, the Minister may like to consider some points about the incident in planning for the future.

On Sunday 9 June, the Environment Agency received a telephone call from a member of the public who had been walking her dog along the banks of the River Claw near Holsworthy. Farming in that area is particularly difficult because most of the land around Holsworthy is classified as grade 4—the lowest ranking of land for agricultural use in our ranking system. Land categorised as grades 1 or 2 may be used to grow grain, but land graded 3 or 4 is much more difficult to cultivate. In the Holsworthy area, we are very grateful for funding for culm measures related to a rare form of wild grass that grows in the heavy clay. I am told by local bank managers that farmers in the Holsworthy area never borrow money as they cannot repay it. That demonstrates how slender farmers' incomes are.

The incident involved a local farm. A member of the public noted that five miles or so of the river had been turned a dark brown colour by slurry, which is poisonous. The Environment Agency later described the contamination as a category 1 incident. Its senior water quality officer called it a "very serious and regrettable incident". The source of the contamination was a small family dairy farm, and I pay tribute to the way in which the farmer reacted to the problem. He is anxious that I should not name him, and I shall not do so. The farmer had done the right things and he had the appropriate insurance cover. His waste management system was maintained to a high standard and was checked recently by the National Rivers Authority and identified as being 100 per cent. effective.

However, there was unusually high rainfall over the weekend of 7 June. As the water level in the farm's dirty water tanks rose, the automatic sprinkler system was triggered and the water seeped into an old, unidentified drainage pipe in a field. It then leaked into a tributary of the Claw. The clean-up operation continues. Thousands of gallons of a poisonous slurry and silage mix have entered the river, starving it of oxygen and resulting in the sad loss of trout, stone loach, salmon and bullheads.

I suggest that the incident represents a major test for the new Environment Agency, which began its operations on 1 May this year. Its handling of the clean-up has been good—even though the incident is far more serious than first thought. My main concern today is to ask the Minister: if such devastation can be caused by an otherwise well-maintained waste system, what are the chances of such devastation occurring again not just in Devon, but nationally? For example, is the Environment Agency working closely with South West Water, which must have known that the drainage pipe existed? The contamination was classified as a category 1 incident, which is the most serious. However, there have been five such incidents in the six weeks or so the agency has been up and running. That is a worrying statistic.

[Miss Emma Nicholson]

The Minister will no doubt refer to the decline in agricultural pollution in the south-west region. The record shows a welcome improvement in that regard. In 1995, there were 975 incidents—a decrease of 50 on the previous year. That represented 21 per cent. of total pollution compared with 24 per cent. in the previous year.

Farming is the main industry in my constituency and I represent in this place the views of just under 4,000 farmers. I try to protect their quality of life and their incomes. The low pollution figures are excellent, as food production, processing and distribution are very important to my constituency.

The considerable losses that dairy and beef farmers in my constituency face as a result of the bovine spongiform encephalopathy crises may spread to the wider sphere of food production, processing and distribution. That trilogy forms the mainstay of the local economy and of productivity in my constituency. The Government have so far focused correctly on the plight of farmers, slaughterers and renderers, but perhaps they could look more closely at the needs of manufacturers.

One firm in my constituency, CPC (UK) Ltd., is concerned about the way in which several of the beef-related products across its wide brand portfolio have been affected by the crisis. For example, several countries are refusing to accept exports of Bovril. I would be grateful if the Minister would consider that matter and inform his colleagues in the Ministry of Agriculture, Fisheries and Food.

In my great farming constituency, farm pollution represented a lower proportion of the total pollution in Devon last year than in the previous year. That is an excellent result. The figures were due perhaps to an exceptionally dry summer and to the fact that in 1994 and 1995 dairy farming enjoyed a period of relative prosperity which allowed farmers to invest in farm pollution control. It is proper that the polluter should pay, but I draw the attention of the House to the fact that many farmers in my constituency have small net disposable incomes at the end of the financial year—some as low as £1,500.

Unfortunately, we cannot always rely on good weather to ensure environmental safety. There is now a real danger that, as dairy and beef farming incomes go into reverse as a result of the BSE crisis and its many ramifications, many farmers will find it increasingly difficult to afford that crucial investment. I do not suggest that the large numbers of cattle that are backed up on farms awaiting disposal are adding significantly to the present pollution load—after all, they are mostly out at grass. However, if significant numbers of cows are still awaiting disposal in the autumn, the incidence of environmental pollution from slurry will increase dramatically. That adds to the importance of speeding up the necessary disposal of cattle.

A matter that relates directly to the Under-Secretary's portfolio is Government support for waste water schemes. The current difficulties of the beef and dairy industry are compounded by the withdrawal of Government support for farmers who install waste water systems. The grants were originally 50 per cent. of the cost of an effective storage and control system for dirty water from farms. They were reduced to 25 per cent. and then abolished completely. Those grants were not intended to boost farmers' profits, slender though those are in my constituency, but were for the sole purpose of environmental clean-up. If the Government wish environmental clean-ups to continue, surely those grants should be reinstated.

I seek an assurance from the Government that they will not sacrifice environmental concerns in a quest to cut costs. My concern over the lack of Government resources allocated to protecting the environment also applies to the Environment Agency. Her Majesty's inspectorate of pollution said in 1995 that it could find the staff for fewer than three out of five necessary site visits to ensure compliance with regulation by the industry. Staffing levels have not been increased in the new Environment Agency. The chief executive has pointed out that he has 1,200 fewer staff than was expected when plans were drawn up for the agency two years ago.

Surely those staff are essential if we are to ensure that waste storage systems are maintained and used properly and that regulations are understood and enforced. Perhaps the Under-Secretary should learn the lesson and understand the importance of ensuring compliance, especially if he looks sideways at the Ministry of Agriculture and the way in which the BSE crisis has been handled since 1985.

The Government's stated concern for the environment is also qualified, unacceptably, by a cost-benefit analysis laid down in the Environment Act 1995, under which the costs of actions by the agency have to be justified before they are implemented. It is therefore possible for someone to make a legal challenge on the costs and benefits of an agency decision that he should install expensive pollution equipment. That situation will lead to what is known as paralysis by analysis. The position is further complicated by the fact that non-financial benefits are difficult to measure against straigh forward financial costs. Respect for economic effects of environmental protection is right and proper, but not to the extent of interfering with proper monitoring. I ask the Under-Secretary to consider that point.

A former Member of the House, Lord Crickhowell, who is also a former chairman of the National Rivers Authority, provided a forewarning of the problem when he said that there must be

"a mechanism for discovering what those costs are and for putting values on the environmental benefits. If that mechanism is not provided there is a real risk that almost all the Agency's decisions will be challenged to appeal, or worse, in the courts."

I ask the Under-Secretary to comment on that point also.

The Government's promises on the environment, as they affect my constituency, are laid bare by a reluctance to provide the proper resources and are riddled with qualifications. The farmers in my constituency, especially the farmer to whom this unfortunate incident occurred on 9 June, and I need reassurance from the Under-Secretary today that everything is being done that can be done to prevent such incidents from happening again. At present, to me at least, the evidence for that seems uncertain.

12.33 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I can give the hon. Member for Torridge and West Devon (Miss Nicholson) assurance on the points that she raised. I shall set out the important issues implicit in

the incident and, especially, our understanding of the cause of the incident on the River Claw; the remedial and other measures that were taken by the Environment Agency in its aftermath; whether any longer-term effects will arise from the incident; what action may be taken as a result of the incident; and our policy on minimising the risk of water pollution from agricultural sources.

I should, however, like to begin by thanking the public-spirited member of the public, to whom the hon. Member for Torridge and West Devon referred, who brought the incident to the attention of the Environment Agency and thereby allowed action to be taken at an early stage. I understand that the alert was given using the 24-hour free emergency pollution hotline which the agency operates and which was introduced by the National Rivers Authority in 1993. Last year, the hotline handled more than 30,000 calls, all of which were intended to allow prompt action to be taken to help protect the water environment. Once again, that initiative has shown its worth.

The hon. Member for Torridge and West Devon gave a description of the River Claw, which is a tributary of the Tamar. The catchment is predominantly intensively farmed grassland, used for stock rearing. The origin of the incident appears to have been a stock farm in the upper reaches of the Claw near Holsworthy. The cause of the pollution, which the hon. Lady described, seems to have been liquid farm waste that contained some slurry. The hon. Lady called the liquid "poisonous" and I will describe its effects later, but it is important to clarify that it was liquid manure.

Slurry is organic waste. It is polluting not because it is persistent or contains toxic substances but because it has a high biochemical oxygen demand—in other words, it depletes oxygen levels in waters which it enters because micro-organisms have to absorb additional oxygen to break down the organic material. The biochemical oxygen demand of cattle slurry may be up to 12,000 mg per litre compared to perhaps 50 mg per litre for treated domestic sewage. Thus it has a severe, if relatively short-lived, impact. That is why we have measures in place to require slurries to be stored in a safe manner—measures to which I shall return later.

In the incident on 9 June, a large quantity of liquid waste appears to have drained from a store to a "low rate" irrigation system used for disposal of dirty water by sprinkling to land, as the hon. Member for Torridge and West Devon mentioned. As a result, the polluted water was spread on to land by the irrigator and then entered the land drainage system and the river, resulting in the incident on Sunday afternoon 9 June.

Spreading dirty water to land to dispose it under controlled conditions is generally an acceptable method, but in this case the effects were disastrous. I understand the points made by the hon. Lady, but at this stage it remains unclear to the Environment Agency why the polluting matter drained from the store to the dirty water disposal system and why there was such a rapid loss of liquid from the store. It seems that the irrigator itself may have been operated in a manner that does not accord with the guidance given in the Government's code of good agricultural practice.

Miss Emma Nicholson: The farmer's waste management system had been cleared 100 per cent. favourably by the NRA only weeks previously. I remind the Under-Secretary that, of course, in normal circumstances slurry is not poisonous to humans, but at the time of the BSE scare we have to be especially careful with all waste products from animals that may be cull cows.

Mr. Clappison: I am sure that the hon. Lady will accept that I was trying to be precise when I described the exact effects of slurry. The important point, as I am sure she will agree, is the effect of slurry on fish and other wildlife. The hon. Lady's description of the incident is based on the information she has, but the matter will be subject to further investigation and I will describe that later. I hope that the hon. Lady will understand if I am somewhat circumspect in my remarks about the incident.

Whatever the cause, the effects of the entry of the polluting matter were severe. Oxygen levels in the Claw fell from 88 per cent. saturation, which is about what would normally be expected, to zero. About 3 km of the river turned dark brown. As a result, there was considerable fish mortality in the stretches affected before remediation began. The agency estimates that between 2,500 and 3,000 fish may have died, of which perhaps about 400 were brown trout.

The agency took remedial measures and initially focused on providing information to other relevant bodies and assessment of the polluting impact of the incident in order to concentrate remedial action in the most effective manner. The closest abstraction point for potable supply is about 45 km from the incident, so there was no threat to drinking water supply.

One of the main strands of remedial action was to save as many fish as possible. That was achieved with considerable success, I am pleased to say. About 1,700 fish were saved, of which over half were either trout or juvenile salmon. These fish were transferred to waters downstream of the incident. The second strand was to remove the polluted water from the river through pumping. Again this proved successful. The third was to re-oxygenate the river as rapidly as possible. This was achieved through the insertion of a mechanical whisk in the polluted stretch that re-aerates the water, as well as the use of other aeration equipment at other strategic sites in the Claw, to assist re-oxygenation. In addition, hydrogen peroxide—it is a strong oxidising agent—was used to introduce oxygen at strategic sites.

These remedial measures were undertaken between 9 and 12 June. By 12 June the oxygen levels in the Claw had recovered to the standards before the incident and remediation ceased. The incident was declared closed by the agency on 12 June.

The longer-term effects of the incident will be of concern. Slurry is biodegradable and the pollution was therefore primarily transient. The Claw is categorised as a class 2 river under our river ecosystem classification system, which requires, among other things, a dissolved oxygen level of better than 70 per cent. saturation. It is unlikely that there will be any longer-term diminution in the high quality of the river as a result of the incident. The agency will, however, be monitoring the manner in which the river recovers from the incident.

The main longer-term effects will be in relation to biological communities in the river. It may take up to 12 months for the invertebrates to recover. For fish, the

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recovery period will be even longer. The agency will be considering whether there is a need to improve spawning grounds to assist the development of fish populations. An alternative would be to introduce new stock to the river. As I have said, the incident had no consequences for any public use of the river, including drinking water supply.

The agency made use of its powers under section 161 of the Water Resources Act 1991 to undertake remedial work. It is now open to the agency to seek to recover the costs that it has incurred from any person who may have caused or knowingly permitted the polluting matter to enter the river, so that the polluter pays for the costs associated with his actions. I understand that the agency intends to take such action. I noted the hon. Lady's support for the important principle that the polluter must pay.

The agency has been gathering information that might be used to support a prosecution for an offence of polluting controlled waters under the 1991 Act. A decision on whether to take such action will be a matter for the agency. It is, however, the agency's policy to prosecute major pollution incidents where there is sufficient evidence and it is possible to do so as the person concerned can be identified. For the reasons I gave following the hon. Lady's intervention, I do not wish to say any more on that subject. I have set out the general legal framework that applies to this incident and to all others.

It has long been an offence under water pollution law to cause or knowingly permit the entry of poisonous, noxious or polluting matter to fresh waters. This approach has been successful in ensuring that those who undertake actions that are potentially polluting do so in the knowledge that they are liable for the consequences to the water environment of their actions. We should all recognise, however, that, although it is important to be able to take action where pollution has occurred, it is better to prevent that pollution in the first place.

Accordingly, in the agriculture sector, the Government have adopted an approach that employs both regulatory controls and advice and guidance to farmers and growers on how to carry out their activities in a manner that reduces the risk of water pollution. That is important. The guidance is found primarily in the code of good agricultural practice produced by the Ministry of Agriculture, which is being revised. The code has proved highly successful in setting out for farmers, their staff and contractors who handle, store, use, spread or dispose of any substances that could pollute water, the causes and results of water pollution, how best to minimise the risk of such pollution through their operations and what to do in an emergency.

The code includes extensive guidance on the principles of storing and applying livestock wastes and other organic wastes to land as well as the storage of slurry and the operation of dirty water systems. The guidance supports the regulatory requirement which we have introduced for the storage of slurry via the control of pollution regulations of 1991. The regulations specify that slurry must be kept in a reception pit or slurry storage tank, whether this is a pit, lagoon or above-ground store. They set out minimum requirements for the design and construction of such facilities.

We have recently consulted on changes to the 1991 regulations, but none is concerned with the basic standards that are applicable to the stores in question. For example, bases must be impermeable. Bases and walls must be protected against corrosion and must be capable of withstanding characteristic loads. The storage tank must have a life of at least 20 years. Failure to comply with these regulations is an offence.

I am pleased to say that the measures to which I have referred have led to some considerable successes. Farmers are certainly among those who are most concerned about the environment. They are naturally anxious to do all that they can to avoid polluting incidents.

Miss Emma Nicholson: I am glad to hear the Minister's description of the code of conduct. He knows, however, that farmers are subject to many different Government guidelines and, possibly, grants to assist them. Will he consider suggesting to his colleagues, or putting in place himself, a one-stop shop for farmers, to which they could turn to obtain advice on improving their land, on environmental matters and on available grants? It is difficult for a farmer, who is a one-family man these days, to be able to plug into all the different rules and regulations to gain proper advice and grant assistance without a one-stop shop.

Mr. Clappison: I note what the hon. Lady says. In context, the important issue is that advice has been made widely available to farmers. There is clear evidence, to which the hon. Lady adverted, that the process has been successful. The number of incidents has been falling. There is an improving picture of pollution from the sources that we are discussing. The total number of substantiated pollution incidents reported in 1995 reflected a fall of 8 per cent. Within that total, the number of incidents attributable to agricultural sources fell by 18 per cent. The number of agricultural incidents was the lowest since the formation of the NRA in 1989. Moreover, the number of major agricultural incidents—that is the highest category showing a serious effect, such as substantial fish kill—fell from 239 in 1989 to only 32 in 1995.

That is a pleasing development that reflects the efforts that the NRA and now the agency have been making in visiting farmers and undertaking anti-pollution campaigns. I know, for example, that the agency has been working with farmers in the upper Tamar on how to manage farm waste to reduce the risk of pollution. I am sure as well that it is a good reflection on farmers in the area which the hon. Lady described.

The proportion of major pollution incidents attributable to agriculture has fallen from 36 per cent. in 1989 to 17 per cent. in 1995. There is still room for improvement, but considerable strides have been taken in the right direction. As a recent agency report on pollution incidents concluded:

"This has been achieved by a combination of publicity, pollution prevention, regulations and farm waste grants. It clearly demonstrates that the risk of pollution can be significantly reduced if a sufficient co-ordinated approach is taken."

It should be clear from my explanation of the incident and from the background of our general policy that the Environment Agency should be congratulated on its prompt reaction, which averted some of the worst consequences of a major incident. The hon. Lady accepted

that the agency had performed well. The incident is now over, in the sense that oxygen levels in the river have returned to normal, but the agency will consider whether further action is needed to assist the recovery of fish populations.

I hope that this explanation puts into context the results of what seems to have been a failure to comply with requirements and guidance that, generally, have been successful in limiting pollution by slurry and other farm wastes. There is still room for improvement, but such incidents are, thankfully, very much the exception rather than the rule. I am sure that the hon. Lady and the House will join me in hoping that improvements will continue and that the number of such incidents will continue to fall.

I listened carefully to the wider points that the hon. Lady made about the costs and benefits implicit in the approach of the Environment Agency. She will know that the agency, which was the product of the Environment Act 1995, was widely welcomed and supported. I imagine that the hon. Lady herself would have supported the Environment Bill, which applied well-established principles, including that of best available techniques not entailing excessive cost, which has been successful and widely welcomed. Some measure of the success of that principle can be seen in the fact that it has been adopted implicitly in European directives covering this subject, and that our system of integrated pollution control has also served as a model for such directives.

On those issues, we are on the right lines, and I am sure that the hon. Lady will join me in hoping that the improvement in the reduction in the number of incidents of agricultural pollution will continue.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): As the Minister who will reply to the next debate is not present, the sitting is suspended until 1 pm.

12.52 pm

Sitting suspended.

Highways (Trenchless Technology)

On resuming—

1 pm

Sir Roger Moate (Faversham): Essentially, this is a debate about holes—millions of holes in our roads, causing delay and disruption to millions of motorists and costing the United Kingdom millions of pounds each year. It is about the digging up of our roads so that public utilities and cable companies can lay or renovate pipes or cables. According to one estimate, the resulting disruption costs £1 billion a year—and that does not include the cost to the frazzled nerves of road users, not to mention Members of Parliament.

There is ample evidence, however, that much of the dislocation is unnecessary and avoidable. Many of the holes in our roads would not be needed if Britain made fuller use of the trenchless technologies—the underground moling techniques—that are apparently used more extensively abroad. Much of the technology is, in fact, British. Why are we so slow to use it, and to insist that roads are not dug up when moling would often be quicker, cheaper and better? Should we not always be obliged to ensure that this new technology is used wherever it might be seen to be better, and to ensure that repairs and installations are tested against its availability?

Nationally, we face a massive programme of repairs to underground services. Let me shamelessly borrow a quotation from a paper prepared by Mr. Nick Taylor of Aegis Survey Consultants Ltd., which does underground survey work. He quotes Rome's water commissioner as saying:

"these numerous and extensive works have a natural tendency to fall into decay and must be attended to before they call for large appropriations".

That was said in AD 97, but I expect the same to be true in 1997. Like, I suspect, many other hon. Members, I have encountered an increasing number of problems as a result of necessary repairs to leaking underground water pipes. The problem is acute: it is the same problem as existed in ancient Rome, but it is on an even larger scale now.

The purpose of today's debate is to try to ensure that, in future, all works are carried out, wherever it is practicable and sensible, with the use of no-dig techniques. I understand that, in 1993, of all utility installation work—I am told that it involves about 8,000 holes a day—only 5 per cent. was carried out with the use of trenchless construction methods.

There is a large and growing industry described as the no-dig industry. I have had contact with that industry through a company in my constituency called Powermole International. Some time ago, it put me in touch with the International Society for Trenchless Technology. The society has an impressive magazine called *No-Dig International*. There are international conferences and exhibitions, attended by a surprisingly large number of national and international companies specialising in work of this kind.

I have received information from such companies. It is remarkably interesting to learn about the fast-developing range of new technologies that are available for installing, repairing, replacing and mapping underground services; yet people still seem reluctant to use those techniques wherever possible in the United Kingdom. According to

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the feedback that I receive, there is still a resistance to the use of trenchless technologies, or to ensuring that work is tested against their availabilities.

According to a letter from an international company that operates in Europe, the middle east and Africa,

"the present levels of No Dig activities throughout these territories are currently strongest in the Middle East where micro tunnelling is an established means of installing pipelines under many of the cities and the highways . . . although there are several contractors in the United Kingdom who are using micro tunnelling, only about 2 per cent. of the current installation market uses such techniques. The reasons for this are probably largely down to ignorance or indifference."

Let me illustrate the point from my own experience. The company that I mentioned earlier—Powermole International in Sittingbourne—produces compressed air-powered tunnel borers, ranging from very small to very large machines. I understand that the gas industry is one of the most extensive users of the technology. I shall not venture a criticism of that industry, but even it needed a gentle nudge from the local Member of Parliament to persuade it to tunnel under the busy A2 near Faversham when installing a major new pipeline across the countryside. Had it gone ahead and dug a trench across that busy road, my constituents would have suffered serious traffic hold-ups for a long time. Full marks to the gas company: it did the right thing and tunnelled—but that should have been automatic. The nudge should not have been necessary.

I saw another demonstration in Sittingbourne high street in my constituency. A gas main was replaced in a day; had the work been done by conventional means, as is so often the case, the road would have been up for a week. The same company ran two large steel tubes under the fearfully busy A249, ramming 17 metres of tubing under the road at a rate of five minutes per metre. It was done in about 85 minutes, while the massive amount of traffic that was passing overhead continued undisturbed. Conventional means would have cost five times as much, and would have brought chaos to the road.

That company is selling its products abroad, but, although they are clearly world-class products, it seems much harder for it to achieve success here in the United Kingdom. I have no doubt that other national and international companies all over Britain will tell the same story. I hope that the House will not mind my referring to the company in my constituency; I do so to illustrate the importance of the whole industry, and the need for our country to harness these resources. No doubt other hon. Members could tell the same story about companies in their constituencies.

As my hon. Friend the Minister will know, the Transport Research Laboratory commissioned a study, completed in 1993, of the potential for reducing costs resulting from the installation of utility services under our roads. The report identified the direct, indirect and social costs, and clearly spelled out the importance of reducing disruption and dislocation. I believe that it provided the figure of about £1 billion in disruption costs. I understand that it also mentioned the importance of using trenchless technology at the planning and design stages of work.

What steps have been taken since? The study suggested that the Department of Transport should ensure that highway authorities throughout the United Kingdom examined, on every occasion, the possibility of using trenchless technology.

No one is suggesting that trenchless technology is a panacea. There will be many occasions when it will not be appropriate and holes will have to be dug—it does not magically do away with the need to dig holes. It could substantially reduce disruption, however, if the utilities and highway authorities insisted on no-dig techniques where possible.

I do not think that that would require a change of legislation—indeed, I gather that I am not allowed even to call for a change of legislation in an Adjournment debate—but perhaps the Department of Transport could toughen its codes of conduct and guidelines and demand that any contractor carries out all works in a non-disruptive fashion. Perhaps a legal obligation could be placed on those who dig the road to ensure that they minimise disruption and check the best techniques.

Perhaps my hon. Friend the Minister should commission a further study into progress in reducing unnecessary road digging and into the extension of the use of no-dig techniques. There are many advantages in avoiding extensive, traditional trenching, such as the prevention of immense damage to trees and plants and the cutting of roots.

Holes and trenches create road safety hazards, and, when access to premises is disrupted, interfere with commerce and industry. Vehicles that are needlessly stuck in large traffic jams cause environmental pollution. Trenchless methods do not create large quantities of spoil and backfill, so they are environmentally friendly and cleaner, and cause less dirt, dust and pollution.

Trenchless methods are perceived as more expensive. I have seen no evidence to support that and I doubt that it is true, particularly when disruption costs are taken into account. I wonder whether there is an inertia factor, because many contractors or subcontractors would prefer to use their existing equipment and labour force, but how sad it would be if Britain were to continue to operate an old-fashioned and inefficient method when the alternatives are readily available and could be used rapidly, to the great benefit of road users and the economy.

The New Roads and Street Works Act 1991 was designed to reduce unnecessary digging and to create a register. I should be grateful if the Minister would say whether the register is in operation, and, if it is, whether it is working well. If it is not, when will it be, and what do we hope it will achieve? As a result of the Act, has there been a reduction in unnecessary and repetitive road digging by the public utilities? If there has been, it is not obvious to me as a road user.

Other countries have tougher legislation. American utilities do not have the statutory rights that our companies have, and tougher legislation may prove necessary in the United Kingdom. But how much better it would be if we could encourage a change in national attitude, so that all public authorities simply and forcefully demand that preference is given to the use of trenchless technology. That will happen only if they have clear guidance from Government. We ask this not necessarily for the sake of the companies concerned,

small or large—although I say, good luck to them all—but to provide a better deal for the British road user and taxpayer and for the environment.

1.13 pm

The Parliamentary Under-Secretary of State for Transport (Mr. Steve Norris): I am grateful to my hon. Friend the Member for Faversham (Sir R. Moate) for introducing what might at first glance appear to be a rarefied subject—trenchless technology—but one that is extremely important.

My hon. Friend rightly suggested that we cannot afford to ignore this issue. Trenchless technology is a generic term for techniques that essentially allow equipment to be installed or replaced under the street without breaking the surface—the no-dig concept. One example of this technology is a mole that can bore a tunnel between shafts that may be some distance from the street.

There is no doubt that such technology can be useful in reducing traffic disruption from street works. My hon. Friend rightly said that, even now, a number of industry experts believe that the full benefits or potential benefits of trenchless technology are not as well understood as they might be. That is a matter not just for the Department and local authorities but for those who sell the technology and develop it commercially.

The Department is clear that, as an alternative to open-cut trenching, trenchless methods have considerable advantages, the principal of which is that it generally costs less. For example, there is no doubt that they will be significantly less expensive for running a cable under a road—a classic application. Disruption on the surface is minimised: my hon. Friend gave a valid example from his area that could be replicated throughout the country.

Trenchless tunnelling is safer for operators and for the general public, and it improves relations between the utilities and the general public, because nothing more irritates the general public and upsets their relations with, for example, the gas or electricity boards than endless disruption of local streets.

Reduced environmental and social costs are associated with the technology. My hon. Friend gave some specific and graphic examples, and the effects of fully or partially closing a road, thereby severely restricting traffic flows, are quite serious.

There are, however, some disadvantages to trenchless technology—it is not necessarily a panacea in each case. I am advised that there are limitations on the use of the technology in certain ground conditions, and there is still the prospect of failure during operations, which can be extremely disruptive. The accuracy range of the technology is limited, and operators must be highly skilled.

The Department does not formally promote the use of the technology for street works, but disruption of the highway has become an increasingly important issue in recent years, not least because of the advent of the cable companies and the tremendous explosion in information technology that has resulted in countless new cables being laid, along with the expansion and upgrading of the sewerage system, and the supply of electricity and other services to new industrial areas.

In response, the New Roads and Street Works Act was deliberately designed to improve the co-ordination of works by local authorities, because it was felt, quite rightly, that they should be in the driving seat, if hon. Members will excuse the pun, of such development. They have an incentive to encourage undertakers to consider trenchless technology wherever possible. Specific statements to that effect appear in the 1991 Act's code of practice, in the context of traffic-sensitive streets where the avoidance of disruption is particularly relevant.

In 1989, the Transport Research Laboratory was commissioned to undertake a project on the use of trenchless technology, to indicate the extent to which it could be used to avoid road opening. The resultant report, "Trenchless Construction of Pipelines", was completed in 1993, but has not been published. It suggested that new technologies could considerably reduce the social cost of traffic delays.

My hon. Friend cited some spectacular figures, but I have no reason to disagree with his conclusions. The report's findings may supply key evidence for the use of the reserve powers in the 1991 Act or for an extension of that legislation, if that proves necessary, whereby undertakers can be charged for unduly prolonged occupation of road space.

My hon. Friend would be the first to accept that it would be difficult to require the use of a particular technology as the only one available, given the myriad number of applications under the 1991 Act. We must take account of the fact that it may be necessary on occasions to allow a different methodology. However, if the utilities are provided with a real incentive to complete work in a timely fashion and with minimum disruption—using the obvious technique of charging for unduly prolonged road occupation—that might provide a spur.

We have not yet gone that far, because there has been a considerable improvement in street works co-ordination since the introduction of the 1991 Act. When a new computerised system is implemented that will enable utilities to notify local authorities more quickly and accurately than at present—allowing them to exercise their co-ordinating role to the full—further benefits will derive from the 1991 Act.

Further support for the use of trenchless technology came from the Street Works Advisory Committee report that was submitted in July 1995. It contained the specific recommendations that highway authorities should encourage the use of trenchless technology where appropriate, and that the codes of practice published under the 1991 Act should adopt a more positive approach to technology progress. Those recommendations were accepted by the Government, so we will consider amending the codes to reinforce the value of trenchless technologies.

My hon. Friend's interest in the subject is no doubt stimulated, quite properly, by a company in his constituency, but I am grateful to him for drawing attention to the subject. There is tremendous scope for improving efficient completion of necessary works, which might bring benefits much more far-reaching than those enjoyed by utilities and local authorities.

1.26 pm

Sitting suspended.

Driving Licences (Medical Conditions)

1.30 pm

Mr. George Howarth (Knowsley, North): I should first like to express my gratitude for the opportunity to have this debate today. The Minister will be aware that, on 12 July 1994, I introduced the Unfitness to Drive on Medical Grounds Bill under the ten-minute rule. The purpose of the Bill was to place a statutory obligation on medical practitioners to report cases to the Driver and Vehicle Licensing Agency when they considered a patient to be medically unfit to drive. As is usually the case with ten-minute Bills, mine did not receive a Second Reading.

My reasons for introducing the Bill arose from the tragic death of a young constituent, Paul Scarisbrick, in a road traffic accident on the M62 in Liverpool. The circumstances of Paul's death illustrate my argument. The accident occurred because a 73-year-old man, Mr. Abrams, who was suffering from Alzheimer's disease, took the wrong turn and ended up driving the wrong way along the M62. The outcome was that his vehicle collided with Paul's vehicle, and Paul was killed.

It emerged at the coroner's inquest that Mr. Abrams and members of his family had previously been advised by a consultant at Mossley Hill hospital that, given his condition, it was unsafe for him to continue driving. Unfortunately, that advice was ignored. Equally unfortunate was the fact that the medical practitioners concerned took the decision—the consequences of which were appallingly visited on Paul and his family—not to inform the Driver and Vehicle Licensing Agency of their concern.

It was the practitioners' view—it is a view held by many medical practitioners—that their greater responsibility was to preserve the doctor-patient confidentiality aspect of their relationship. It logically followed that public safety considerations were of subsidiary importance.

I received a letter from the corner who conducted the inquest—Mr. S. R. Barter MBE, a respected Liverpool district coroner—who said:

"I am in no doubt in my own mind that the existing law should be changed by statute. Once a doctor has made a clinical judgment, following full investigation, that a patient is suffering from a disease which makes him a danger to himself and the public if he continues to drive, then he should be under a statutory obligation to inform the DVLA of his opinion."

That point of view should be taken heavily into account.

There have been further developments since I first raised the issue in the House two years ago. I have received a great deal of encouragement from members of the public and from a wide variety of organisations to continue pressing this issue, and I have been encouraged greatly by Mr. and Mrs. Scarisbrick, Paul's mother and father, to continue the campaign.

I received a letter from a person in Crewe. I do not have her permission to use her name, and so she shall remain anonymous. She said that she had heard about my Bill on BBC news, and went on to say:

"My father suffered a stroke four years ago and lost the use of his left hand, and movement in his left leg was severely restricted. He applied to have to his licence renewed stating that he had been ill. A new licence was sent to him and no further checks were made. My father was 74 at that time and extremely anxious to drive. As he is a widower and I am the only child I felt responsible and consequently wrote to DVLA to explain his condition, they then cancelled his licence that they had just issued. This action by me made the relationship between my father and I very awkward as he still thinks he would be all right to drive."

That letter is an example of the dilemma faced by family members who feel that an elderly parent who is in some way infirm should not be driving, and who take action. The decision clearly creates difficulties for their relationship with their parents or elderly relations.

On 29 July 1994 I received a letter from a solicitor, Mr. Bernie Rowe, of Lyons Davidson solicitors, in Bristol. He said:

"My firm deals with several thousand road traffic accident claims each year, and each year produces its 'crop' of cases, nearly always involving relatively serious road accidents, where serious injury or death has resulted from drivers who have continued to drive despite health problems which would suggest they should not be behind the wheel.

As an immediate past chairman of the Motor Accident Solicitors Society, I know of many other solicitors throughout the country who will have a similar experience to my own. I had not been aware of your initiative on this matter until today, but as a result of reading the article in *The Post*, I have asked the Motor Accident Solicitors Society administrator to add to the next management committee's agenda details of your initiative."

He went on to mention my Bill, which he supported.

That is some of the evidence. I have files full of evidence, but selected only those two examples because I think that they make useful and significant points.

Some 12 months ago, with Mr. and Mrs. Scarisbrick, I met the Minister, who was kind enough to arrange a meeting in his office. We all felt that it was a constructive and useful meeting. I thank the Minister for the helpful and sympathetic approach he has taken to this case and to the issues that it raises.

The Minister's position then was that, while he sympathises with the aims of my Bill, he has been advised by the lawyers concerned that it would be difficult to introduce an acceptable procedure for policing statutory obligations on medical practitioners. I think that that is still his position.

In a letter to Mrs. and Mrs. Scarisbrick, dated 13 May 1996, the Minister said:

"I would be sorry if you had the impression that progress had not been made in responding to the problem. When I wrote to George Howarth on 8 June, I included a copy of extracts from the document which the General Medical Council had recently agreed, advising doctors that they should be prepared to notify DVLA of cases of this sort, in certain specified conditions. This guidance has since been officially promulgated, publicised in national press and circulated to every doctor in the United Kingdom. Our Chief Medical Adviser has recently discussed the matter again with the GMC, and they will be undertaking some fresh publicity."

I am grateful for the action that has been taken.

So far, so good, but I remain unconvinced that those new arrangements, although very much an improvement over the previous system, provide any sanctions against medical practitioners who choose to ignore them, whether from misguided ethical considerations or from sheer negligence. Ideally, I should still like the arrangements to be put on a statutory basis. However, I realise that that is not a likely probability, at least in the short term.

I propose that the Minister enters into a consultation exercise with the General Medical Council, and with other interested parties, to discover whether it would be possible to develop a voluntary scheme that will be policed professionally rather than statutorily.

If the idea is to succeed, it must have three vital components. The first and most important criterion is that there must be a clear commitment to the reporting of such cases to the DVLA as a matter of routine, not as an exception. If a medical practitioner feels that somebody is unfit to drive, he must immediately report that fact to the DVLA. A separate set of procedures, which are extremely fair and do not make any prejudgments, is then pursued. The decision is subject to an independent medical examination.

Secondly, a clear sanction should be applied to medical practitioners who neglect to carry out that responsibility. If it could be made to work, I should have no objection if that were to be a professional sanction rather than a legal sanction under the criminal or civil law. If, when the Minister consults the General Medical Council, it can come up with such a way of dealing with the problem, I would be happy to see that go ahead, and to see whether it could be worked out without the need for statutory regulation.

Thirdly, Mr. Scarisbrick is keen, especially with progressive diseases such as Alzheimer's disease, that we should take into account the need for clear thought about how to determine at what point, in a general sense, a patient is liable to become unfit to drive for medical reasons. I know that that is a difficult concept to pinpoint, and that doctors are wary of applying generalised arguments to specific cases.

However, Mr. Scarisbrick has a point, because it is predictable that someone suffering from a degenerative disease is likely to become unfit to drive at some point. If the prospects cannot be easily determined, cases must be monitored and patients re-examined on a regular basis, to establish when they have reached the point at which they should no longer be driving.

Mr. Scarisbrick also asked me to raise four points, and I shall do so briefly. If the Minister wants to take more time to consider them, that is fine by me. I am sure that he will write either to me or to Mr. Scarisbrick about them. First, Mr. Scarisbrick feels that some progress has already been made, and he is grateful for that. Secondly, his main aim is to ensure that, once a person has been discovered to be suffering from an illness such as Alzheimer's disease, that person should not be allowed to drive. I covered that point in a slightly different way earlier.

Thirdly, Mr. Scarisbrick has noted that there are more and more reports of accidents involving older people, especially in cases involving motorway driving, in which the risks are often far greater—I believe that the Minister mentioned another such case in his letter of 13 May. Fourthly, Mr. Scarisbrick feels that, perhaps for a limited number of cases, there should be some process of medical certification when people apply for the renewal of insurance policies.

I know that the Minister is sympathetic, and equally that he is aware that, on behalf of Mr. and Mrs. Scarisbrick, I have a fixed commitment to making further progress, so that the chances of another accident as horrific as that involving Paul are drastically reduced. I urge the hon. Gentleman to respond positively to my suggestion; if he wants to take it away and think about it, that is perfectly understandable. I believe that there is more progress to be made, so I hope that he will join me in that endeavour, so that we can try to reduce the possibility of any such thing ever happening again.

1.43 pm

Mr. Edward O'Hara (Knowsley, South): I shall speak briefly in support of my hon. Friend the Member for Knowsley, North (Mr. Howarth). I feel a strong sense of involvement with the case, for several reasons. First, the M62 motorway passes through my constituency at the point where the tragic accident happened. Secondly, although Mr. Scarisbrick and his family are now my hon. Friend's constituents, after the boundary changes they will become my constituents. Most importantly, their late son was a close friend of my children and their friends; they all went to school together, and I know how devastated that small community of decent young people was by the accident.

I endorse all that my hon. Friend has said, especially the three points that he raised at the end of his speech. People in my constituency, especially those closely involved with the tragic accident, cannot understand why the medical profession does not already have a statutory duty enforceable by sanctions. They certainly cannot understand why medical opinion cannot be brought closely to bear on the problem. I hope that the Minister will be able to respond positively to what my hon. Friend has said.

1.45 pm

The Parliamentary Under-Secretary of State for Transport (Mr. Steve Norris): I am grateful to the hon. Member for Knowsley, North (Mr. Howarth) for raising this important subject. As he said, I met Mr. and Mrs. Scarisbrick when they came with him to see me last year, and we had a meeting at which useful progress was made. I welcome the further opportunity given by today's debate, because this is a problem to which at least part of the answer lies in publicity, whereby doctors and the public at large will become aware of the issues and be able to act more appropriately.

There are two things to say at the outset. First, my right hon. Friend the Secretary of State and I very much sympathise with the Scarisbricks in the sad loss of their son in an accident caused by a driver suffering from Alzheimer's disease travelling in the wrong direction on a motorway. That is a dreadful human tragedy that no words of ours can mend. Secondly, we greatly appreciate the way in which the Scarisbricks have pressed us to take measures to reduce the likelihood that further blameless drivers will suffer in a similar way in future. If they feel that, in some way, some good may come out of the terrible tragedy that befell them, I entirely share that sentiment.

Let us examine the legal position and consider recent developments, and then I shall say a word about the hon. Gentleman's proposition about doctors being liable—a suggestion endorsed by the hon. Member for Knowsley, South (Mr. O'Hara). All drivers are under a statutory obligation, when applying for a licence, to declare whether they are suffering from relevant or prospective disabilities. They must also notify the licensing authority if they subsequently become aware that they are suffering from such a disability.

The licensing authority has the power to refuse an application or revoke a licence, and can require a person to give consent to the provision of such medical reports as are necessary. Ultimately, it is the licensing authority's decision, not that of a patient's doctor, whether an

[Mr. Steve Norris]

individual is fit to drive. Problems of the sort that we are talking about today arise when a driver is not aware of his incapacity and does not accept advice from his doctor, or indeed, from his family and friends, that he should notify the DVLA, but continues to drive.

Last year, the Medical Commission on Accident Prevention issued a revised guide entitled "Medical Aspects of Fitness to Drive", edited by the former chief medical adviser at the Department of Transport, Dr. John Taylor. That guide, which is available to all doctors, addresses those issues, and I have sent the hon. Member for Knowsley, North a copy.

It is important to underline the fact that, in his introduction, Dr. Taylor picks out for specific attention the problem that we are discussing, and refers to the unhappy case of Paul Scarisbrick. He advises doctors:

"where a patient's disorder makes him manifestly dangerous as a driver and his condition renders him incapable of taking advice that he must inform DVLA, or where he refuses to do so, practitioners have a civil law duty to immediately inform DVLA medical staff."

That is a statement of the law as it stands today. The doctor is under a civil law duty to inform DVLA.

Confidentiality is a fundamental principle on which patient-doctor relationships rest, but the guide recognises that there are circumstances in which it is right that doctors should breach that confidentiality in the public interest if the result of not doing so would be to place someone else, or, indeed, patients themselves, at risk of serious harm or death. Such circumstances do not arise often, but cases involving patients with Alzheimer's disease might well be among them.

Since the issue of the guide, the General Medical Council has amplified its guidance to doctors, emphasising that, where patients continue to drive against advice when medically unfit to do so, doctors should pass information to medical advisers at DVLA without delay. The guidelines set out in some detail the steps that a doctor should take. Where the patient cannot understand the doctor's advice—for example, because of dementia—the doctor should inform DVLA immediately.

Where a patient understands the advice but refuses to accept it, doctors should suggest a second opinion, and if that does not do the trick, approach the patient's next of kin. If those efforts of persuasion fail, the doctor should pass the information in confidence to DVLA. Those guidelines, which were approved by the General Medical Council about a year ago, give doctors clear guidance on their responsibilities—both to their patients and the public at large—when faced with such circumstances, which are often very worrying.

The hon. Member for Knowsley, North made an extremely important point when he mentioned the family who were upset because they had to advise an elderly member of the family that he should not drive. There is no doubt that that is precisely the sort of circumstances in which relatives are extraordinarily diffident. Friends, too, are diffident about insisting that someone—perhaps with whom they live—should give up a facility from which they derive great practical benefit, which represents a final sign of aging or of suffering from a particular ailment that is unlikely to improve. That is a traumatic and difficult time.

There is clear advice from the GMC that, if relatives' efforts of persuasion and second opinions fail or advice is understood but simply not taken, the doctor personally should pass the information in confidence to the DVLA. It has been put to me very clearly by a doctor with whom I recently discussed the matter that, bluntly, that is what doctors are there for. In such circumstances, they have to be clear where their duty lies.

The hon. Member for Knowsley, North has suggested—his private Member's Bill incorporated the suggestion—that there should be a specific statutory obligation on doctors to refer cases to the DVLA when they believe that a patient is unfit to drive, which would go beyond the principles that I have described and, in a sense, apply a sanction to a doctor who was deemed not to have made a suitable notification. I understand that there is such legislation in north America, but our research suggests that, in practice, it has not been effective. The reason is fairly straightforward.

It would certainly be very difficult to frame legislation that avoids a potential effect on the confidential doctor-patient relationship, but, more importantly, there is a risk that such a statutory provision would discourage patients from taking their problems to doctors. It is entirely predictable that patients whose condition varied would, if they did not feel particularly well on the day that they were due to be examined by their doctor, find some reason for cancelling the appointment and present themselves only when they felt that they were at their best. Doctors would rapidly develop a risk aversion, which would not be helpful either to them or to their patients.

I know of at least one case of a patient being examined by a doctor who came to the conclusion that, on balance, the patient ought to be allowed to drive. That patient subsequently caused a death due to dementia or psychosis that rendered him incapable of driving, yet the doctor had exercised his judgment and there was no suggestion that he did it with other than total responsibility and professionalism.

My Department and I have taken the view that, in such circumstances, it is intolerable to expose doctors to the risk of penalty or litigation when, in effect, the law is exercising that marvellous commodity known as 20:20 vision hindsight. On that basis, and bearing in mind the strong advice that I have described, we have so far remained unpersuaded that legislation such as that suggested by the hon. Members for Knowsley, North and for Knowsley, South is desirable.

Mr. George Howarth: The difficulty that I have with that concept is that, for whatever reason, some doctors will take what I consider a misguided ethical position on doctor-patient confidentiality. Although that is one problem, I must be honest and say that some doctors are so hard-pressed that they take the line of least resistance. There must be some compulsion on doctors in such circumstances so that they feel that, on balance, it is better to take the decision than, on balance, leave it on one side.

Mr. Norris: I entirely understand that point. I do not think that the hon. Gentleman and I are at odds on what we want the outcome to be. We want doctors clearly to understand their duty. The hon. Gentleman would introduce a legal constraint on them. I have said that, although I quite understand the merit of that argument, there would be a prospect of some serious disbenefit to doctors who are simply trying to do their best. As I have

said, there is very clear guidance, which, if I may paraphrase, says to doctors: "Be under no illusion. Your confidential relationship with your patient is extremely important but it cannot be more important than the life of an innocent bystander or another driver such as Paul Scarisbrick, or, indeed, patients themselves. In those circumstances, your duty, general practitioner, is entirely clear."

I will not, of course, close my mind or say that the Department's mind is closed on the matter, and I shall look at the idea of incorporating declarations on medical insurance forms, which may have some merit. Without any prejudice, I am happy that we should do so.

The main message should go out very clearly to doctors, and I am extremely grateful to the hon. Member for Knowsley, North for giving us the opportunity to send it. It is very simple: if in doubt about the ethics of disclosure, rather than whether the patient is fit to drive, be in no doubt. In fact, there is no doubt that there is a very distinct obligation to report. The judgment on suitability is of course a matter for doctors themselves.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

TRADE AND INDUSTRY

Manufacturing Industry

1. **Mr. Win Griffiths:** To ask the President of the Board of Trade what plans he has to discuss developments in manufacturing industry at the next meeting he attends with his European Union counterparts. [32107]

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Ian Lang): My colleagues and I meet regularly with our European Union counterparts to discuss a range of industrial issues. Later this afternoon I shall be meeting the Swedish Minister for Industry and Energy, Mr. Anders Sundström.

Mr. Griffiths: I thank the President for that reply. Given that the occasional paper on United Kingdom investment performance shows that manufacturing investment is lower now than in 1979, and the latest output figures show that we are technically in recession, does the right hon. Gentleman agree with the Chancellor that our poor manufacturing record could be made worse by the antics of the Tory Europhobes who, even now, could be scaring off inward investment?

Mr. Lang: The hon. Gentleman might need to be reminded that under this Government total investment has risen six times faster than under the Labour Government. Manufacturing investment in plant and machinery is up 12 per cent. since the beginning of the recovery and up 10 per cent. last year alone. The hon. Gentleman is painting a somewhat misleading picture. I am encouraged by that strength of investment, which will lead to greater output and better export figures in due course.

Mr. Clifton-Brown: When my right hon. Friend next meets his European counterparts, will he remind them that Britain is more competitive today than it has been for decades? Will he remind them that between a third and a quarter of all inward investment in the past 10 years has come to this country rather than to the rest of the European Union? Above all, will he remind them that whereas Britain is creating jobs—we have more people in work than ever before—the rest of Europe has 18 million unemployed and that figure is rising?

Mr. Lang: My hon. Friend is absolutely right. That inward investment is a measure of our increased competitiveness. As a result of our policies, overseas companies, many of them European, are flocking to the United Kingdom. When the Leader of the Opposition was in Germany yesterday, I wonder whether he reflected on the fact that, last year alone, 58 German companies decided to locate in Britain, fleeing from the sort of stakeholder economy with which Labour wants to saddle us.

Mrs. Beckett: Will the Secretary of State acknowledge that investment in manufacturing is lower in real terms than when the Government came to power and that, far from what was just said by the hon. Member for Cirencester and Tewkesbury (Mr. Clifton-Brown), in manufacturing output we are seventh out of 15 in the European Union? Will he acknowledge that we are not even in the top three for unemployment, investment or inflation, and that we had the largest total trade deficit in Europe in 1991, 1992, 1993, 1994 and almost certainly in 1995? Is it not the case that, far from being the enterprise centre of Europe, under this Government Britain has slipped from 13th to 18th place in the world prosperity league?

Mr. Lang: The right hon. Lady is talking nonsense and giving a totally misleading picture. She seems to have forgotten that since 1980 the United Kingdom has had the fastest growth in gross domestic product—equal with Germany—the fastest growth in productivity bar none, the fastest growth in manufacturing output, the fastest growth in investment, the fastest growth in private consumption and the lowest tax burden. The right hon. Lady should give a fairer and more accurate picture of what is going on in this country.

Rev. Martin Smyth: Does the President of the Board of Trade agree that sometimes the opposition to investment in the United Kingdom comes from some short-sighted British firms who object, for example, to the Europe Tool Company from South Korea investing in Northern Ireland? Some of those firms are actually purchasing tool components from Korea that could be manufactured in the United Kingdom by British industry.

Mr. Lang: The hon. Gentleman will acknowledge that the economy of Northern Ireland has benefited enormously from inward investment into this country. I believe that most of those decisions are taken for long-term reasons, because countries throughout the world can identify the improvement in productivity and competitiveness in this country, and therefore in their manufacturing plans for the global market they regard the United Kingdom—including Northern Ireland, obviously—as the best base for exporting into the European market and beyond. The dramatic success that the United Kingdom has had in attracting inward investment is a tribute to the progress that has been made under the present Government.

Mining Industry

2. **Mr. Skinner:** To ask the President of the Board of Trade when he next expects to meet those in the mining industry responsible for (a) production and (b) health and safety. [32108]

The Minister for Industry and Energy (Mr. Tim Eggar): My ministerial colleagues and I meet representatives of the coal mining industry as appropriate.

Mr. Skinner: When the Minister next meets Richard Budge, who since privatisation is the principal owner of most of the mines in Great Britain, will he tell him that it is pretty clear to most people in the mining industry that Mr. Budge is cutting corners on safety in order to make massive profits to the tune of £173 million in the first year of privatisation and to line his own pockets to the tune of £661,000? Is the Minister aware that accident rates have increased by more than 50 per cent. and falls of ground by more than 80 per cent.?

Will the Minister order Richard Budge to ensure that, as in the old days, the National Union of Mineworkers and other trade unions will have the right to meet at properly

instituted safety committees? If Mr. Budge will not allow that to take place, independent inquiry should be set up into the escalating accident rates in underground mining.

Mr. Eggar: When I next meet Mr. Budge, I shall congratulate him on the fact that, in 1995, deep-mine production has increased by 10 per cent. on that of 1994. I shall congratulate him on the fact that, despite the best efforts of Mr. Scargill and his cronies, including the hon. Member for Bolsover (Mr. Skinner), there were no strikes in the coal mining industry last year, for the first time since records began.

On safety, I shall not hesitate to point out to Mr. Budge that, sadly, the record in the last nine months of 1995 was as high as 8.18 accidents per 100,000 man shifts. I shall also point out to him, however, that that compares extremely favourably with the accident rate in 1979, which was almost 12 times higher, at 94.6 accidents per 100,000 man shifts. I might also ask him to suggest that the hon. Member for Bolsover apologises to the House and to the miners of this country for so misconstruing the position.

Mr. Luff: Does my right hon. Friend agree that what he has just said could be summed up as "Britain is producing more coal more safely"? Is that not a direct tribute to the wise policies of privatisation that he has personally pursued so energetically in the House? How would that compare with the continued policy of nationalisation so slavishly advocated by the doctrinaire and dogmatic members of so-called new Labour?

Mr. Eggar: I absolutely agree with my hon. Friend. Back in 1994, the hon. Member for Bolsover said that he wanted renationalisation of the coal industry without compensation and the hon. Member for Livingston (Mr. Cook), speaking from the Opposition Front Bench, said:

"I would be astonished if our plans to rescue the coal industry after the next election did not involve public ownership."—[*Official Report*, 23 March 1994; Vol. 240, c. 313.]

I notice that the right hon. Member for Derby, South (Mrs. Beckett) has been completely silent on that issue.

Electricity and Water Companies

3. **Mr. Gordon Prentice:** To ask the President of the Board of Trade what recent representations he has received regarding the ownership of the electricity and water companies. [32109]

Mr. Eggar: My Department has received, and continues to receive, various representations about the ownership of electricity and water companies.

Mr. Prentice: Does the Minister agree with his friend and colleague the prince across the water, the right hon. Member for Wokingham (Mr. Redwood), who believes that electricity and water do not mix and, indeed, said as much in *The Times* on 1 June? Does the Minister further agree with his colleague that British utilities are becoming the adventure playground of corporate capital, that the Government are paralysed by indecision, that there is no clear policy framework and that the Minister is responsible for chaos and confusion throughout that vital part of British industry?

Mr. Eggar: I always give the comments of my right hon. Friend the Member for Wokingham (Mr. Redwood) the attention that they deserve.

Mr. John Marshall: May I ask my right hon. Friend not to pay too much attention to the hon. Member for Pendle (Mr. Prentice), who was such a disaster when he led Hammersmith council? Will my right hon. Friend confirm that, since the water industry entered the private sector, there has been a massive increase in investment, which has led to better quality water supplies?

Mr. Eggar: My hon. Friend is absolutely right. It is also fair to point out the significant real fall in electricity prices for domestic and industrial consumers.

Mr. Battle: In the face of the ad hoc restructuring of the United Kingdom electricity industry, with its daily bids and takeovers, is not the Government's confused for-and-against response simply generating more chaos? On the same day as the Secretary of State overruled the Monopolies and Mergers Commission and blocked PowerGen and National Power's takeover bids, he allowed Eastern to buy some of the generators and form the sort of vertically integrated company to which he says that he is opposed. Will the Minister confirm, as is well known, that he was opposed to that decision by the Secretary of State?

Why is there still no sign of a clear Government strategy or direction? While the mania for bids and takeovers means quick cash for speculators and directors, customers are increasingly becoming a mere afterthought as a result of the Government's approach.

Mr. Eggar: Typical customers are benefiting from a reduction in their electricity bills, this year and next, of about £90. That is a clear benefit of privatisation, and there are many others associated with it: improving standards of service in the electricity sector, and doubled investment in the water sector following the massive under-investment under the Labour party in the mid-1970s.

Mr. Congdon: Is not the most significant aspect of the ownership of those industries the fact that they have been transferred from the dead hand of state ownership to the dynamic private sector? Does my right hon. Friend agree that the proof of the pudding is in the fact that the old nationalised industries cost the state £50 million a week but now benefit the state to the tune of £55 million a week?

Mr. Eggar: My hon. Friend is absolutely right.

Council of Ministers (United Kingdom Veto)

4. **Mr. Jim Marshall:** To ask the President of the Board of Trade if he will list those European Union agreements relevant to UK industry that have been delayed as a consequence of the Government's decision of 21 May to use the UK veto at the Council of Ministers. [32110]

Mr. Lang: The principal measures relevant to industry where Ministers have withheld agreement following the Prime Minister's announcement on 21 May—*[Interruption.]*—concern legislative simplification and administrative co-operation, accounting standards—*[Interruption.]*—an action programme for EU industry and certain agreements concerning trade relations with third countries.

Mr. Marshall *rose—*

Madam Speaker: Order. There is too much talking going on. I want to hear the hon. Gentleman's question.

Mr. Marshall: I know that you, Madam Speaker, could not hear the Secretary of State's response any more than I could, so I shall have to pretend that I did.

Madam Speaker: Indeed, I could not hear it either.

Mr. Marshall: When will the President and his fellow Cabinet members realise that the Government's position on Europe, far from progressing a solution to the beef crisis, is hindering a solution to it and harming Britain's competitive position? Will the right hon. Gentleman estimate the cost to British industry of the blanket veto that this country is currently exercising on EU business?

Mr. Lang: The hon. Gentleman may have his own opinions about the effect of the veto, but the Government took the view that it was necessary to bring to the attention of our partners in Europe the great importance that we attach to a solution to this problem, and the need to have in place a framework for lifting the ban, which was not scientifically justified and was imposed without being backed up by scientific evidence. The cost will be very low indeed if the ban is lifted soon and we can resume business as normal, but the cost to British industry if the ban remains in place will be considerable.

Sir John Cope: Before anyone gets too worked up about the backlog of EU business, will my right hon. Friend confirm that, the moment agreement is reached on beef, all outstanding matters can be quickly put through any available ministerial Council in 24 hours, as what is known in the jargon as an "A point"? What matters is reaching an agreement on beef. The veto has simply put beef back at the top of the European Community agenda, which is where it should be.

Mr. Lang: My right hon. Friend is absolutely right: once the matter is resolved, the United Kingdom will be as keen as any other participant in the European Union to make speedy progress on the other matters that are being held up.

Dr. Howells: Will the President of the Board of Trade say whether he will be attending the Council of Ministers a week from tomorrow to reverse the Government's previous policy on the Post Office? Will he be casting his vote behind the Commission's proposals to liberalise direct mail services and thus threaten the future of the Royal Mail by sneaking through, by qualified majority voting, a privatisation measure that the House rejected last time it was debated?

Mr. Lang: The Labour party seems to be in a muddle about its policies on competition and on the Post Office. No, I will not be at the Council myself.

Mr. Waterson: Does my right hon. Friend agree with me that a significant section of British industry is represented by companies such as Anglo-Dutch Meats in my constituency, where some 350 jobs are under threat as a result of the wholly unlawful worldwide ban imposed by the European Union? Does he agree with me and with many of my constituents that until our European partners choose to approach this matter on the basis of science and not from political or commercial considerations, the British Government should continue to use their veto wherever they think appropriate?

Mr. Lang: My hon. Friend is right, and he emphasises the importance of having the matter resolved quickly. My right hon. Friend the Prime Minister has made clear precisely when and where our veto will be exercised. We hope that the matter will be resolved soon, that a framework will be in place for the lifting of the ban, and that business will return to normal.

Industrial Development (Maryport)

5. **Mr. Campbell-Savours:** To ask the President of the Board of Trade when he next intends to visit Maryport to discuss matters relating to industrial development. [32111]

The Minister for Competition and Consumer Affairs (Mr. John M. Taylor): Although I have no immediate plans to visit Maryport, I have made regular visits to the north-west since becoming a DTI Minister and I am well aware of the issues in Maryport.

Mr. Campbell-Savours: Will the Minister ask the Secretary of State, who is sitting next to him, whether he is prepared to call in on Maryport, which is in my constituency, in the next few weeks on his way home to his own constituency in the Borders? The visit would give him the opportunity to discuss with Maryport town councillors the escalating difficulties of the town. It would also give him the opportunity to explain why we cannot have back the development area status that we lost some years ago, a loss which is now costing us dearly.

Mr. Taylor: The hon. Gentleman can take some comfort from the fact that unemployment in his constituency is now falling by 8 per cent. He will remember debating these issues with me in an Adjournment debate on 4 March. I remind him that Maryport is an assisted area, and any investment proposals that create or safeguard jobs will be considered for support. West Cumbria is also an objective 2 area and eligible for European funding for business support measures, training and reskilling.

European Regional Development Fund

6. **Sir David Knox:** To ask the President of the Board of Trade what is the value of grants allocated to England from the European regional development fund since its inception. [32113]

Mr. Eggar: It is £7.1 billion in 1996 prices.

Sir David Knox: That is a significant figure. Does my right hon. Friend agree that the grants are playing an important part in strengthening the British economy? Does he believe that the British people are aware of the nature and scope of these grants? If not, what is he doing to publicise them?

Mr. Eggar: My hon. Friend is absolutely right: the grants are an important part of assistance to the appropriate regions. As my hon. Friend knows, his constituency is in the midlands uplands area, which is eligible for objective 5b assistance and it received a programme allocation of £10 million. Assistance through the regional assistance programmes of the European Union is an important contribution to the successful economic growth not only of this country but of the European Union as a whole. This is just another example of the tremendous benefits that we gain from being part of the European Union. It is assisting us to establish ourselves as the enterprise centre of Europe.

Mr. Pearson: Does the Minister believe that the shambles of the current European regional development fund round is due to non-co-operation among Brussels officials, incompetence in Government regional offices, or both?

Mr. Eggar: There have been delays in taking decisions about a number of structural funds and much of the responsibility for that lies with Brussels. Government officers and I have been trying to speed up the decision making on those grants. Above all, we must ensure that we get good value for the money that is disbursed. That is why we introduced the regional challenge programme and why the private sector is able to benefit from European regional development funding. That decision has provided a further £800 million in joint funding. We must continue to improve the speed of disbursement and the quality of disbursement decisions.

Innovative Technology

7. **Mr. Flynn:** To ask the President of the Board of Trade what new proposals he has to improve innovative technology in industry. [32114]

The Minister for Science and Technology (Mr. Ian Taylor): The information society initiative, the crusade for biotechnology and the LINK programme are key departmental initiatives. Business links is appointing innovation and technology counsellors.

Mr. Flynn: Is not a principal reason why Britain has slumped from 13th to 18th in the world prosperity league table the fact that the average British company spends twice as much on dividends as it spends on research and development, while the top 200 companies spend three times as much on research as they spend on dividends? As the tiny country of Taiwan registers more patents than Britain and a single Japanese company registers more patents than all of British industry, are we not doomed to slump even further in the world prosperity league as we become a nation of branch factories for innovative, successful Pacific rim companies?

Mr. Taylor: The Government's policies have encouraged greater business expenditure on research and development in the past few years. However, I do not disguise the fact that I would like to see even more investment in that area. I am concerned about the level of investment in research and development among British companies, which do not compare well—I exempt the pharmaceutical industry, of course—with world-class companies. The hon. Gentleman should remember that a patent alone is not a guarantee of success: it is the exploitation of ideas that is important. There is a considerable movement in British industry and in the science base to try to ensure that we exploit ideas that are generated in both industrial and university laboratories.

Mr. Fabricant: In contrast with the negative comments of the hon. Member for Newport, West (Mr. Flynn), is it not a fact that the crusade for biotechnology has encouraged major British firms to experiment and to develop products in that area? Is not the largest pharmaceutical company in the world a British company and based in the United Kingdom?

Mr. Taylor: My hon. Friend is right. The crusade for biotechnology, which was launched by my right hon. Friend the President of the Board of Trade and me yesterday, is a remarkable effort across Government Departments to highlight the importance of that sector to the United Kingdom. There are several measures which show our determination to support new British companies that are emerging in the biotechnology area, to support the science base, and to encourage the spin-out of ideas and the protection of intellectual property. The move was warmly welcomed by a number of leading biotechnologists from large and small companies and also by leading academics.

Mrs. Anne Campbell: If we exclude the pharmaceutical and chemical industries, does the Minister agree that there has been an 11 per cent. fall in manufacturing investment in research and development since 1986? Is he considering the request from the Select Committee on Science and Technology that the Government review fiscal incentives for research and development so as to improve our appalling performance?

Mr. Taylor: Fiscal incentives as such are a matter for the Treasury. We always keep under review what is occurring in other countries. The most interesting point about the fiscal base in this country is that it is often cited as a factor by companies wishing to invest here. I welcome the increasing number of research and development projects that are coming to this country as a result of the Government's overall economic management. That is a key factor and, allied to our excellent science base, I am sure that the hon. Lady will join me in welcoming the increase in research and development which is often encouraged by overseas investors in this country.

Balance of Trade

8. **Mr. Pawsey:** To ask the President of the Board of Trade what was the United Kingdom's trade balance with EU countries in the last quarter for which figures are available. [32115]

The Minister for Trade (Mr. Anthony Nelson): During the first quarter of 1996 the United Kingdom had a deficit in trade in goods of £994 million with EU countries.

Mr. Pawsey: I thank my hon. Friend for that response. What action does he believe British industrialists could take to improve the level of exports to the Community? Does he agree that the Community is either a common market or nothing, and that there is no need for us to go deeper into a political union with Europe with a common currency and funding common defence and foreign policies?

Mr. Nelson: We still have a long way to go to take full advantage of the single market, which we pioneered and which we still have an obligation to see through. Undoubtedly, however, our exports have seen exponential growth there, characterised by a large number of small to medium-sized companies that employ many people. Exports are not important in themselves, but in the employment to which they give rise. The Government's policies of low inflation, low taxation, low interest rates and low non-wage costs—all distinctively British and Conservative—have resulted in high exports and substantial growth of small to medium-sized businesses in Europe. We should welcome all that.

Mr. Nigel Griffiths: Why is the Minister being so modest when the President of the Board of Trade revealed on 20 February that Britain has the worst deficit in the European Union apart from Greece, whose most memorable export achievements are the Elgin marbles and Nana Mouskouri? When Italy, Germany and five other neighbours have trade surpluses and we have a deficit, is it any wonder that the Conservatives have relegated this country in 18 years to 18th place in the world prosperity league?

Mr. Nelson: I thought for one shocking moment that the hon. Gentleman was about to break ranks by not asking a dismal and despondent question putting Britain down, but of course he fell into line. The truth is rather different.

Mr. Griffiths: Explain the decline since 1979.

Mr. Nelson: I will. Many of the figures that are given for deficits relate to trade in goods and do not necessarily take account of trade in services, and we are one of the few countries in Europe that has a surplus on that account. We have seen tremendous growth, which we should all welcome, in our exports to Europe, characterised by manufacturing exports. The picture is much brighter and the hon. Gentleman does his party and the country no service by trying to paint it otherwise.

Lady Olga Maitland: Will my hon. Friend confirm that Britain exports more per head than the USA, Japan and our main European competitors? Does he agree that that is because this country is unfettered by the social chapter and the minimum wage?

Mr. Nelson: My hon. Friend is right. This country has an outstanding record on exports, not only in absolute but in comparative terms. Much of that record derives from the fact that we have not imported high wage costs and non-wage costs from the European Union in the social contract. We must ensure that the difference between the parties on that issue is brought into sharp relief for the country and the electorate, because it is a key component of job creation and exports for this country.

University Research Equipment

10. **Mr. Robert Hughes:** To ask the President of the Board of Trade what assessment he has made of the equipment needs of UK universities for research purposes. [32117]

Mr. Jon Taylor: Research equipment and other needs of the science budget are assessed with advice from the Director General of Research Councils. The research councils are currently administering an equipment fund with the higher education funding councils.

Mr. Hughes: Has the Minister seen the recent survey, commissioned by the Committee of Vice-Chancellors and Principals with the higher education funding councils of England, Scotland and Wales, which concludes that four out of five university departments are unable to conduct critical experiments due to lack of funding? The survey also points out that the situation has deteriorated since the previous survey in 1987. In view of those facts, will the Minister abandon the folly of cutting university funding by half over the next three years and instead re-inject capital funding, as has been requested by the academic, business and industrial communities?

Mr. Taylor: The hon. Gentleman is selective in his quotation from the report. It also shows that 80 per cent. of universities consider that their equipment is better or at least adequate. That is an important factor. More than 52 per cent. consider that their equipment matches well with that of their international competition. The report is complex, not least because 91 universities responded, not all of which we would regard as being at the forefront of research. The figures must be examined closely.

We recognise, however, that universities have equipment problems which have an effect on research. That is why the Department of Trade and Industry, through the research councils, is administering a joint equipment budget, and why I have asked my officials to discuss with the vice-chancellors ways in which we can solve long-term problems, including a better way to allocate equipment between universities, a second-hand market and attempts to obtain bulk purchases. More details will be revealed when I am satisfied that we have got to the bottom of the problem.

Mr. Ingram: I do not think that that answer will satisfy anyone who is interested in our science and research base, least of all the Committee of Vice-Chancellors and Principals and the higher education funding councils. Is the Minister prepared to accept that their assessment, to which my hon. Friend the Member for Aberdeen, North (Mr. Hughes) referred, points out that there is a crisis in our science base and that cuts in research funding and equipment have seriously damaged our international competitiveness? If he is not prepared to accept that, I accuse him of indifference to what is happening to our

science and research base. If he accepts the finding, it is not long-term solutions that are needed but immediate and quick ones to recover what has been lost.

Mr. Taylor: The hon. Gentleman should read the reports with a good deal more consideration. It is a simple fact that 25 of our universities receive 70 per cent. of the total equipment budget. That means that they are the excellent universities in categories 4 and 5 in the research assessment exercise. We are keeping a close check to ensure that our research is up to standard and of the quality required.

There are many complicated factors. If we analyse the reports, we find that about 147 magnetic spectrometers are required by universities throughout the country. There has been no discussion to ascertain whether they are all required, whether there should be bulk purchase, or whatever. Surely the hon. Gentleman agrees that, in those circumstances, a more rational approach to the long-term problem of funding equipment in our universities is required, which is precisely what I have already worked on with my officials. Indeed, I have talked to Professor Gareth Roberts, the vice-chancellor of Sheffield university.

Pyramid Selling

11. **Mr. Rendel:** To ask the President of the Board of Trade what plans he has to make the regulations covering pyramid selling more restrictive. [32118]

Mr. John M. Taylor: The Government fully support the provisions of the Trading Schemes Bill, which has just had its Second Reading in another place. The Bill will extend the application of existing controls on pyramid selling to money circulation schemes. As and when it becomes law, we will introduce revised regulations.

Mr. Rendel: Does the Minister agree with me in welcoming the proposed changes and agree further that anyone who becomes involved in such a money-changing scheme is ill advised? Does he agree also that the public would be well advised to avoid such schemes like the plague?

Mr. Taylor: I agree with the hon. Gentleman. I remind him of what Sir Richard Scott said in the High Court about a recent case, and one that the hon. Gentleman knows about. He said that it was

"highly unsatisfactory, highly suspicious and thoroughly undesirable".

The hon. Gentleman is right to warn his constituents, and I mine.

Mrs. Dunwoody: The Minister will be aware that in some instances 400 or 500 people at a time are being enticed into crazy schemes that require them to put up large sums with no visible return of any sort. Will he therefore make his views public so that people throughout the country are aware that the schemes are a straightforward scam? As soon as the law becomes operational, I hope that many people will find themselves in the courts.

Mr. Taylor: I accept the hon. Lady's sentiments entirely. My most immediate opportunity to make my views public is now. I remind the House that, in the past 24 months, my right hon. Friend the Secretary of State has made 13 applications to wind up companies promoting money-making pyramids. There are other applications in the pipeline. The applications have led to 12 orders to wind up. One case is pending.

British Energy

12. **Mr. Llew Smith:** To ask the President of the Board of Trade if he will make a statement on the sale of British Energy. [32119]

Mr. Lang: Good progress continues to me made on the sale of British Energy. As my right hon. Friend the Minister for Industry and Energy announced last week, the final date for registration is 24 June and the UK public offer opens on 26 June.

Mr. Smith: The Minister for Industry and Energy recently dismissed the independent report produced by Dr. Sadniki on the liabilities associated with the sale of the nuclear power industry as absolute garbage. As the Minister failed to justify that assertion in yesterday evening's debate, would the President of the Board of Trade attempt to do so today?

Mr. Lang: The report is so full of misconceptions and inaccuracies that it would be impossible to do so in an answer to an oral question. There are a number of misconceptions and the figures do not relate the accurate position. I refer the hon. Gentleman to the prospectus.

Mr. Ian Bruce: Does my right hon. Friend agree that the success of the nuclear industry in being able, in effect, to return most of the non-fossil fuel levy to consumers means that people's bills will rapidly become smaller? Is it not a complete con on the public for Opposition Members to suggest that they could raise £3 billion out of utilities such as electricity without once more increasing energy prices?

Mr. Lang: My hon. Friend is absolutely right. The fall in the levy from 10 to 3.7 per cent. will be worth about £15 to £20 off the average household bill. He is also right to draw attention to the wide difference in approach between the two parties. Our view is that the benefits that come from privatisation should continue to go to the consumer, as they are doing; whereas the Labour party wants to impose windfall taxes, which would penalise consumers, impose a new tax burden and strongly discourage precisely the competitive approach that is so improving the service of utilities in this country.

Manufacturing Output

13. **Mr. Olner:** To ask the President of the Board of Trade if he will make a statement on the output of manufactured goods in (a) the United Kingdom and (b) the Organisation for Economic Co-operation and Development countries (i) in 1979 and (ii) at present. [32120]

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Phillip Oppenheim): Since 1979, the share of manufacturing in total output has fallen by a quarter in both the OECD as a whole and the United Kingdom.

Mr. Olner: The Under-Secretary has obviously put the best spin he possibly can on those figures. Will he confirm that, since 1979, 2.76 million jobs have been lost in manufacturing industry, and during that period this country slipped from 13th to 18th place in the world prosperity league?

Mr. Oppenheim: In the unlikely event that the hon. Gentleman finds himself standing in the position I am in now, I suspect that he would also try to put a good spin on whatever figures are fed to him. I suspected that he might quote the Institute of Management Development report rather than the World Economic Forum report, which showed Britain's position rising from 18th to 15th place. In a totally non-partisan spirit, however, I am happy to stick to the IMD report that he quoted and point out that the countries that it shows have made the most improvement over the past decade are Hong Kong—the free market capital of Asia—and Chile and New Zealand, which perhaps have made even more progress over the past decade than this country in deregulating and opening markets. That is hardly an endorsement of Labour policies, whatever they may be today.

Mr. Gallie: Does my hon. Friend agree that the aerostructure industry plays an important part in our manufacturing output? On that basis, does he agree that overseas success is dependent on a strong home base? Will he make representations to my right hon. Friend the Secretary of State for Defence to ensure that, when the Nimrod replacement or refurbishment programme is determined, British Aerospace at Prestwick gets a fair look in?

Mr. Oppenheim: My hon. Friend is, as ever, a good advocate for his own constituency. He is right to point out that two high-tech industries that have done well in Britain over the past 17 years are pharmaceuticals and aerospace. Close to my own constituency is Rolls-Royce plc, which was almost written off as a basket case in the 1970s but which has since trebled its share of commercial aero-engines and is now a successful, profitable company.

Mr. Hoon: Does the Minister agree that, notwithstanding the Government's extravagant claims about the current state of the British economy, the 0.3 per cent. decline in manufacturing output in April compared to March and the fall in manufacturing output in each of the previous two quarters means that the British economy is in recession?

Mr. Oppenheim: No, I do not agree, not surprisingly. I must point out to the hon. Gentleman that, in the past quarter, manufacturing in Britain rose at a time when it is stagnant or falling in the rest of Europe. I ask him, because I know that he has an expansive mind, to look at the big picture. During the 1980s and 1990s, Britain's manufacturing productivity growth was the fastest of all the major economies in the world. Our manufacturing output has grown faster than that in all the other major European Union countries. I also remind him that, when his party was last in power, our manufacturing productivity growth was bottom of the league of major nations and our manufacturing productivity output actually fell.

Sir Michael Grylls: Does my hon. Friend agree that the biggest contribution that any Government can make to help manufacturing industry is to maintain a stable economic climate and, above all, keep inflation down? The Government have been very successful at that. I really wonder how the Opposition, with their appalling record on inflation, which destroyed jobs in manufacturing industry, have the impertinence even to question this.

Mr. Oppenheim: My hon. Friend is right. Not only was the record of the great macho men of manufacturing on the Opposition Benches one of falling manufacturing output and stagnant bottom-of-the-league manufacturing productivity, but hundreds of thousands of jobs in manufacturing were lost every year under the previous Labour Government. Perhaps that is why the report that the hon. Member for Nuneaton (Mr. Olner) quoted showed Britain's competitiveness above that of France and Italy, while the World Economic Forum report showed it above that of Germany as well.

Manufacturing Trade

14. **Mr. Canavan:** To ask the President of the Board of Trade what is the balance of trade in manufactured goods in the latest quarter. [32121]

Mr. Nelson: There was a deficit of £2.5 billion on trade in manufactured goods in the first quarter of 1996.

Mr. Canavan: Is the Minister aware that the United Kingdom's trade balance in manufactured goods went into deficit in 1983 for the first time since the industrial revolution, and has remained in deficit ever since? Given that this country has a worse trade balance than any other European Union member state, how on earth can the Government claim that they are making Britain into the enterprise centre of Europe? The truth is that the President of the Board of Trade is the captain of a team that is at the bottom of the European league.

Mr. Nelson: That is another extremely depressing analysis, completely unrelated to the facts. Since the Conservative party came to office, the number of manufacturing exports has doubled. Moreover, the hon. Gentleman referred only to manufacturing exports. We have a £5.5 billion surplus on our services account.

It is necessary to look at the whole picture. Like so many of his hon. Friends, the hon. Gentleman is highly selective and extremely deprecating about our trade performance. Much is going well. He would do better to concentrate on success stories such as that of Exabyte in his constituency, which has created 200 jobs—and what about Walter Alexander, also in his constituency, which has sent £20 million-worth of exports to the far east and created another 200 jobs? Those are good jobs, created by the policies of a Conservative Government.

Mr. Bernard Jenkin: Talking of competitiveness, is my hon. Friend aware of the revised World Economic Forum global competitiveness league? The United Kingdom has moved up in that league: we are now No. 3 in Europe, at 15th place, while France and Germany have been relegated to 22nd and 23rd. That suggests that we are indeed becoming the enterprise centre of Europe.

Mr. Nelson: I am grateful to my hon. Friend for putting the record straight. He is right to point out that our trade and export performance has been moving up the league in both absolute and relative terms. All that reflects the implementation of Conservative policies in practice and in government. Those are the policies that will create lasting jobs in this country.

Mr. Sheerman: Is the Minister speaking, or even perhaps listening, to the Confederation of British Industry and our leading exporters, all of whom are saying—certainly to Opposition Members—that they are very concerned about the Government's policy on Europe? The current activities and divisions in regard to interference with decisions by the European Commission lead them to fear that the Government's commitment in their major trading area is weakening. Do not the CBI and our global performance—based here, but global—need the assurance of a strong commitment to Europe that they are not gaining from a party that is riven by divisions on where it is going in Europe?

Mr. Nelson: Of course I do not agree with the hon. Gentleman's conclusion. Conservative Members assert that there is no incompatibility between fighting our corner hard in Europe and being strongly in favour of the ambitions and objectives of the economy that Europe can create by acting in concert. This party in government will always stand up for our interests, but it will always play its part in Europe. The hon. Gentleman, the CBI and everyone else should be left in no doubt about that.

Mr. Forman: Can my hon. Friend confirm that our balance of trade in manufactured goods in some of the fastest-growing markets in the global economy is healthy and improving? Are there not encouraging examples in, for instance, our trade with parts of Asia and the Pacific rim?

Mr. Nelson: There are indeed. I pick out countries such as Indonesia and India—*[Interruption.]* Even if we do not take into account some of the military equipment to which Opposition Members have referred from a sedentary position, our exports in key sectors such as power generation, construction and water infrastructure have been outstanding. They are in surplus, and there is every prospect of their increasing further.

Computer Equipment (Libya)

15. **Mr. Dalyell:** To ask the President of the Board of Trade if he will make a statement on the conviction of McNeill International in the USA on a charge of exporting educational computer equipment to Libya. [32124]

Mr. Oppenheim: No.

Mr. Dalyell: Does the Minister recollect that, shortly after leaving the Department, the right hon. Member for North Wiltshire (Mr. Needham) made a characteristically candid statement, expressing his exasperation with the Foreign Office for having put spokes in the wheel of trade in vehicles between Bedfordshire and Libya? Are we quite sure that we are not once again being taken for a commercial ride by the Americans? Libya is our traditional market; the decision makers were trained in Britain and not in the United States.

Will the Minister look carefully at this case, because some of us think that the Americans have quite cynically scapegoated Libya, that the Libyans were not responsible for Lockerbie, that it is doubtful that they were responsible for the murder of Yvonne Fletcher, and that it is doubtful that they were responsible for the La Belle discotheque incident, which caused the bombing?

Mr. Oppenheim: I always genuinely listen to the hon. Gentleman carefully, but it strikes me as odd that he and some of his colleagues always kick up a fuss—sometimes understandably—about equipment exports from Britain to other regimes that they find distasteful, such as Burma, yet want us to export to the more distasteful, authoritarian and, in many ways, vicious regime of Libya. It was not British goods being exported to Libya and stopped but American goods, which the Americans stopped a British exporter indirectly exporting to Libya via a third country. The Americans have their own rules on exports to Libya, and in this instance they asked for our assistance in helping to prevent their laws from being broken on their soil. We gave that assistance and would expect it to be reciprocated if the situation were the other way around.

Sir Teddy Taylor: Is the Minister aware that McNeill International could be prosecuted for exporting radiographic equipment to Libya? Libya is about the only country in the world that is denied treatment for cancer simply because of what seems to be a rather mad policy. In view of that and of the fact that, on 26 May, a citizen of Lebanon was arrested, extradited and brought to trial in Germany for the Berlin bombing, which we and the Americans used as the excuse for bombing Libya, might there be a case for reviewing a silly, cruel and heartless policy?

Mr. Oppenheim: I cannot comment on the individual case, unless my hon. Friend gives me the details, but we have a policy of strictly adhering to United Nations sanctions on exports to Libya. The Americans have their own rules, which go further. If the Americans decide that they do not want to export certain goods to Libya, that is their business. Where it becomes our business is if they try to claim extra-territorial rights, by claiming that they have some say beyond the UN sanctions over what we or other countries export to Libya or other countries.

Mr. Dalyell: On a point of order, Madam Speaker. There is a lot more to this, and I hope to raise it on the Adjournment.

Deregulation

16. **Dr. Spink:** To ask the President of the Board of Trade what assessment he has made of the impact of deregulation on inward investment. [32125]

Mr. Oppenheim: Our deregulated business environment is recognised as one of our key strengths by inward investors. It is one of the many contributory factors that have made the United Kingdom the No. 1 location for inward investment into Europe.

Dr. Spink: Does my hon. Friend agree that, if this or any Government followed the European model or, indeed, the socialist model on regulation and interference, inward investment would fall?

Mr. Oppenheim: My hon. Friend is right, and I will give him one good example of where our policies of deregulation and open markets have led to more inward investment. We were leaders in deregulating and privatising telecommunications. We were opposed at every step in liberalising telecommunications by scare stories that were published and peddled by Opposition Members. We were told that telecom engineers would be electrocuted up telegraph poles, that little old ladies in remote communities would be cut off and that telephone boxes would disappear from high streets. We have seen instead the most rapid improvement in telecommunication services coupled with falling prices and an increased number of telephone boxes of any major industrial country, which has helped to attract business to Britain and jobs for British people.

Mr. Purchase: Will the Minister admit that about one quarter of all inward investment has been for the purpose of purchasing British companies, and that the cumulative total of capital exported from this country on the same basis is far in excess of the sum invested in Britain? Does that not show that Britain's so-called deregulated economy is less attractive to investors than so-called regulated economies elsewhere?

Mr. Oppenheim: Either the hon. Gentleman is one of the new Labourites who believe in the open market or he is not. If he does believe, as his party apparently does, he should accept two-way investment flows. The Germans, who have a more regulated market than ours, invest more in Britain than we do in their country. Conversely, we export more to France than the French invest in Britain. That is the nature of a modern global economy. Perhaps the Germans know something that the French do not.

Mr. Anthony Coombs: As Britain attracts more than 40 per cent. of US and Japanese investment in Europe, does my hon. Friend agree that that might have more to do with an observation made last week by George Simpson, chief executive of Lucas Industries, who is to be the new chairman of GEC? He commented that, in 30 years in business, he could not remember a time when economic policy was managed in such a way as to produce a better competitive environment for British industry.

Mr. Oppenheim: My hon. Friend is absolutely right. That state of affairs is in stark contrast to the position that we inherited. I remember a trade union leader saying that he would only buy a Ford car made at one of the company's German plants. In the 1970s, General Motors and Ford were falling over themselves to push investment out of Britain and did not export any cars from this country. Today, GM, Ford and the Japanese companies Nissan, Toyota and Honda are exporting vast numbers of cars from Britain. Even Rover, which manufactured international jokes such as the Allegro and the Marina when Labour was in power, is successfully exporting no less than half its output.

Electricity and Water Companies

17. **Mr. Chisholm:** To ask the President of the Board of Trade what recent representations he has received regarding the ownership of the electricity and water companies. [32126]

Mr. Eggar: I refer the hon. Member to the answer I gave earlier to the hon. Member for Pendle (Mr. Prentice).

Mr. Chisholm: The Minister made no attempt to answer earlier questions on the subject—perhaps because of his disagreements with the President of the Board of Trade. Will the hon. Gentleman lay down even one principle in place of the confusion and chaos that currently typify Government policy? Will he acknowledge that consumer interests should take precedence over takeover and dividend mania? Will he be more ready in future to refer bids to the Monopolies and Mergers Commission?

Mr. Eggar: I agree with the hon. Member for East Kilbride (Mr. Ingram), who is all in favour of competition. I detect from the questions of the hon. Members for Edinburgh, Leith (Mr. Chisholm) and for Pendle that they do not entirely agree with the hon. Member for East Kilbride.

Research and Development

18. **Dr. Lynne Jones:** To ask the President of the Board of Trade what assessment he has made of the effectiveness of the Government's policies in encouraging British businesses to increase their investment in research and development. [32127]

Mr. Ian Taylor: Evaluations of past research and development support show that it enhanced the amount and scope of the R and D undertaken and enabled firms to complete projects earlier. Support for collaborative R and D has improved interaction between industry and the science base. The recent "forward look" publication shows business expenditure on research and development is increasing in real terms.

Dr. Jones: If Britain is to become the enterprise centre of Europe, does the Minister agree that it must improve its performance in research and development—which, with the honourable exceptions mentioned earlier, lags way behind that of more successful economies? Last week's White Paper showed that, while dividend pay-outs have inexorably risen, investment in R and D is not even back to the pre-recession level. Will the Government stop dismissing the importance of fiscal incentives to encourage profit retention for investment over dividend pay-outs?

Mr. Taylor: The trouble with the Labour party is that it is increasingly giving the impression that it opposes dividends, which shows a fundamental lack of

understanding of how financial systems work in this country. Dividends are a vital part of growth in the value of pensions. However, I accept—as I have done earlier today—that British companies should pay more attention to the percentage of their sales spent on research and development. That is a matter of considerable importance, and I shall say more about it when the latest research and development scoreboard from the DTI is published next week.

Mr. Nicholas Winterton: I am grateful to my hon. Friend for that response, in which he implied that we are not investing enough in research and development—as we are not investing enough in industry generally. Will my hon. Friend make further proposals to the Chancellor of the Exchequer and to the Treasury to enhance investment, not least in research and development, using fiscal measures that encourage success?

Mr. Taylor: My hon. Friend, who is a great champion of manufacturing industry, knows that investment plans in industry are best prepared against a background of low inflation, low interest rates and stable economic management. We are delivering those things, which is why we are increasingly receiving the enthusiastic support of inward investors and of UK industry. However, I am always on the lookout for measures that might stimulate research and development.

I repeat that there is absolutely no way in which British companies will be able to compete into the next millennium if a much greater effort is not made in research and development by British companies in relation to the best companies worldwide. More chief executives should pay attention to the rate of change of innovation and the rate of change in how products are introduced to the market.

Takeover Provisions

19. **Dr. Wright:** To ask the President of the Board of Trade what plans he has to alter the takeover provisions affecting UK companies. [32129]

Mr. John M. Taylor: We have no plans to alter the current takeover provisions.

Dr. Wright: Does the Minister accept that firms that live in permanent fear of takeover are unlikely to put long-term investment before short-term returns? Does he accept that British firms are peculiarly vulnerable to takeover, especially to foreign takeover, because of the laxity of our takeover rules? Is it not time to revisit the rules by which British firms must live and—too often—die?

Mr. Taylor: On the first point, takeovers play an important part in ensuring that companies are run efficiently, which is in the interests of shareholders and consumers alike. If managers want to retain control of their firms, they must run them as efficiently as possible. As for foreign shareholdings, few countries enjoy more overseas corporate control than the United Kingdom. Inward investment is a two-way street, and it is very welcome.

Mr. Salmond: The Minister seems to be telling us that successful companies do not get taken over. Given the profitability, success and strategic importance of the Royal Bank of Scotland to the Scottish economy, does the Minister welcome the fact that the takeover threat to the bank appears to have receded in the past two weeks?

Mr. Taylor: The existing merger control provisions in this country are satisfactory at the statutory level and at the non-statutory level. Each case is examined on its merits. As for a merger of a particular bank in Scotland, that is a commercial decision for the parties. The necessary statutory and non-statutory issues would be brought into being only if competition issues arise subsequently.

University Research Equipment

20. **Mr. Chidgey:** To ask the President of the Board of Trade what assessment his Department has made of the effect of reductions to the education budget on the funding of equipment for research in universities. [32130]

Mr. Ian Taylor: I refer the hon. Gentleman to the answer I gave to the hon. Member for Aberdeen, North (Mr. Hughes) a few moments ago.

Mr. Chidgey: Is the Minister aware that, as a direct consequence of the lack of funding for equipment, universities are now unable to undertake critical experiments, and that multinational firms are consequently switching their research programmes from British universities to universities overseas? Does he accept that there is an urgent need for the Government to support universities' budgets, particularly the current £474 million shortfall for priority equipment alone—which is five times the amount that they have had available to spend in previous years? Does he accept that the Government must take some action to help on this issue?

Mr. Taylor: I do not accept that our best research universities are in the state that the hon. Gentleman describes. Nothing I see as I go around all those universities suggests anything other than the excellence of the research that is being carried out. We must be careful about spreading stories about the top universities in this country having such difficulties.

I do not deny that the forefront of research requires the forefront of equipment, which presents particular problems as the pace of change impacts on our research base. However, it is for the vice-chancellors to manage their affairs properly. It is evident that in not all cases have universities properly allocated money for research equipment in accordance with the ambitions that they publicly discuss.

I need much more information from the vice-chancellors to enable me to see what is going on. I underline the fact that, judging by the citations and the articles now being published, British universities are producing excellence, and inward investors welcome the accessibility and excellence of that research base.

Political Donations

21. **Mr. Winnick:** To ask the President of the Board of Trade if he will enter into discussions with the Confederation of British Industry over donations to political parties. [32131]

Mr. Lang: I see no reason to do so.

Mr. Winnick: There is every reason to do so. Does the Secretary of State not realise how scandalous is the fact that those in industry who donate to the Conservative party are, in the main, the same people who receive the peerages and the knighthoods? Since November 1990, when the Prime Minister arrived at No. 10, of the five peerages and 53 knighthoods given to industrialists, more than two thirds have gone to people involved with companies that have given millions of pounds to the Tory party. The situation is scandalous, and certainly needs reviewing. I hope that the Secretary of State will understand the concern that it causes.

Mr. Lang: If anything is scandalous, it is the Opposition's sour and mean approach to such matters. The fact is that directors have a legal duty to act in the interests of their companies, and all companies must disclose in their company accounts contributions for political purposes of more than £200. The beneficiaries must also be disclosed. That is a fair and sensible way forward.

Points of Order

3.31 pm

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): On a point of order, Madam Speaker. Did you notice that I have been sitting quietly during Question Time—[HON. MEMBERS: "Unusual."] Yes, very unusual. I have been observing the questions being asked, and twice as many Opposition Members as Conservative Members have spoken. Often no Government Back-Benchers at all sought to ask supplementaries on the important subject of trade and industry. When we discuss the pay of Members of Parliament, may we discuss some aspect of performance-related pay, Madam Speaker?

Madam Speaker: That will be a matter for the hon. Gentleman to put to the Leader of the House tomorrow. However, I must tell the House that I am gratified to see that today we have reached a total of 20 questions plus supplementaries. I congratulate the Board of Trade team and Back-Benchers, who have, in the main, been speedy in their questions and answers today.

Mrs. Ann Clwyd (Cynon Valley): Further to the point of order that I put to you this morning, Madam Speaker. I understand that Mr. Speaker Weatherill's ruling of 17 February 1992 blocks the early-day motions that I attempted to table last night relating to the North Wales police and child abuse. I should be grateful if you would reconsider the position, because it now seems that one cannot table a motion or a question for oral or written answer; one cannot speak in a debate or, probably, even introduce a Bill drawing on the experience in Clwyd. One cannot raise the issue in a Select Committee or a Standing Committee either. A wall of silence will surround the passage of the Government motion later tonight.

I cannot defend that in my constituency. My constituents were involved, and there are things that should be done before that motion is passed. We should have had a debate in the House on child abuse, and the Secretary of State for Health should have made a statement on the Utting review. This morning a Welsh Office Minister tried to convince me that the Jillings report was defamatory. That is rubbish. What are they trying to hide?

Finally, I want to expose the fact that 25 years ago there was a report on Bryn Estyn, one of the homes involved in the Clwyd child abuse case, but it was never published because the Home Office suppressed it. We cannot close down debate in the House of Commons on an issue as important as child abuse.

Mr. Nicholas Winterton (Macclesfield): Further to that point of order, Madam Speaker.

Madam Speaker: Order. I have a ruling. I am quite prepared. I have carefully considered the points of order that the hon. Member for Cynon Valley (Mrs. Clwyd) raised yesterday, to which I replied, as well as this morning at 9.30 am, and have looked at the two proposed motions that she has attempted to table. I am satisfied that one of her motions breaches the campaign rule, to which she referred and to which my predecessor referred in a ruling that he gave on—the hon. Lady is correct—17 February 1992 at column 21. As the hon. Lady, I understand, has now been informed by the Table Office, I am content that the other motion be tabled.

Obviously, the hon. Member for Cynon Valley is aware, however, that this motion, along with the three other early-day motions that she tabled on Monday, will be withdrawn automatically as a result of the operation of the House's sub judice rule—that is the House's sub judice rule, not a ruling of the Speaker—if and when the motion setting up a tribunal of inquiry is agreed to by the House. If she is seeking a statement from a Minister or a debate on the matters before that motion is passed, she should ask questions of the Leader of the House tomorrow. She should deal with her Front-Bench team about having the subject placed on the Order Paper. Of course, she will be aware, as the House is aware, that in raising her voice in objection to the motion, which is now on the Order Paper, the setting up of the tribunal will be delayed.

Mr. Tim Devlin (Stockton, South): Further to the point of order, Madam Speaker, raised by the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) on performance-related pay. Like him, I sat quietly through Question Time—

Madam Speaker: Order. Performance-related pay is not a matter for me. What is the point of order for me?

Mr. Devlin: The point of order is simply that, if we were to be paid on that basis, and given that the hon. Member for Carrick, Cumnock and Doon Valley represents only 55,000 constituents whereas I represent 80,000, would he be paid five eighths of my salary?

Madam Speaker: If our pay were performance-related, I would say that I spend more time here than anyone.

Mr. Phil Gallie (Ayr): As the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) observed Members rising to speak in Question Time, I observed the hon. Gentleman never at any time attempting to get to his feet. Does that suggest that he has no interest in trade and industry?

Madam Speaker: I think that we have had a good exchange on the matter.

Mrs. Alice Mahon (Halifax): On a point of order, Madam Speaker. You will be aware that the Select Committee on Health is undertaking an extensive inquiry into all aspects of children's health and well-being. Will you clarify whether the ruling that you have just made means that the Select Committee cannot take evidence on Clwyd?

Madam Speaker: The hon. Lady has given me no notice of her point of order and I am not aware of how far the Select Committee has proceeded. I would certainly have to look at the matter before I could give a ruling. I would want to be absolutely clear about it.

Mr. Tam Dalyell (Linlithgow): Further to that point of order, Madam Speaker. Over the years, it is inevitable that many Speakers' rulings have raised proverbial eyebrows,

[Mr. Tam Dalyell]

but none more so than that given by Lord Weatherill in 1992 on campaigning to which you referred. Who makes the judgment on whether something is a campaign? Who initiates it—the Government, the Speaker, or other Members? Such decisions seem to come out of thin air, when the matter is inconvenient.

Madam Speaker: The hon. Gentleman is quite wrong. Such rulings do not come out of thin air. They come out of very deep consideration of the precedents of the House. Those precedents are sometimes changed. I am prepared to change them if it is common sense and for the convenience of the House. I have looked very carefully at the campaign ruling, especially on this issue, and have given rulings that I think are in the best interests of the House at the present time.

Mr. Nicholas Winterton: Further to that point of order, Madam Speaker. You have certainly been extremely helpful. Will you clarify a matter for me? Yesterday, the Government also announced that there would be a review of the care and abuse of children and of children's homes and residential accommodation throughout England and Wales. I am particularly concerned about problems that have been encountered in Cheshire, which is also very much in the news. Will you confirm that there are no restrictions on Members who want to take matters forward in respect of England and Wales, but especially in respect of Cheshire?

Madam Speaker: As far as I understand it, the hon. Gentleman is quite correct. There will be no restrictions. The Government's announcement was perfectly clear and it is being interpreted correctly by the hon. Gentleman.

Mr. Dalyell: Further to that point of order, Madam Speaker.

Madam Speaker: Order. I have gone as far as I can. I have answered four or five points of order on this issue and I can go no further now. If the hon. Gentleman has anything to say to me, I will be pleased to see him to discuss it.

Water (Supply Pipe Responsibility)

3.39 pm

Dr. Tony Wright (Cannock and Burntwood): I beg to move,

That leave be given to bring in a Bill to impose a duty upon water companies to maintain and repair domestic supply pipes.

It is appropriate on a fine day in the middle of a fine June for the House to consider the matter of water. When I asked one of my colleagues if he would sponsor this Bill, he was moved to observe that, although he knew that new Labour was characterised by a desire to extend responsibility, he was surprised to learn that the extension of that responsibility now embraced water supply pipes. Let me explain.

A few weeks ago, an elderly lady came to see me. She brought her water bills with her, which, like so many others, she was worried about not being able to pay. She also brought with her a leaflet that she had just received from the South Staffordshire water company about which she was even more worried. It was seeking to sell her an insurance policy and was accompanied by dire warnings of the consequences that would befall her if she did not take up the offer—an offer that she could not afford.

The leaflet is now being distributed across much of the country and I shall read from it because it explains what my proposed Bill is about. Under the stark heading

"They thought they were covered", it says:

"As a home owner, you probably already know that the underground water supply that runs from the main external stopcock to your home is your responsibility. What may surprise you, though, is that in the event of a flood caused by a burst pipe, it is unlikely that any standard home insurance policy will cover the cost of repairs . . . and these repairs can be expensive—a burst main in your garden, for instance, may well mean the hire of heavy digging equipment."

Examples are given of the expense and trauma experienced by householders who suffered such a fate before they saw the light and bought the company's insurance scheme. One person is quoted as saying:

"I had to have all my underground pipes and drains removed. I wish the scheme had been invented earlier, as the work was very expensive."

Another person said:

"What prompted me to get the scheme was a burst pipe—it was a very traumatic experience".

We then have a plumber who says:

"Before the Home Service Scheme, I used to dread presenting customers with the bill at the end of a job."

I hope that the House will understand why my constituent and many like her suffer such anxiety when addressed in this way. She was already worried about her ability to pay her water bills and was then further worried by the prospect of huge repair bills and an insurance policy that she cannot afford. That is the situation that my Bill seeks to tackle.

It is neither sensible nor fair that householders should be responsible for the supply pipes that run underneath their gardens. Similar arguments apply to sewers. I have a constituent whose garden is currently awash with unpleasant emissions from broken sewers—not his—for which nobody will assume responsibility. However, my Bill starts with water supply pipes. The time has come to transfer responsibility for supply pipes from householders to water companies, and that is what the Bill would do.

The old water authorities had come to the view that that was sensible. Before privatisation, the Government consulted on whether the new companies should be responsible for supply pipes. In relation to the problems of leakage and contamination, the Government's consultation paper said, rightly:

"Whilst the water industry has no direct responsibility for these pipes, those problems are likely to remain unresolved."

In the event, and no doubt influenced by the imperatives of privatisation, the Government decided not to proceed with a transfer of responsibility. That was a major missed opportunity. It is now time to put it right.

Not only would that be fair, but there would be other considerable advantages and benefits. It would help us to tackle the problem of water leakage, which currently and scandalously accounts for between a quarter and a third of all the water put into supply in this country. About a third of that leakage comes from supply pipes, for which the water companies can at present disclaim responsibility. That surely makes no sense. Water companies alone have the expertise, equipment and resources to tackle that problem; householders do not.

If responsibility for pipes through to the internal stopcock were transferred to the water companies, it would offer the opportunity for concerted action on leakage. It would also make it possible to dispense with all the troublesome valves and joints that are currently required because of the need to police the boundary between company pipes and consumer pipes. The potential benefits in terms of leakage reduction are considerable.

A recent article in the journal *Utility Week* made the following assessment:

"Put simply into numbers: if companies are twice as efficient as individual customers at managing pipes and leakage, then around 17 per cent. of leakage would be saved simply by this change of responsibility and management, at no net expense to anyone. More sophisticated figures are needed, but this would be a similar order of saving of water resource to that of the whole of the government and Ofwat's metering plans, without any of the social welfare loss and extra costs they are said to involve."

What is true of leakage is also true of lead, where it is only the companies that can do what has to be done, especially in meeting the tougher targets of the new drinking water directive in promoting public health.

Above all, my proposal is fair. The present position is scandalous, anomalous and indefensible. Other utility suppliers—gas, electricity and telephones—are responsible for what they supply right up to people's homes. Consider the consequences that would follow if that were not the case. Yet water remains an anomalous exception, and the effect of the anomaly is to burden householders with a responsibility that they are unable to discharge and to remove responsibility from the water companies for essential repairs that only they can realistically undertake.

As recently as a few days ago, the Director General of Water Services wrote to all the water companies to ask them how they proposed to discharge their newly acquired duty to promote the efficient use of water. I have a copy of that letter. One paragraph is headed "Customer supply-pipe leakage". This is what it says:

"Companies claim that leakage from customers' supply pipes is a major source of waste. They have powers to issue waste notices which require customers to mend their pipes and, if necessary, to repair the pipe themselves and bill the customer. Many have been reluctant to do so, because of the uncertain financial impact on the customer or house-owner. Companies, however, have a financial interest in the reduction of such waste in that water treatment distribution costs are saved."

The letter ends:

"Companies' plans should include their approach to supply pipe leakage, including services and assistance they offer. Some companies have introduced a free leak detection service to encourage the detection of leaks. All companies should consider this step, and how they might help their customers with the costs involved—for example by providing a low cost repair service. In certain situations, in particular, in areas affected by company water-use restrictions, companies should consider providing a free detection and repair service."

There we have the regulator telling the companies to get to grips with the issue of supply pipes, yet because of the statutory position there is no coherent approach. Some companies are doing very little. Others, led by South Staffordshire, are trying to sell profit-making insurance policies. Severn Trent Water Ltd. has a flat-rate repair scheme. North West Water Ltd. is offering free repairs for a year.

That cannot be satisfactory. A basic responsibility of that type should not depend on where one lives. That is why, as the industry's consumer service committees are starting to say, the time has come to make the companies directly responsible for supply pipes.

My final observation is designed to be helpful. Last night we irrigated Holland, and we all feel a lot better for it. Today, the water companies could make us feel better still by voluntarily assuming responsibility for people's water pipes. Their tarnished reputations would instantly be enhanced by truly Venables proportions. They do not need to wait for the legislation that I am proposing to do the right and sensible thing.

Question put and agreed to.

Bill ordered to be brought in by Dr. Tony Wright, Mrs. Helen Jackson, Mr. Richard Burden, Mrs. Jane Kennedy, Mr. David Hanson, Mr. Jeff Rooker, Ms Estelle Morris, Mr. David Jamieson, Mr. Paul Tyler, Mr. David Nicholson, Mr. Frank Field and Miss Kate Hoey.

Water (Supply Pipe Responsibility)

Dr. Tony Wright accordingly presented a Bill to impose a duty upon water companies to maintain and repair domestic supply pipes: And the same was read the First time; and ordered to be read a Second time upon Friday 12 July and to be printed. [Bill 155.]

Sentencing Proposals

Madam Speaker: I have selected the amendment standing in the name of the Leader of the Opposition. I have also had to limit all Back-Bench speeches to 10 minutes.

3.50 pm

The Secretary of State for the Home Department (Mr. Michael Howard): I beg to move,

That this House supports the proposals set out in the White Paper 'Protecting the Public' to introduce automatic life sentences for serious violent and sex offenders; mandatory minimum prison sentences for persistent house burglars and drug dealers; and to introduce greater honesty into the sentencing process.

The first duty of any Government is to maintain law and order, to ensure that their citizens can walk the streets in safety and sleep safely in their homes. I shall refer this afternoon to a coherent series of policies which add up to a central theme that gives the White Paper its title, "Protecting the Public". This is the objective that I have put at the top of my list of priorities since I became Home Secretary over three years ago. It is a continuing programme, building on real achievements.

This week alone has seen the announcement of new funding for local projects to tackle crime, the opening of the new crime prevention college at Easingwold, new proposals for dealing with sex offenders, and a White Paper published today on the future development of the criminal record system. If we maintain this impetus, real progress can be made.

Recorded crime in England and Wales has fallen for three consecutive years since 1993. Over this short period there has been a reduction of nearly 500,000 recorded crimes—the biggest fall since records began. We cannot be certain of continuing that trend with every set of figures, but it is a massive reduction that reflects great credit on the police, who lead the world in the use of new technology such as closed circuit television to deter and detect crime.

The White Paper records progress in our strategy. Partnership is developing. Only last Friday I saw an excellent example of partnership working in Plymouth, where the police and local people have developed a concept of community policing. Each ward has its own team of police officers who liaise regularly with community representatives.

We have given the police the powers and resources that they need to fight crime. We have increased spending on policing by 100 per cent. in real terms since 1978-79, to £7 billion. The figures for 1996 will show an increase of 16,000 police officers since 1979. There are now 17,000 more civilians to support the police, and there will be funding to allow the recruitment of 5,000 additional police officers over the next three years.

We have not hesitated to provide additional powers—not just the new public order powers in the Criminal Justice and Public Order Act 1994, but new powers for the police in relation to bail, such as the power to attach conditions to police bail and the power to arrest defendants who breach bail.

Mr. William O'Brien (Normanton): Chapter 9 of the White Paper to which the right hon. and learned Gentleman refers concerns fairness in sentencing policy. I recently wrote to the Home Secretary about the murder of one of my constituents, Wayne Margrave, who was run down and killed. The car driver also severely injured a young lady who was caring for my constituent. The man responsible was sentenced to four years, but if this document is implemented he will be out in two. When I asked that the matter be referred to the Court of Appeal, no assistance was forthcoming from the Government. In the context of fair sentencing, will the Minister give that case serious consideration?

Mr. Howard: I sympathise with the hon. Gentleman's constituents who are victims of that dreadful crime, but he needs to put the case with a degree of accuracy. He will know that there could not have been a conviction of murder in that case, because, if the conviction had been of murder, the sentence would have been life imprisonment and not four years' imprisonment. He has written a letter about the case. The case was considered by the courts. As the hon. Gentleman will know, the White Paper that we are debating today proposes a new approach to offences of serious violence. I hope that he will give voice to the concern that he has expressed by supporting the proposals in the White Paper.

Mr. Robert Ainsworth (Coventry, North–East): The Home Secretary, in his opening remarks, has painted a picture of a beautiful land in which crime levels are decreasing all the time. That situation is not recognisable to most people who live in our towns and cities. What is he doing about the astronomical rate of vehicle crime and the appalling recovery rate of stolen vehicles? We have had nothing but complacency from his Department in this regard.

Mr. Howard: I am most interested in the example that the hon. Gentleman cited. Vehicle crime is one of the categories of crime that has shown one of the biggest reductions in recent years. The hon. Member for Cardiff, South and Penarth (Mr. Michael) on the Labour Front Bench has just laughed. If he thinks that people do not report the fact that their car has been stolen, he is living in cloud cuckoo land. The recorded figures show that there were more than 80,000 fewer instances of vehicle theft over the past two years. That is a genuine figure. Everyone reports the fact that their car has been stolen. Labour Members refuse to accept the facts and they refuse to accept the figures that are self-evidently correct.

Mr. D. N. Campbell–Savours (Workington): I have been the subject of three offences in the past four years. The first instance was a theft that occurred in the House of Commons, but no action was taken; the second instance involved someone attempting to interfere with my credit card, which I reported to the police in south London, but no action was taken; and on the third occasion someone broke into my vehicle. What did I do on that occasion? Nothing—it is a waste of time. Millions of people throughout the country agree with me. The figures are fraudulent, they mean nothing and the public know the truth.

Mr. Howard: The hon. Gentleman has manifestly failed to deal with the precise point that I made: no one fails to report the fact that their car has been stolen. Over the past two years, there have been more than 80,000

fewer recorded instances of vehicle theft. That is a clear demonstration that we are making progress in the fight against crime. Of course we have not eliminated crime and of course, alas, hon. Members and others will still be the victims of crime. I am addressing—in the White Paper that we are debating today and in the other steps that we are taking to fight crime—the Government's strategy to make further progress in the fight against crime because it needs to be made.

Mr. Alex Carlile (Montgomery): Does the Home Secretary agree with me that one of the reasons—perhaps a significant reason—for the decline in reported crime is that there are currently 1 million fewer young men aged under 25 than there were 20 years ago? Most crime is committed by young men under the age of 25.

Mr. Howard: No, I do not agree with the hon. and learned Gentleman. The Government have looked at the extent to which demographic changes of that kind might have contributed to the fall in recorded crime over the past three years. Any effect that that might have had is small when compared with the more than 8 per cent. reduction in crime that we have seen over the past three years. I am happy to write to the hon. and learned Gentleman with the precise figures.

I must now make some progress. Before that series of ill-timed and ill-considered interventions, I referred to the additional powers that we have given to the police. In addition to those extra powers, the police should soon have the new powers of arrest relating to knife carrying provided by the legislation introduced by my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland), which is currently passing through Parliament with Government support.

However, I believe that the public need greater protection from serious, dangerous and persistent offenders. That is what the radical new proposals set out in the White Paper are designed to achieve. The proposals are targeted at rapists, persistent burglars, dealers in hard drugs and other criminals who time and again commit offences that are of particular concern to the public.

The sentencing measures are part of a wider package. Earlier this week, I announced proposals for better ways of safeguarding the public—especially children—against sex offenders. Today I am publishing a White Paper, "On the Record", which sets out our proposals for new arrangements for accessing criminal records in England and Wales. My right hon. Friend the Secretary of State for Scotland will bring forward similar proposals for Scotland.

The police currently carry out more than a million checks each year, of which 600,000 are for child protection purposes. Extending access to checks under the current arrangements would mean not only increasing the burden of work on the police but taking valuable resources away from core policing activities. We therefore propose to establish a criminal records agency which will relieve the police of much of that work. The agency will be self-financing on the basis of fees paid for checks. Individuals will be responsible for meeting the cost of any check undertaken of them, and charges will be kept as low as possible.

In future there will be three different types of checks. The first will be in a new criminal conviction certificate which will be available only to the individuals concerned. It will show any convictions that are held at a national level and are not "spent" under the Rehabilitation of Offenders Act 1974.

The second is a "full" check. It will be available for those who are in occupations that are exceptions to the Rehabilitation of Offenders Act, such as doctors and teachers. Both the individual and the employer will receive information as a result of that check. The information disclosed will include those convictions that are "spent" under the Rehabilitation of Offenders Act and any cautions that are recorded at a national level. Employers who wish those checks to be undertaken will be required to register with the agency and to agree to abide by a code of practice that will ensure that proper procedures are followed in handling criminal record information. We shall consult about the contents of the code of practice.

The third type of check is an "enhanced" check. It will be available only to those who work on a regular, unsupervised basis with children under the age of 18 and to those who apply for gaming, betting and lottery licences. In addition to a "full" check, it will include a check of local police records for minor convictions, cautions and any relevant non-conviction information about the applicant. We have given particular thought to the issue and we have decided that, on balance, it is right to continue to provide non-conviction information. However, we have recognised the need to have clear guidance about both the information and the circumstances in which it can be disclosed.

The latter provision will cover information that can be fully substantiated by the police and will be released only on the authority of a senior police officer. It will be given to the individual as well as to the employer and the employer must decide its relevance to the post in question. The only time that an individual will not be told about any information that is released to an employer is when it might prejudice a current police investigation.

The White Paper proposals place no new requirement upon any employer to seek a criminal record check, and checks will be mandatory only when there is an existing statutory requirement—for example, in cases of licensing. I believe that the proposals will play a valuable role in our strategy of protecting the public from crime.

Ms Ann Coffey (Stockport): The Home Secretary referred to provisions for employers. Has he considered the case of voluntary organisations which do not employ their volunteers who often work in very sensitive areas with young children and other vulnerable groups? Will he extend the access provision to such organisations so that they may check on their volunteers?

Mr. Howard: I am grateful to the hon. Lady for that intervention, and there is a strong case for extending the checks in the way that she suggests. Before I leave that point, I should add that the proposals in the White Paper that we have published today have been warmly welcomed by the police. I have just received a press release issued by the Police Superintendents Association of England and Wales, which welcomes the measures and says that they

"may even deter criminals who will be aware that they will not be able to hide their criminal activities from potential employers and is therefore another measure which puts victims first put and underpins the commitment to protecting the public."

[Mr. Howard]

[Interruption.] I note that the views of the association are apparently a subject for ribaldry for Opposition Back Benchers.

Mr. Anthony Coombs (Wyre Forest): I welcome the enormous and good work that my right hon. and learned Friend is doing and I also welcome the fact that non-conviction information will be carried for certain individuals and organisations who look after children. What right of appeal will there be for an organisation that is refused information by a senior police officer if it feels that that information is crucial, although it does not involve convictions, for an applicant who may be employed to look after children in its care?

Mr. Howard: I am grateful to my hon. Friend for his remarks. The question of appeal is mentioned in the White Paper and the details of that important matter are set out there.

Mr. Jack Straw (Blackburn): Before the Secretary of State leaves the subject of criminal records, will he confirm that the White Paper contains no proposals to implement the Home Affairs Select Committee's unanimous recommendation for the proper regulation of the private security industry, and that the effect is to create a huge, gaping loophole in the arrangements? The proposals, as I read them, may allow private security employers to weed out the crooks who work for private security firms, but they will do nothing to weed out the crooks who own and operate some of those private security firms.

Mr. Howard: The hon. Gentleman will know that the Select Committee's proposals on the private security industry are still under consideration. The measures set out in White Paper today will be of considerable assistance and relevance in the context of that industry, and not merely in the way suggested by the hon. Gentleman. The proposals will enable firms that are not involved in the industry, but which employ people for security purposes, to carry out checks, and that will be a considerable safeguard. I hope that the hon. Gentleman will recognise that.

I turn now to our sentencing proposals. They are under three main headings. The first is "Honesty in sentencing". The public are outraged when someone sentenced to 10 years' imprisonment is released after four or five years or when someone sentenced to seven days' imprisonment is released after one night. I agree with the former Lord Chief Justice, Lord Taylor, who recently said that those arrangements

"have the appearance of a charade with everyone engaged in a calculation of how much less than the pronounced sentence will actually be served".

I therefore propose that the sentence served should bear a much closer relationship to the sentence passed by the court.

Prisoners who behave well and co-operate should be able to earn up to 20 per cent. off their sentence. Everyone else will have to serve their sentences in full. That will create an incentive for prisoners to behave well while in prison. Governors will retain the power to take away time earned as a sanction for disciplinary offences—the Opposition's Front-Bench spokesman in another place, in the debate on 23 May, was quite wrong to suggest that governors would be, as she put it, stripped of that power.

Mr. Donald Anderson (Swansea, East): The Home Secretary has selectively called in aid the views of the former Lord Chief Justice, Lord Taylor. Has the Home Secretary also considered the broader view taken by the Lord Chief Justice of his White Paper, when he said that grave consequences would follow if the main proposals were put into effect? The Home Secretary mentioned one sentence from the Lord Chief Justice, but does he accept the broad attack on the totality of his proposals?

Mr. Howard: I do not think that it is a secret that, on the other proposals in the White Paper, the former Lord Chief Justice and I have different views. Similarly, I do not think that the hon. Gentleman is seriously suggesting that I was attempting to conceal that from the House or the world. It may be of interest to note that in this instance the former Lord Chief Justice and I are happily in agreement.

Mr. Barry Sheerman (Huddersfield): Is it not arrogant to introduce the name of the former Lord Chief Justice in such a way when the Home Secretary knows that many of us have come to the Chamber to listen to what he has to say? It is our first opportunity to hear the right hon. and learned Gentleman respond to the final speech of the former Lord Chief Justice in another place, during which he more or less said that he had no confidence in a Home Secretary who should introduce such measures based on such "flimsy and dubious research".

Mr. Howard: I am coming to the rest of my proposals, if the hon. Gentleman will contain himself. I will deal with them in detail. The hon. Gentleman has misquoted the former Lord Chief Justice, but there is no secret that the former Lord Chief Justice—*[Interruption.]* He criticised the proposals but he did not—

Mr. Sheerman: On a point of order, Madam Speaker. The Home Secretary says that I have misquoted the former Lord Chief Justice. He said in column 1025 of the *Official Report* of another place on 23 May

"that never in the history of our criminal law"—

Madam Speaker: Order. It is not a point of order if the hon. Gentleman merely repeats what he said earlier. He should contain himself and make a speech later.

Mr. Howard: I shall come to my other proposals and to the evidence for them. I hope that today we shall have rather less equivocal language from those who occupy the Opposition Front Bench than we have had so far.

First, I shall deal with honesty in sentencing. The White Paper makes it clear that the courts will be expected when passing sentence to take account of the abolition of parole and changes in early-release arrangements. That could be achieved either by a practice direction, if the Lord Chief Justice decided that it would be appropriate to issue such a direction, or by specific statutory provision. The Government therefore do not intend or expect the proposal to result in a general increase in sentences actually served. Its purpose, as I have made clear from

the outset, is to introduce greater honesty and clarity into the sentencing process and to restore credibility to the sentence passed by the court.

Mr. Alex Carlile: Will the Home Secretary give way?

Mr. Howard: I have already given way once to the hon. and learned Gentleman. I have no doubt that he will be able to make his speech in due course.

The second key element of my proposals is that anyone convicted for the second time of a serious sexual or violent offence should receive an automatic life sentence unless there are genuinely exceptional circumstances. The offences covered by this proposal would include, among others, rape, attempted rape, attempted murder, manslaughter and the most serious woundings. The purpose of the proposal is to ensure that no one who comes into the category will be released until an assessment has been made of whether he or she still poses a risk to the public.

Life imprisonment is, of course, already the maximum penalty for serious violent and sexual offences such as rape and attempted murder. In 1994, however, 217 offenders were convicted of a serious violent or sexual offence having previously been convicted of at least one similar offence, and only 10 of them were sentenced to life imprisonment. Again in 1994, about 40 violent or sexual crimes were committed by offenders who had already been convicted of two such offences. The Government's proposals mean that in future such offenders would be released if, and only if, there had been an assessment that it was safe for them to be released. Those who are released will remain on licence and subject to recall for the rest of their lives.

The third element of our proposals is that the courts should be required to impose a minimum prison sentence on offenders who are convicted of domestic burglary or dealing in hard drugs who have two previous convictions for similar offences. It is proposed in the White Paper that there should be a minimum sentence on third conviction of three years in the case of domestic burglary and seven years in relation to drug trafficking offences. The courts will have discretion to set aside the mandatory penalty in genuinely exceptional circumstances and to impose a higher sentence than the mandatory minimum in appropriate cases.

Mr. Roy Beggs (East Antrim): Does the Home Secretary agree that, in dealing with burglaries, attention should be directed on those who habitually receive stolen goods and thereby encourage others to burgle?

Mr. Howard: I do indeed agree with the hon. Gentleman. The fact that a particular offence does not come within the very precisely targeted category that has been selected for mandatory minimum sentences does not, of course, mean that the courts should pass a life sentence in those cases. The hon. Gentleman has correctly identified a category that will no doubt receive the attention of the courts where appropriate.

Persistent burglars and drug dealers are a menace to society, and they should know that if they continue to offend they will go to prison for a long time. In too many cases, non-custodial sentences or very short prison sentences are imposed on burglars who have numerous previous convictions. It just cannot be right that burglars before the court for their seventh or subsequent conviction are getting average sentences of 19 months—serving perhaps 10 months. That is only a few months longer than the 15 or 16 months—serving perhaps eight months—of first offenders who are sent to prison. Stiff minimum sentences will provide a real deterrent to persistent offenders and ensure that those who continue to offend receive the punishment that they so richly deserve.

I do not accept that these proposals encroach improperly on judicial independence. It has always been Parliament's responsibility to set the statutory framework for sentencing, and for judges to exercise their discretion within that framework.

It has been argued that mandatory sentences will not work because it is the certainty of conviction that deters offenders, not the severity of sentence. But improving detection rates and imposing stiffer sentences are not alternatives, they are complementary. The most effective deterrent is to have both. The police are taking action to improve detection rates in a number of ways, for example, by targeting known and persistent offenders. The Government's proposals will back that up. Bringing persistent burglars back before the courts time and time again is useless if the sentence imposed is one that they can regard as a minor occupational hazard in their chosen career.

Ros Burnett of Oxford university, in a study entitled "The Dynamics of Recidivism", found on the basis of interviews with prisoners that

> "Avoidance of imprisonment was the most frequently mentioned reason for not wanting to re-offend".

Under our proposals, persistent offenders will know that they will get a stiff sentence if they persist in offending.

The public rightly expect protection from serious, dangerous and persistent offenders. The proposals that I have outlined are carefully targeted at crimes of particular concern to the public—serious sex and violent offences, domestic burglary, and dealing in hard drugs. The Government believe that urgent action is required to provide a real deterrent to such offenders; to punish severely those who continue to offend regardless; and above all to protect the public from their activities. The White Paper "Protecting the Public", and our new proposals for sex offenders and for making better preventive use of criminal records, are further steps towards protecting the public in that way.

I now deal with the position taken by the Opposition parties. I am surprised that the right hon. Member for Kingston upon Hull, East (Mr. Prescott), who is deputy leader of the Labour party, is not present for the debate, as his ambitions to become shadow Home Secretary are famous, and this would have been the perfect opportunity for him to size up the Home Affairs portfolio and to learn from the many mistakes of the hon. Member for Blackburn (Mr. Straw).

The hon Gentleman's approach to policy making consists of a four-stage process typical of the manic depressive. The first is the manic phase. He hears about someone else's idea. "That's a good one," he says, skipping excitedly around his room. During the second stage there is a frenzy of activity. He does not need anything more than Snopake, a photocopier and a fax machine—the usual tools of trade of the

[Mr. Howard]

bottom-of-the-market plagiarist. The third stage consists of panic as the plan unravels. Another Straw fiasco is complete. That leads to the final stage—deep depression.

Let us take the teenage curfew saga as a classic example. President Clinton makes a speech on teenage curfews. The hon. Gentleman gets to work within hours. This is a golden opportunity. He can see the headlines now: "Straw to crack down on kids". "Tony will be pleased,' he says to himself. "My job in the shadow Cabinet is safe after all."

The trouble is that the hon. Gentleman's colleague, the hon. Member for Barking (Ms Hodge), had already condemned the idea as "utter and complete nonsense", and the right hon. Member for Glasgow, Garscadden (Mr. Dewar) said the following day:

"I'm not sure that a curfew would be a workable solution."

They were not alone. The chief constable of Gloucestershire, speaking as the representative of the Association of Chief Police Officers, said:

"I think there are some huge practical difficulties."

In the face of that barrage, the hon. Gentleman back-tracked rapidly.

Mr. Donald Anderson: On a point of order, Madam Speaker. Given your traditional role of protector of the House, would it be appropriate for you to remind the Home Secretary that he is not at a Conservative party conference now?

Madam Speaker: That is not really a point of order for me. I am sure that the Home Secretary is well aware of where he is at the present time.

Mr. Howard: I understand the discomfort of members of the Labour party. I know that they do not want to hear all this. Let me remind them, however, of what the hon. Member for Blackburn told the *Sunday Times*. He said:

"The age groups affected could be people up to age 16."

I do not know whether the hon. Gentleman stands by that quote; perhaps he will enlighten us now. [HON. MEMBERS: "Come on."] I understand why the hon. Gentleman does not wish to enlighten us. The next day, the line was completely different. "We are not thinking about the under-16s," the hon. Gentleman said. He told *The Guardian*:

"We are thinking about the under 10s possibly being off the streets by 9.00 pm".

What had started as a war on teenage crime ended as an attempt to protect the under-10s from themselves, all in 24 hours flat.

The hon. Gentleman tried one last desperate throw. We want to hear more about this: we want to hear the answer. A nationwide search was undertaken to identify a police force that might be willing to undertake a pilot scheme, and the hon. Member for Birmingham, Yardley (Ms Morris) was recruited to the cause. *The Guardian* reported that the West Midlands police were willing to start a pilot scheme; that was in *The Guardian*, so it must be true. A meeting was to be held between the police and the hon. Member for Yardley, after which the details would be announced. The meeting took place on 12 June, but for some unaccountable reason nothing has been heard from the hon. Gentleman or the hon. Lady since. Could that be because no plans for a curfew were agreed after all, or because there was little or no support for the hon. Gentleman's ideas? I think we should be told, and I hope that the hon. Gentleman will deal with that point when he replies.

Mr. Don Touhig (Islwyn): As the Home Secretary is quoting from newspapers, may I ask whether he saw a piece in *The Independent* last week which said that the measure that he is describing was really an attempt to regain the initiative as a result of Labour's efforts? Is the Home Secretary, in fact, trying desperately to paper over the cracks in the Conservative party?

Mr. Howard: I will leave the hon. Gentleman to take what comfort he may from *The Independent*.

Mr. Straw: Perhaps the Home Secretary would also like to take some comfort, from someone whom he has already quoted—the president of the Police Superintendents Association, Mr. Brian Mackenzie. The Home Secretary may have missed it, but Mr. Mackenzie said of our proposals:

"Police superintendents have been complaining bitterly over the last few years about juveniles running wild and causing problems. The proposals from Jack Straw are one of a range of measures well worth considering. I am delighted that responsible authorities are looking at it."

Mr. Howard: I am sorry that the hon. Gentleman was unable to answer either of the specific and direct questions that I had put to him a few moments before. I doubt very much that, when the president of the Police Superintendents Association referred to "juveniles", he was referring to the under-10s. He may have been misled by the report in the *Sunday Times*. He probably did not appreciate that, within 24 hours, the hon. Gentleman would back-track and change his proposals for dealing with the under-16s to a proposal to protect the under-10s from themselves.

There has been a great deal of debate about my proposals on sentencing since I first outlined them last October. Strong views have been expressed both for and against those proposals. The Labour party's reaction has been instructive.

Mr. George Howarth (Knowsley, North): The Home Secretary referred to an article in *The Guardian* about an initiative taken by my hon. Friend the Member for Birmingham, Yardley (Ms Morris) and asked what had become of it. He might be interested to know that I was with my hon. Friend when she met West Midlands police. We met a group of local residents in her constituency. West Midlands police said that our proposals for under-10-year-olds were perfectly plausible and that it would work with the local authority to introduce them in a particular part of her constituency. That is what became of the proposal. Perhaps the Home Secretary will tell us whether he thinks it is a good thing for children under 10 to be out on the street late at night.

Mr. Howard: Of course I do not. If the police find youngsters on the street in need of protection, they already have powers to take the youngsters to a safe place. The

hon. Gentleman did not tell us is whether the pilot scheme that he and the hon. Member for Yardley asked West Midlands police to carry out in Yardley is to take place.

Mr. Howarth: Yes.

Mr. Howard: Instead of making sedentary comments, will the hon. Gentleman state from the Dispatch Box that a pilot proposal will take place, because that is not the information that I have received from West Midlands police.

Mr. Howarth: I repeat that we held discussions with West Midlands police.

Mr. Howard: Is a scheme going to take place?

Mr. Howarth: The right hon. and learned Gentleman asked me to answer his question, so perhaps he will be courteous enough to allow me to do so. Discussions have subsequently been held with Birmingham city council. The police and the council are now working on a proposal for a specific part of the Yardley constituency to see whether a pilot curfew for under-10s could be made to work. I understand—I have no reason to believe otherwise—that there is every reason to believe that the pilot project will go ahead.

Unless the Home Secretary has some evidence to the contrary, perhaps he will explain why the local residents, police officers and members of the local authority we met did not feel that the powers available to the police and local authority were sufficient to stop young children under 10 being out on the streets to no useful purpose late at night. If he cannot explain that, we must assume that he supports under-10s being on the street late at night.

Mr. Howard: I have just explained what powers already exist. The hon. Gentleman has manifestly failed to repeat from the Dispatch Box the words that he was using from a sedentary position a few moments ago. He and the hon. Member for Yardley told *The Guardian* that a pilot scheme would take place. We have heard nothing since. My information from West Midlands police is that no pilot scheme will take place; the House will draw its own conclusions from the hon. Gentleman's intervention from the Dispatch Box.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I am sure that the Home Secretary will forgive me if I take him back to the subject of the debate. Has he had an opportunity to study what the senior judges, including Lord Justice Taylor, have said about the dangers inherent in life sentences being imposed in the manner proposed by the White Paper—the dangers to the victim himself or, more probably, herself?

Mr. Howard: Of course I have studied that, but I do not accept the views that have been expressed, because the arguments advanced in another place are arguments against any life sentence. If the hon. Gentleman accepts those views, perhaps he will tell the House whether he is against any life sentence. If that line of argument is accepted, there is an incentive for the offender to take more serious action and even to kill.

The truth is that, when someone commits a rape, he is most unlikely to be in the state of mind that will lead him to make a cold and calculating decision about what his next act should be. If he is in that state of mind and makes such a cold and calculating decision, he will know perfectly well that, if caught and convicted, when the judge fixes the tariff part of the life sentence, it is likely to be a different tariff for rape than for murder. That will be something to be taken into account in planning his behaviour. If he behaves in that cold and calculating way, which is extremely unlikely, he will know that there continues to be a deterrent against further serious criminal conduct.

When I announced my proposals, colleagues of the hon. Member for Blackburn rushed to condemn them one after another. The hon. Member for Holborn and St. Pancras (Mr. Dobson) called them "daft". The hon. Member for Cardiff, South and Penarth called them a "farce". Labour's Front-Bench spokesman in the other place called my proposals "deplorable" and hoped that the next Session was sufficiently curtailed to make it impossible for my proposals to become law. Last month, Lord Williams of Mostyn, another Labour Front-Bench spokesman in the other place, called minimum sentences "a perversion of justice". Those statements could not be clearer.

As Labour is root and branch opposed to my proposals, why does the hon. Member for Blackburn find it so hard to echo that aggressive rhetoric in the House? Why does he confine himself to such weasel words? I will tell the House why the hon. Gentleman has thus far been so muted—because he is under orders from the Leader of the Opposition to avoid any headline saying "Labour opposes tough action on crime". I serve notice on the hon. Gentleman that his tactics are transparent and will fail.

At least the Liberal Democrats are honest. The hon. and learned Member for Montgomery (Mr. Carlile) said that I should be ashamed of my proposals. Let me answer him directly. I shall never be ashamed of proposing greater protection for the public from dangerous criminals. I shall never be ashamed of proposing tough deterrent sentences for career burglars and hard-drug dealers. I shall never be ashamed of bringing greater honesty to the sentencing process. The police overwhelmingly support those proposals, and so do the public. I warn the hon. and learned Gentleman that his parliamentary candidates will regret his remarks, even if he does not.

The Labour party opposes statutory minimum sentences for burglars and drug dealers, mandatory life sentences for dangerous violent criminals and the ending of automatic early release from prison. Labour will not support our proposals in the Division tonight and will do its best to stop them becoming law. We will make sure that the public understand that a Labour Government would not introduce those proposals. Only this Government can be trusted to do so. Only this Government genuinely believe that tough action is needed to protect the public. Only this Government will take that action. The White Paper provides for that, and I commend it to the House.

4.32 pm

Mr. Jack Straw (Blackburn): I beg to move, to leave out from House to the end of the Question, and to add instead thereof:

'notes that given the doubling of crime since 1979, the record of Her Majesty's Government on crime is the worst of any British administration since the war and the worst record of 16 western

countries surveyed by the Home Office; further notes that the proposals contained in the White Paper "Protecting the Public" (Cm 3190) represent a complete reversal of the sentencing policies of Her Majesty's Government as contained in the Criminal Justice Act 1991; and believes that the comprehensive proposals of Her Majesty's Opposition to be tough on crime and tough on the causes of crime will be far more effective in tackling crime and disorder in England and Wales, and in ensuring tough and appropriate sentences for serious or persistent criminals within a proper framework of justice.'.

The Home Secretary spoke for 42 minutes. The House has listened to one of the most puerile and pathetic speeches ever from the right hon. and learned Gentleman, which demeaned his high office. Of those 42 minutes, the Home Secretary devoted fewer than 10 to the ostensible subject of the debate. He devoted the rest of his speech to a White Paper published today, so that he could avoid publicity about proposals that are so embarrassing to him, and to making insults of the kind we are so used to hearing from the Home Secretary.

This is Crime Week but, under this Government, every week is crime week for the British people. So far this week, the British public have been the victims of 150,000 criminal offences—50,000 a day, according to Home Office estimates in the British crime survey.

There was a time when crime happened to someone else. In 1971, *The Times* commented how, after six years of Labour Governments, crime had simply dropped off the political agenda. Today, however—when the Conservative party has been in power for 20 of the past 25 years—crime, the fear of crime and the experience of crime has affected almost everyone in the land.

Crime has fractured communities. It has forced people to change the way in which they live, and it has forced up the cost of living. Insurance premiums for cars and homes have rocketed far above the rate of inflation since 1979.

The Government's record on crime is the worst of any British Administration since the war, and the worst of any western Government. Crime under the Tories has risen twice as fast as it did under Labour. Between 1987 and 1993, crime in England and Wales rose further and faster than in any of 16 western countries surveyed by the Home Office.

People are not troubled only by specific recorded crime—they are troubled by disorder, loutish behaviour, graffiti, criminal damage and anti-social behaviour by neighbours. In 1994-95, incidents of disorder recorded by the police rose 12 per cent. in a single year.

Recorded crime has doubled in the past 17 years, yet, for all the bluster we heard from the Secretary of State, the system for catching, punishing and deterring criminals in that 17 years has gone into reverse. The number of people convicted or cautioned was lower in 1995 than it was in 1979.

Mr. Walter Sweeney (Vale of Glamorgan): In view of the hon. Gentleman's loud concern about the crime rate, does he still think that he was right to vote against allowing the Attorney-General the power to appeal against soft sentences?

Mr. Straw: Opposition Members will take no lectures from the Conservative party, which has presided over record increases of crime. Nor will we take any lectures on voting records, as the hon. Gentleman voted to prevent many victims of crime from receiving decent compensation and, in 1988, the Secretary of State voted against a ban proposed by the Opposition to prevent youngsters under 16 from purchasing knives.

Mr. Clive Soley (Hammersmith): The Home Secretary ducked that issue in his speech. Not only did he vote in 1988 against restrictions on the sale of knives to those under 16, but the previous Home Secretary and the Minister under him also objected to an Opposition proposal that would have restricted the sale of arms and imitation firearms by post.

We note that, at Dunblane—I hope that the Home Secretary is listening—the guns were obtained by post. We were pointing out that possibility—following Hungerford—in that proposal. The real question for the Home Secretary is, why did the Government oppose those measures then, and why did they specifically vote against restricting knives for 16-year-olds?

Mr. Straw: My hon. Friend is of course right. In the debates during the passage of the Criminal Justice Act 1988, in which my hon. Friend took such an important part, there were many occasions on which Ministers either opposed what we were doing or complimented us on the improvements that we had made to it.

For some of the most serious criminal offences, the way in which the gap has widened between crimes committed and offenders convicted since 1979 has been alarming. In 1980, almost four in 10 recorded rapes resulted in conviction. By 1994, the proportion had dropped to just one in 10. In 1980, 9 per cent. of domestic burglaries resulted in conviction. By 1994, the proportion was down to 3 per cent.

In the space of five years, between 1989 and 1994, the number of violent crimes rose by a quarter, while the number of convictions fell by a third. Even when someone finally gets to court, the sentence they receive may depend as much on the chance of where they are tried as on the severity of the offence. The proportion of indictable offences tried in magistrates courts that lead to a prison sentence varies by a factor of 10. In the Staffordshire, Moorlands court, one in six defendants end up inside; but in the Maidenhead court the proportion is one in 66.

The lack of consistency between courts is matched by a lack of progression in sentencing. The fact—according to parliamentary answers given to me by the Secretary of State—that someone imprisoned for domestic burglary is given the same term of 15 months on the first, second or third conviction is bizarre. Even odder is the fact that, according to the Government's own figures, the prison term for a third conviction for drug dealing, at 30 months, is two months shorter than that for a first offence.

As the public's concern about crime has risen, and public confidence in the Government's ability to do anything about it has fallen, so the Government's response has been a blizzard of legislation on criminal justice. There have been 33 separate measures for England and Wales since 1979—more Bills on criminal justice in the past 17 years than in the previous 50.

It would be one thing if each of those Bills had been carefully prepared and they were consistent one with another. Instead, some have signalled sudden lurches in policy that, far from advancing the fight against crime,

have made it more difficult. As the outgoing Lord Chief Justice, Lord Taylor, commented in his King's college lecture in March:

"the proper balance between continuity and change is in dire danger . . . the criminal law should not be subject to arbitrary change by the powers that be, or to the vagaries of fashion".

Overall, not least as a result of that torrent of legislation, the criminal justice processes in this country are now in chronic crisis, with rising costs, increasing delay and plummeting public satisfaction.

This year, the Secretary of State told readers of *The Sun* that the current sentencing system and criminal justice process

"is a farce and makes a mockery of the courts."

The figures that I have produced today show that the right hon. and learned Gentleman was right about that, if about little else.

The question is: who has been responsible for that "farce" and that "mockery"? Was it the Lord Chief Justice and his judicial colleagues who devised the system? Was it the Labour party, or the Liberal Democrats? Or was it someone else? Even today, a Conservative candidate writing in *The Times* says that the people to blame for the mess are "officialdom", as though each one of the Secretary of State's predecessors as Home Secretary, such as the present Chancellor of the Exchequer or the distinguished former Foreign Secretary, the right hon. Member for Witney (Mr. Hurd), had been mere putty in the hands of his civil servants.

It is not the officials who are to blame, nor the judges, but this Government, this Prime Minister and this Secretary of State. The current sentencing system is less than five years old. It was laid down by the Criminal Justice Act 1991, which was pushed through the House by Conservative Ministers. The very people who now claim that the system is a mockery and a farce were the architects of that system in the first place.

How dare the Secretary of State blame others for the farce and the mockery of the current sentencing system, when it is he and his ministerial colleagues who are principally to blame? It is they who are the guilty men and women, and it is they who should admit that the White Paper represents a rejection of almost everything that the Conservative party has done on sentencing in the past 17 years.

The Secretary of State now calls for honesty in sentencing. What an admission that is about the past 17 years of sentencing policy under the Conservatives.

Mr. Donald Anderson: Would it be fair to characterise the Home Secretary as the Pol Pot of British politics, always pretending to return to "year zero" at successive party conferences, although to find out the truth we have only to go back as far as the White Paper of 1990 and the Criminal Justice Act 1991, which is now being totally erased? We are not in year zero; the buck stops with the Home Secretary.

Mr. Straw: My hon. Friend asks whether it would be fair to characterise the Home Secretary in that way. It may not be fair, but it would certainly be true.

Mr. Peter Butler (Milton Keynes, North-East): If the hon. Gentleman is right to claim that the present proposals reverse the Criminal Justice Act 1991, and he opposed that, why does he also oppose the reversal of it?

Mr. Straw: Well—[*Laughter.*] The hon. Gentleman is, I know, a difficult man, and I did not quite follow the logic of his question. What he should worry about more when he talks to his constituents is the fact that he too voted to cut compensation for victims, and also the fact that recorded crime in his constituency since 1979—not since year zero—has increased by 141 per cent., one of the largest increases anywhere in the country.

Mr. Sweeney: Will the hon. Gentleman give way?

Mr. Straw: I have already given way to the hon. Gentleman. I need to turn to the other important White Paper, which the Secretary of State published today.

As I said, it is quite remarkable that, given the slackness of the parliamentary timetable and all the days and weeks that the Secretary of State could have chosen in which to publicise, to great effect for himself, the White Paper "On the Record" about the Government's proposals for access to criminal records, he chooses to do it today and hijack his speech about another White Paper, "Protecting the Public", on which he managed to spend only 10 minutes.

When the House, at the Opposition's instigation, debated the private security industry, there was widespread demand from Members on both sides for arrangements for access to criminal records to be reformed. It is clearly necessary for employers to be aware of the criminal records of those they seek to employ in positions of trust, and crucial that the greatest possible protection is available in respect of children. In the area of child sexual abuse, there is a conflict between the needs of children and the civil liberties of suspected abusers. In our judgment, where there is a serious risk to children, their needs must always prevail.

For those working outside such sensitive areas, we must ensure that any system balances the needs of employers, and through them the public, with the rehabilitation of offenders. As the Government said in their Green Paper on criminal records in 1993:

"common sense suggests that an ex-offender with suitable work is less likely to reoffend than one who is unemployed".

We shall examine the White Paper very carefully to ensure that it achieves the proper balance.

As I said in an intervention on the Secretary of State, the White Paper is seriously deficient in its proposals for dealing with the private security industry. In its 1995 report, the Select Committee on Home Affairs was clear that the vetting of potential employees was not enough to protect the public from totally unregulated private patrols or other private security companies which

"prey on the fears of vulnerable people."

The Government must accept the arguments of the police, the overwhelming majority of companies in the private security industry—they are desperate for proper regulation because of the way in which their reputations are besmirched by the crooks—the Home Affairs Committee and the Labour party, and legislate to regulate the industry.

I have here a copy of the Carlisle *News and Star*, which I understand circulates in the constituency of the Minister of State, Home Office, the right hon. Member for Penrith and The Border (Mr. Maclean).

The Minister of State, Home Office (Mr. David Maclean): I never buy it.

Mr. Straw: The Minister would do better if he did buy it, because he might learn something.

An article in that paper is headed "'Gangster' is Security Man—City crook a security guard on homes site". The article talks about Aaron Giacopazzi, one of the city's best known criminals, who has been taken on by Lowther Construction to guard a building site. The deputy managing director of the company says in the article:

"'It isn't our normal policy to use convicted criminals."

The Government's proposals provide huge loopholes for people such as Mr. Aaron Giacopazzi. The security firm might be perfectly legitimate. If that were so, his record would be vetted and he would not be employed by it. But there is nothing to stop that man, who is a great entrepreneur and building a £1.5 million development with who knows whose money, setting up his own security firm. He would certainly not vet himself.

Mr. Eric Martlew (Carlisle): Does my hon. Friend realise that Mr. Giacopazzi has since been arrested on a drugs charge but that the company, being very generous, now employs his father? *[Laughter.]* And his godfather!

Mr. Straw: That makes our point very strongly.

Mr. Howard: What is the point?

Mr. Straw: The point is very simple. Members of the Select Committee on Home Affairs, which is chaired by the Home Secretary's very close friend, the hon. and learned Member for Burton (Sir I. Lawrence), unanimously recommended that the private security industry—employers as well as employees—should be properly regulated by statute. Ministers, because of their obsession with deregulation, have persistently refused to do so.

The other White Paper that we are debating today, "Protecting the Public", contains three principal proposals: for so-called "honesty in sentencing"; for indeterminate sentences for repeat rapists and perpetrators of serious violence; and for automatic determinate sentences for persistent burglars and drug dealers. I shall deal with each of those in turn.

As I have already made clear, we support the principle of honesty in sentencing. The public have a right to know what is being done on their behalf. On the question how the proposal should be put into practice, I have already suggested that courts should give details of the minimum and maximum period that could be served under the term they hand down, and the earliest release date. In that way, what is now called a four-year sentence would, in future, be described more correctly as a two to four-year sentence. Transparency would be introduced, without having to turn the rest of the system upside down.

The Home Secretary proposes a more complicated change to arrive at the same result, while asserting that he does not expect his proposals

"to result in a general increase in the period of time that offenders serve in prison".

We can examine the details of the alternative proposals in Standing Committee if and when a crime Bill comes before the House during the rest of this Parliament.

It already appears—I should be glad if the Minister would deal with this in his reply—that the Secretary of State's preferred arrangement might have one perverse effect, which is that some prisoners may be subject to supervision after their release for much less time than under the present regime.

We also support in principle the proposal for indeterminate sentences for repeat rapists and others convicted of serious sexual offences. Of all crimes, apart from homicide, serious sexual offences can do the greatest long-term harm to the victim, both psychological as well as physical. Those who offend often have a high propensity to reoffend, and, as I pointed out in a detailed paper on sentencing that I published in March, an official committee—the Butler committee—looked at the issue of serious sexual offenders 21 years ago and concluded that there should be available a system of indeterminate reviewable sentences for such repeat sexual offenders.

The Secretary of State proposes that all repeat rapists and serious sexual offenders should receive an indeterminate life sentence. Since "life" is not intended by the White Paper generally to mean life in those cases, there might be advantage in having a separate sentencing regime for those people, unless the court, for particular reasons, gave out a life sentence. That matter can be examined in Committee in due course.

Mr. Alex Carlile: Is the hon. Gentleman suggesting that the Butler committee was saying that there should be mandatory reviewable life sentences? Does he not think it sufficient to give judges the power to sentence to life imprisonment and the encouragement of knowing that those sentences would be effective?

Mr. Straw: We have to disagree about this. The Butler committee recommended that there should be a system of indeterminate, reviewable sentences—

Mr. Carlile: Not mandatory.

Mr. Straw: No, I will come to that. The committee said that they should be available for first offences as well as for second or subsequent ones. As I recall—I have read the report—the committee said that there should be a presumption in favour of an automatic indeterminate sentence where there was a second conviction.

What we are proposing and what the Government are proposing for serious sex offenders amount to the same thing: that, because of the danger of reoffending, which must be patently apparent when someone has already offended twice, a decision to release the individual should be made only when it is safe to do so.

The Secretary of State for Scotland (Mr. Michael Forsyth): I have been listening to what the hon. Gentleman has been saying, which, as I understand it, is that he accepts the principle of honesty in sentencing and the principle that there should be indeterminate sentences for repeat offenders involved in serious sex offences. If that principle is right for England, why is the Labour party opposing it in Scotland?

Mr. Straw: Of all the people to ask that question it is the Secretary of State for Scotland. I have with me the Scottish Office White Paper dealing with crime and punishment. I have read this—it was only a cursory glance, and I am open to correction—but I cannot find

any reference to automatic minimum sentences for drug dealers and repeat burglars. Have I missed something? Perhaps the Secretary of State could tell me.

Mr. Forsyth: The question that I put to the hon. Gentleman was about the Labour party's policy—*[Interruption.]* I will happily deal with the hon. Gentleman's point in exchange for him answering my question. I asked about the Labour party's policy. If its policy is that the principle of honesty in sentencing is right and that the principle of indeterminate sentences for repeat offenders is right, why should that principle be different north of the border?

This is a fundamental issue, and I cannot for the life of me see why it should be different north and south of the border. As far as the Government are concerned, on both these matters, these principles apply throughout the United Kingdom.

Mr. Straw: I was right in the conclusions that I drew from a cursory reading of the White Paper. The huge inconsistency is not between our hon. Friends who represent Scotland and those of us who represent England and Wales; the inconsistency is between these two Secretaries of State. As far as I can see, the Secretary of State is making no proposals for automatic minimum sentences for drug dealers and for burglars.

Mr. Forsyth: I was listening to the hon. Gentleman's speech, and I was agreeing with him about the matter of principle. If he is saying that the Labour party accepts the principle of honesty in sentencing and the principle of mandatory sentences for repeat sex offenders, he is in the same position as my right hon. and learned Friend the Home Secretary and I. We agree on these matters. It is the Labour party that has split north and south of the border. Why are the principles on these matters different north and south of the border?

Mr. Straw: This is pretty desperate. I have offered the right hon. Gentleman two chances.

I have had the benefit of reading the speech made by my hon. Friend the Member for Dumbarton (Mr. McFall) in Scotland on Monday. He said:

"Labour is committed to tough sentencing for those who commit serious crimes. We are committed to progression in sentences and to a licence system for sex offenders."—[*Official Report, Scottish Grand Committee*, 17 June 1996; c. 36.]

The Secretary of State may not have noticed, but there are two different legal systems—that in Scotland and that in England and Wales.

Mr. Forsyth: The principle.

Mr. Straw: If there is a principle, I have just read it out. The Secretary of State has signally failed to explain why there is a difference of principle—as there obviously is—between him and his right hon. and learned Friend the Home Secretary when it comes to automatic minimum sentences for repeat burglars and drug dealers.

The proposals for indeterminate sentences for serious sexual offenders are acceptable to us, not only because they directly address the paramount need to protect the public but because the term actually served will be determined by reference to the nature of the offence and of the offender. The judge will still be required to set a tariff proportionate to the seriousness of the offence. Thereafter, the offender will not be released unless and until the parole board is satisfied that it is safe to release them.

So justice, above all for the victim but also for the offender, is built into this system. These considerations mean that this proposal is wholly different in character and effect from the third of the Home Secretary's proposals, for automatic determinate minimum sentences of three years in the case of domestic burglars on their third conviction, and seven years for drug dealers on their third conviction.

In my response to the Home Secretary's statement on 3 April, I said:

"We do not argue with"

the Secretary of State's

"purpose . . . for victims and offenders alike—that people who persistently burgle or deal in hard drugs"

should

"receive . . . tough, deterrent . . . sentences."—[*Official Report*, 3 April 1996; Vol. 275, c. 393.]

The issue is not whether such persistent hardened burglars or drug dealers should receive such tough deterrent sentences, but how that should be achieved.

The problem with the Secretary of State's proposals is that, the more they are exposed to scrutiny, the more it becomes clear that they will not work as he intends. It is a mark of how ill thought through was his original proposal that he has already made one fundamental change from what he told the Conservative party conference in October 1995. Then, at least what he said had the merit of clarity, however crude and impractical the policy might have turned out.

Then, in right hon. and learned Gentleman's desperation to upstage the Secretary of State for Defence in his appeal to the Tory right, the Home Secretary was emphatic. He told the party faithful:

"I've got a simple answer to burglars and dealers in hard drugs who offend again and again and again. If you don't want the time, don't do the crime."

But where are we now? A mere two months later, the Home Secretary had to admit that such a wholly automatic slot-machine system of justice would produce manifest injustice.

So, by December, he had to concede, in an interview in *The Law Society's Gazette*, that the answer to these drug dealers and burglars would not be as simple as that which he had presented to the Tory party conference, and there would be an escape clause. The clarion call about time and crime had by then become, "If you don't want the time, don't do the crime—save where the courts exercise a discretion to waive the minimum sentences in exceptional cases."

Here we see the central element of the Home Secretary's proposals unravelling, because of the belated acknowledgement that they cannot apply in all cases. What is more, the escape clause to the simple answer that he told the Tory party conference he had has changed again twice. The White Paper shifted from the words that the right hon. and learned Gentleman used in the *Law Society's Gazette* interview, and now speaks of "genuinely exceptional cases"—as if the adverb "genuinely" adds any clarity to what he means.

[Mr. Straw]

Only last month, the Home Secretary's very close and noble Friend Lord Mackay, the Lord Chancellor, treating these proposals in the White Paper like a piece of stinking fish, said that the precise terms on which the exception will be framed would be a matter for Parliament to determine.

So where is the simple answer now; indeed, where is the complicated answer? The Secretary of State and his colleagues cannot even make up their minds about that. We await the Bill with interest. Who knows what its terms by then will be?

One of the Secretary of State's most trusted colleagues in the House of Commons is the hon. and learned Member for Burton, Chairman of the Home Affairs Select Committee. I am very sorry that he cannot be present today—perhaps this debate was arranged explicitly with that in mind—but, like other members of the Select Committee, he is in the United States examining American penal policy.

When the issue of minimum sentences was debated at length in the House in February 1991, the hon. and learned Gentleman made this wise observation:

"I do not like minimum sentences. They reduce the discretion of the courts, and all who practice in or know anything about the courts realise that human life spans an enormous width and that there are many degrees of blameworthiness . . . Speeches calling for minimum sentences have always been resisted over the years. The Government have resisted the idea of going down this slippery slope, because if one case is allowed as an exception it becomes difficult to refuse other cases"—[*Official Report*, 20 February 1991; Vol. 186, c. 311-2.]

What a slippery slope it will be! This proposal from the Secretary of State will undoubtedly result in more guilty professional burglars and drug dealers walking free from court. In the United States, the jurisdictions with automatic determinate sentences are jammed up with not-guilty fights—two and a half times as many of them as where the courts have a discretion. More not guilty pleas mean more acquittals.

The Government's White Paper of 1990 said that such a system of minimum determinate sentences

"would . . . result in more acquittals by juries with more guilty men and women going free unjustly as a result"—

a point repeated by the former Secretary of State for Education, the right hon. Member for Oxford, West and Abingdon (Mr. Patten), when he was a Minister of State at the Home Office.

Today, the Home Secretary quoted some research by an academic at Oxford. It is unusual to hear him quoting research by any academic, let alone one from his own constituency, but we shall leave that aside. He said that the research showed that the avoidance of prison was the greatest deterrent that any system could establish.

We do not need research from Oxford to tell us that. Those of us who have had dealings with criminals know only too well that, on the whole, they do not like being in prison. One of our major complaints about the chaos in to which the Conservatives have plunged the criminal justice system is that not enough serious criminals are being put in prison—

Dr. Robert Spink (Castle Point): Come off it.

Mr. Straw: Is the hon. Gentleman not aware that, since 1979—year zero for the British public—the number of recorded crimes has doubled, while the number of people convicted and cautioned for those crimes has dropped by 6 per cent., and the number convicted of any crime has dropped by 33 per cent.? No wonder people are up the wall about this Government's record and complacency.

Mr. Howard: If the hon. Gentleman is so concerned about the difficulty of securing convictions, why did he vote against our proposals to allow the courts to draw an inference from silence—proposals deliberately designed to increase the number of convictions of the guilty, which are having precisely that effect?

Mr. Straw: We shall take no lectures from the Secretary of State. He voted for the Criminal Justice Act 1991, which he now says makes a mockery of the sentencing system. If he reads the record, he will find that we suggested alternative, constructive proposals based on recommendations made by the royal commission on criminal justice which he and his predecessors established.

The simple fact is that nothing we have heard from the Secretary of State today or at any time since he made his proposals last October has challenged the wisdom of the conclusion reached by the Government in 1990—that automatic minimum determinate sentences would result in more guilty people walking free.

Then there is the issue of timing. What is clear from the White Paper is that the Secretary of State has been deserted by the Chancellor, himself a former Home Secretary, and by most of his other colleagues on this issue. Automatic minimum sentences for repeat burglars will add hugely to the prison population, which is already rising fast. Far from gaining the extra cash needed for this prison expansion, the Secretary of State got rolled over in the last public spending round; and the prison budget is to take a cut in each of the next three years.

Reading the small print of the White Paper, one finds that this much-heralded policy of gaoling repeat burglars will not come into force at all until October 1999. The relevant convictions will not start until after commencement of this part of the Act. So, on the most optimistic assumptions, a prolific burglar may not be affected by the proposal at least until the year 2000.

By now, that notorious clarion call about time and crime, with its "simple answer", should read: "If you don't want the time, don't do the crime—save where the court exercises its discretion to waive the minimum sentence in genuinely exceptional cases, and in any case not until the start of the next millennium." That is hardly what the public would call honest or straightforward.

The public cannot wait another four years for an effective sentencing system that ensures proper consistency and progression. We need a criminal justice system that is swift, efficient and consistent, and that ensures proper progression for all repeat offenders—not just drug dealers and domestic burglars.

The way to achieve that is, as Labour has proposed, by imposing a clear duty on the Court of Appeal to lay down clear guidance for all the main categories of offence, and to consult widely on draft proposals before they are made operational. Such a proposal would work; it would be just; it could be brought into operation swiftly—next year, not next century. It would properly protect the public.

It is significant that it is exactly this latter proposal which the Secretary of State for Scotland—I am not surprised that he has fled—is advancing in his White Paper for Scotland, in place of the proposals for automatic minimum sentences for repeat burglars and drug dealers.

It is the first duty of any Government to ensure that their citizens can leave their lives in freedom, free from fear and insecurity. In that first duty this Government have failed.

Mr. Anthony Coombs: Will the hon. Gentleman give way?

Mr. Straw: No, I am coming to the end of my speech.

Britain today is a society disrupted and disfigured by crime and disorder, led by a Government who, on their own admission, have reduced the criminal justice system to a farce and a mockery. Under this Government, there is more crime, and more criminals are getting away with it. The British public need a criminal justice system that works, acting to prevent crime and its causes, dealing effectively with juvenile offenders, getting tough on criminal and anti-social neighbours, ensuring the proper protection of the public, giving effective backing to the police and real dignity to victims, and dealing effectively with persistent criminals.

Those are the answers to the epidemic of crime and disorder over which the Government have presided. The Secretary of State and his friends have had 17 years to get it right. They have failed. They have lost the trust of the British people. Where the Tories have failed in that first duty of Government, Labour will succeed.

Several hon. Members *rose—*

Madam Deputy Speaker (Dame Janet Fookes): Order. I remind hon. Members that the 10-minute rule is now in operation.

5.9 pm

Sir Peter Lloyd (Fareham): The Labour party's amendment is one of brazen vacuity. The words

"tough on crime and tough on the causes of crime"

appear in the second half of the amendment—they are well-known words and they trip familiarly off the tongue. They would make the kind of slogan for which advertising men receive prizes from other advertising men at seaside resorts every so often. However, the words remain devoid of any real meaning—even though the hon. Member for Blackburn (Mr. Straw) has ostensibly addressed himself to them for the past 35 minutes. They may not have a clear meaning, but they have a clear purpose: to ingratiate the Labour party with readers of the *Daily Mail* and *The Guardian* at one and the same time—the Labour party hopes that the readers of each paper will notice only the half meant for them.

The Government have gone the other way. My right hon. and learned Friend the Secretary of State for the Home Department has the admirable virtues of clarity and courage but—as he just said; it is no secret—he has, alas, upset the judiciary to the extent that one noble Lord remarked that relations between judges and the Executive were now at their lowest ebb since James I.

The way that people on both sides of the argument have reacted to the other side of the argument has allowed the impression to get about that the row is little more than a top people's demarcation dispute. It is far more important than that. I believe that dissension between judges and the Home Secretary damages both sides, and the respect in which the criminal justice system is held. It should have been avoided. The critics of the White Paper's sentencing proposals—I leave out the rest of the White Paper—have a powerful case. I agree with a number of the points that were made by the hon. Member for Blackburn.

I shall deal first with honesty in sentencing. There is a real problem for the public when they hear that a criminal who has been sentenced to three years is released after serving only 18 months. The judge and the professionals know that three years means 18 months in prison, plus any added days for misbehaviour, and 18 months at risk in the community—time that he will serve in prison if he commits another offence before the three years expires, in addition to the sentence for the new offence. The solution to this is simple—it does not need legislation. The judge should spell out in full what he and everyone else in the criminal justice world knows he is doing when he sentences, so that everyone else can know too.

By a strange irony, the change proposed by the Home Secretary will lead to different charges of sleight of hand. The Home Secretary wants the courts to take into account the change to serving full sentence so that there will be no general rise in the prison population. If the judges oblige, the prisoner who would have had three years will not serve three years as the public expects—he will still serve only 18 months, as the judge always knew he would. Moreover, because there will be less time after release when he will be at risk of serving the balance of the longer nominal sentence if he offends again, there will be less protection for the public.

Similarly, the loss of parole for more serious cases is not adequately replaced by earned remission. Earned remission has the merit of encouraging good co-operative behaviour in prison, which makes running a prison easier, but that is not quite the same thing as providing an incentive to prisoners to demonstrate that they will not be a danger again on their release and to make realistic preparations for that release. If the sentences remain the same, as the Home Secretary wishes, and parole disappears, the public will again be less well protected.

Secondly, where minimum sentences are concerned, I fear that the White Paper proposals are too sweeping. They will certainly lead to injustice. There are plenty of third-time burglars who should do more than three years and there are plenty of drug traffickers for whom seven years is too short—but there will be quite a few cases where such sentences will be visibly unjust and counter-productive.

For example, young drug addicts who sell small quantities of drugs to other addicts will get the same sentence as professional drug pushers. They will not come under the disclaimer in the White Paper because they have to be genuinely "exceptional" cases. They will not be genuinely "exceptional", and they will not be "unforeseeable". The same applies to opportunistic inadequates stealing from the homes of other people getting similar sentences as career housebreakers, as the Home Secretary just called them.

That will occur if the judiciary does not lengthen all sentences to maintain differentials. Perhaps, when my right hon. Friend the Minister of State winds up the debate, he will tell us about the Government's expectations in this regard. I fear that those minimum sentences will not do very much for deterrence, but that they will succeed in driving up the prison population.

[Sir Peter Lloyd]

Gaols will be filled with too many young drug addicts who ought not to be there and with the inadequate and immature for whom prison does not do much good, and does much harm if the education, training and diversionary programmes are not there. With a rising prison population and a reducing budget, such programmes will not be readily available. Perhaps the Minister will also refer to that in his winding-up speech.

Surely the right way to deal with sentences that are too short is to extend the prosecution's powers to appeal against them. The judiciary can do quite a lot more to achieve consistency, to demonstrate appropriate severity when needed and, most particularly, to explain to the public the principles on which it works in what is a complex and demanding task.

Thirdly, I am in complete sympathy with what the Home Secretary is seeking to do with mandatory life sentences for serious violent and sexual crimes. It cannot be right to release a violent offender back into the community when he is highly likely to attack again. In one sense, I would prefer to go further than the Home Secretary and find a means of detaining a violent first-time offender after the expiry of his determinate sentence if he shows signs of repeating it.

However, I do not feel that a mandatory life sentence is the right approach. It should be the unique and special penalty for the most serious of all crimes: murder. It is not right or wise to dilute it with a range of other very nasty but lesser crimes. The White Paper says that the judge will be responsible for the tariff and will presumably set one similar to, or perhaps below, the sentence that he would have given anyway. The public would quickly see that such a life sentence means even less than usual—so much for honesty in sentencing.

I would much prefer to see a new indeterminate sentence for violent or sex crimes that do not justify life but where the judge believes that there is a serious risk of violent reoffending. Previous violent offences would provide the strongest presumption for that. In the past, the judiciary may have underestimated public concern about violent reoffending. I hope that it will carefully consider the new sentencing powers that it needs to deal with violent reoffending more effectively.

Indeed, I hope that, in the next few months, while legislation is being prepared, there will be some serious rethinking all round—not least in the Home Office. If that happens, the White Paper will have had a positive effect on the safety of the public, and that, both the Home Secretary and the shadow spokesman have said, should be the overriding concern of penal policy.

5.18 pm

Mr. D. N. Campbell-Savours (Workington): The Secretary of State for the Home Department has embarked on a futile task. He has lost all credibility on law and order—no one believes a word. The whole criminal system is collapsing. Hon. Members do not need to take my word for it—they need only visit a housing estate anywhere in the United Kingdom, talk to the people and listen to their expressions of anger. The people on the front line know precisely what is going on.

The whole legal system—legal aid, the arrangements for criminal investigations and the Crown Prosecution Service—is in deep trouble. Our constituency case loads reflect the reality. A case in my constituency encapsulates the problems with the system. It reveals inadequacies in both police investigations and CPS prosecution decisions and it has implications for sentencing. I shall draw it to the attention of the House today.

The case concerns a woman, Elaine Steele, who lives in my constituency. She was charged with murder—the charge was subsequently amended to manslaughter—over the death of her 23-month-old baby. She was accused of shaking the child violently and causing her death. On the basis of a highly questionable police investigation and a number of medical reports, the CPS decided to prosecute. The case collapsed within hours of arriving in court.

Many medical reports were produced in the Elaine Steele case, all of which I have read. On the basis of those reports, it is hard to see how anyone in his right mind would wish to prosecute Elaine Steele. One professional involved described her as "very competent" at feeding her child, who had been born prematurely, and another said that she was "brilliant" with her child. A third professional said that she

"provided for her daughter and endeavoured to give her daughter the more intensive care and attention that a premature baby would require. Mrs Steele appears to have coped with the various difficulties of being a single mother."

Many statements supported her and her ability to look after her child.

The House must ask how such a woman ended up in the criminal system on a manslaughter charge. Why was the state prepared to use precious resources pursuing an innocent woman through the courts? The answer is that all reasonable lines of inquiry were never pursued. In October 1992, after she and her boyfriend had been interviewed about the circumstances surrounding the death of her child, Elaine Steele was not told that the police were treating her as the prime suspect. During two hours of questioning, she was not afforded the protection offered by the Police and Criminal Evidence Act 1984. She was later charged with murder.

Following her remand on bail, information began to surface about the activities of her boy friend. He was interviewed subsequently by the police, and soon afterwards the charge against Elaine Steele was reduced to manslaughter. Repeated questions have been asked about what occurred during the interview with her former boyfriend and during the wider investigation. Cases such as this undermine the credibility of the entire legal system.

The police officers concerned are well respected. Nevertheless, they have been the subject of serious allegations as to the procedures that they adopted. There are allegations that an attempt was made to cover up a lack of police professionalism. It has been alleged that the police sought to change their evidence and that they failed to pursue all reasonable lines of inquiry.

Thankfully, a diligent Workington solicitor was not satisfied with the police investigation. He rejected the "shaking" theory as an explanation of the child's death. He sought the advice of pathologists throughout the country and, in the end, he was able to challenge the established medical interpretation of events. A professional who dealt with the case stated:

"I do not think that anyone with a modicum of knowledge would ever believe that the Prosecution were not acting deliberately in a manner which was not investigative, which did not seek justice, which did not seek the truth, and merely sought a conviction. The

Prosecution even applied to amend the Indictment at the beginning of the case in a forlorn attempt to enhance their opportunities for convictions. The case fell at the first hurdle, (on the evidence of her boyfriend) . . . and by 1.30 in the afternoon she was acquitted."

The problem is that a poorly conducted investigation combined with an irresponsible decision to prosecute has had unfortunate repercussions for Elaine Steele. An able young reporter on the local evening newspaper submitted an accurate report of the prosecution's opening case. However, the case collapsed after the paper's lunchtime deadline. Sadly, the damage caused by that report of the prosecution's case affects Elaine Steele to this day.

The local evening newspaper—which is an excellent publication—is deeply concerned about what happened. It reported the collapse of the case and the subsequent clearing of the mother on the following day. The tragedy is that, when Elaine has been out in Workington, she has been verbally abused. That is deeply distressing both for her and for her hard-working and respectable family, who have also been ostracised by the community.

I asked another lawyer, who was unconnected with the case, to review the papers. I shall quote—with the names removed—what he said about the investigation. He stated:

"There are a number of aspects of the case which cause me concern. The Police sought to entrap a distraught mother by avoiding the requirements of the Police and Criminal Evidence Act. The Police subsequently tried to brush that particular episode under the carpet by blaming a typist"—

Mr. Sweeney: On a point of order, Madam Deputy Speaker. I seek your guidance as to whether the hon. Gentleman's speech bears any relation to the matter that we are supposed to be discussing—sentencing.

Madam Deputy Speaker: I am sure that the hon. Member for Workington (Mr. Campbell-Savours) will explain how his speech relates to the debate, which is fairly broad.

Mr. Campbell-Savours: I know that the hon. Member for Vale of Glamorgan (Mr. Sweeney) has not been in the House for very long, but I remind him that this is the highest court in the land. Debates such as this provide the opportunity to raise issues in Parliament. I hope that I have not lost time through that intervention.

The lawyer continued:

"The Police subsequently tried to brush that particular episode under the carpet by blaming a typist for making a typing error and supplying two further statements of the two Detective Constables involved. The Police agreed to that typist being interviewed, on behalf of Elaine's solicitor, although a Detective Chief Inspector sat through the interview. It was he however who refused a further interview with the typist when it became apparent that she had more to say.

It is against all normal custom in criminal investigations for an officer who is involved in the case to be present at such an interview let alone make the decision that there should not be a further interview."

Many strong words have been uttered during this affair, but one must read the evidence—particularly the statements—to realise why people have such strong opinions about the case. The truth is that Mrs. Elaine Steele had nothing at all to do with the death of her child: she is totally innocent. The court found her innocent and her friends know that she is innocent. The person who should have been interviewed in depth about what happened was never properly interviewed. Elaine Steele is the victim of a failing system.

I feel very strongly that an injustice has been done. Elaine Steele may not have been sentenced by the court, but she has certainly been sentenced by some in the community. It was not sufficient to find her innocent in a court of law. She is the victim of a poorly conducted police investigation and of a stupid decision to prosecute by the Crown Prosecution Service. As a result, and due to some difficult publicity, she feels rejected in her own community.

I ask the people of Workington—particularly those who live in the local community—to look into their hearts and to realise that the injustice must end. I ask them to support Elaine Steele with warmth and with friendship. It cannot be right for an innocent person to be regarded as guilty and to be victimised after all that she has suffered.

5.28 pm

Mr. Peter Butler (Milton Keynes, North–East): There is some agreement on both sides of the House that there are flaws in the Criminal Justice Act 1991. I, together with many of my colleagues, came to the House determined to reverse those injustices. Apart from the unjust and unworkable unit fines system, which quickly brought the criminal justice system into disrepute, the Act contained two other major flaws. The first was the argument in section 1 that people could be sentenced for up to two offences and no more, no matter how many they had committed; and the second was the requirement that previous convictions and failure to respond to previous sentences must be ignored, so that every offender was treated as a first-time offender for sentencing purposes. Both provisions were palpably absurd.

Although the present Parliament has repealed those sections properly and promptly, it sometimes seems as though too many sentencers wish to apply the principles that were embodied in the Act. How else can one explain the statistic that, in the Crown court in 1993-94, those convicted on a first offence of burglary of a dwelling received an average sentence of 16 months' imprisonment, while those who were convicted of their seventh or subsequent offence of burglary of a dwelling received only three months more on average?

Some 28 per cent. of those convicted in a Crown court of a seventh or subsequent burglary of a dwelling received a sentence which did not involve imprisonment. For magistrates courts, the figure was 61 per cent. So someone being tried in a magistrates court for a seventh, 10th or 30th burglary of a dwelling house was 60 per cent. likely not to go to prison and nearly 30 per cent. likely not to go to prison if tried in a Crown court. That is absurd, set against the background of a maximum sentence of 14 years for that offence.

The criminal justice system is there not to serve the voluntary offender but to protect the involuntary victim. I share the objective of the sections of the Criminal Justice Act 1991 that I mentioned, to the extent that the intention of those sections was to reduce the prison population, but I want to reduce the prison population by having fewer people commit crimes, not by leaving in the community those individuals who want to rob, burgle, attack, steal from and terrorise that community.

I shall give one example of the effect of prior legislation. A constituent suffered an unprovoked attack by a man armed with a knife. The attacker was sent to prison. In the interim period before he was convicted, he

[Mr. Peter Butler]

had played every trick in the book—many hon. Members are well aware of them—to delay the day of reckoning and to serve his time on remand. The result was that, on the first weekend after his conviction and sentence, my constituent saw her attacker walking up the street in which she lived. She fled inside, locked the door and rang the police to say that he had escaped. It turned out that he had not escaped but was on weekend leave. That is what I mean by terror, and my constituent felt terror in that instance.

One of the excellent proposals tucked away inside the document that we should be debating this afternoon is a change that means that the judge will have to specify the date on which a sentence starts to run and may disregard for that purpose the time spent on remand that is due to the defendant's manipulation of the system. That reform is long overdue and welcome. It will help to reduce the terror that those people can bring to law-abiding members of the community.

We must try to avoid the trap of mentioning, for example,

"a second serious violent or sexual offence"

or

"a third or subsequent burglary of a dwelling"

only to forget about such offences thereafter and discuss only policy and criminological theories. We must remember that that is the standard structure of a speech in mitigation, the objective of which is to minimise awareness of the offence, let alone its effect on the victim. It does not bode well for us if we fall into that trap. We owe a duty to our constituents to protect them, and our starting point must be to remember the effect on them of such serious crimes. Our duty is prevent them from becoming victims, not to accept that they might become victims and then to deal with offenders.

The public believe, rightly, that more could be done to prevent crime and that what has been done has not prevented dangerous criminals from being released back on to the streets, even in circumstances in which criminologists, probation officers and prison officers are convinced that those criminals will offend again; they will seek new victims whose lives could and should have been spared such tragic interference.

I agree with the Home Secretary and the White Paper that automatic early release enrages victims. The current system does not provide any method to ensure that criminals known still to be a threat can be detained. I therefore welcome the proposal that earned remission, and earned remission only, can reduce the sentence. Good behaviour will no longer be assumed but will have to be demonstrated.

Conservative Members want to reduce the number of offenders and that view must be shared by all right hon. and hon. Members. That will mean fewer people to punish, but the measure of success is not the number of criminals: it is reductions in the number of victims. That is usually translated to mean a reduction in the number of offences, but that is the only point on which a criminal justice system can claim success or be accused of failure. To reduce the number of victims, it is necessary to deter offenders from choosing to offend. That is to state the obvious, but the obvious is always worth stating in the House, as elsewhere.

I am pleased to see that prevention of crime and effective policing are the largest sections in the document. In some ways, even in most ways perhaps, they are the most important sections. Let us be clear that the main purpose of sentencing is the prevention of further crime. The person most likely to offend is the one who has demonstrated his willingness so to do in the past. He must be persuaded to make a different choice in future, but—this is one of the premises of the proposals—if he will not allow himself to be so persuaded, society is justified in securing its safety by removing his liberty and his opportunity to offend again.

Too often, sentences do not seem to serve the public adequately. It is the public whom sentences should serve, not the criminal justice system or those employed by it. In my judgment, mandatory minimum sentences have been proven to work, and I pray in aid the mandatory minimum disqualification period in offences of driving under the influence of excess alcohol. That has been an effective deterrent to the dangerous practice of driving after drinking too much, although it is, of course, subject to an exceptional circumstances exemption. The fact remains that people do not drink and drive, because they know that, if caught, they will lose their driving licence. The change from the possible loss of one's licence to a mandatory loss by law was marked by a significant reduction in such offences, which has continued. Therefore, the mandatory minimum sentence is not just theory; it has been proven to work in practice.

Opponents claim that the proposals constitute an attempt by the executive to usurp the power of the judiciary, to take power away from judges and to give it to politicians. That is at best a false, simplistic argument and it is also wrong. To expose that, I shall make two brief points. First, we should ask from where the judges' power comes. Apart from some vestigial common law powers, their power comes from the people by way of Acts passed in the House. They have no other powers. Why would it be interference to prescribe a minimum sentence when it is not interference to prescribe a maximum sentence? I would be happier to hear judges complain about being restricted by a 14-year maximum sentence for repeat burglars who enter people's houses than to hear them complain about a proposed three-year minimum sentence. If it is interference to propose a minimum, it must also logically be interference to propose a maximum.

Secondly, let us follow the judges' argument to its logical conclusion. If it would be wrong to fetter a judge's discretion through mandatory minimum sentences, the same argument must apply to anything that fetters that discretion. That is the path that leads to the sentences for all offences being described as "such sentence as the judge considers appropriate in all the circumstances of the case", or words to that effect. That is the inevitable conclusion of that approach. I do not think that that is a reasonable proposition and we should not be persuaded to accept the first step towards it.

I do not accept the argument, which is always brought out of retirement and dusted down on such occasions, that the issue is not the sentence but the probability of arrest and conviction. That is sophistry. A 100 per cent. certainty of being fined 1p would deter nobody, nor would a 1 per cent. chance of imprisonment for life deter many. There must be a balance and, arguably, the lower the likelihood of conviction, the harsher the prospective sentence needs

to be to deter. We are beginning to see a rise in the likelihood of conviction and we must couple that with proper minimum sentences.

The Government's proposals are a means to ensure that the most dangerous criminals are not let back out on to the streets and that criminal behaviour is deterred through balanced, well-defined punishments that carry great certainty. That will further restore the confidence of a public fed up with crime and the morale of police officers tired of often working in vain.

Madam Deputy Speaker: Order.

5.37 pm

Mr. Alex Carlile (Montgomery): The speech by the right hon. Member for Fareham (Sir P. Lloyd) should be required reading in the Home Office. It was an excellent critique of the Government's proposals. I hope that the right hon. Gentleman's experience in the Home Office and what he has said today will be considered fully by the Government before they introduce any legislative proposals.

The White Paper "On the Record", published this afternoon, deals with access to criminal records. Broadly speaking, I and my party would support proposals that would ensure that employers and voluntary agencies, in appropriate circumstances, can have access to criminal records if they are relevant to the employment in question. However, in appendix B of the White Paper there is a new piece of theory which rings alarm bells and, I suspect, will be the subject of much criticism. It would reduce acquittals to the status of unproved convictions and would enable information to be given to employers, even about an acquittal, on the basis of the opinion of police officers.

I say to the Minister, partly on the basis of my 26 years of experience at the Bar, that police officers' opinions are often extremely reliable, but they are sometimes extremely unreliable. It would be an outrage to introduce a power to disclose an acquittal as information relevant to someone's employment unless a counter-balance were introduced to enable the subject to challenge the disclosure of that information. Without that counter-balance, we would be proceeding down a slippery slope where rumour came to have the force of law. That would not be acceptable.

I make two preliminary points on the main substance of the debate, one as a question and the other as a statistic. First, the question: how do the Home Secretary and the Minister of State account for the fact that, in 1991, contrary to the advice of the judges, they supported proposals that were designed to secure that fewer and fewer people went to prison, when today they support proposals that are designed to secure that more and more people go to prison? The House is entitled to logical explanation, if one be available, which I doubt, of that change of mind.

As an adjunct to my question, I ask the Minister to tell the House honestly and for the first time that the Government are now asking judges to pass shorter sentences. Is that not right? If there is not to be a significant increase in the prison population, as I think the right hon. Member for Fareham was implying, it is inevitable that judges will have to pass shorter sentences. If they do, by doing the will of the Government they will be passing shorter sentences for burglary, robbery and offences of actual bodily harm.

Mr. Butler: Will the hon. and learned Gentleman give way?

Mr. Carlile: It is a short debate and I shall not give way. There is not much time.

Is it not a fact that the Government intend judges to pass shorter sentences? Is that the way in which they intend to send out the message that they will deal with crime?

The fact to which I wish to draw to the attention of Ministers—it is intended to deal with the canard that the Government can claim credit for the reduction in reported crime—is that most crime is committed by young men aged between 13 and 25. That is statistically proven. In the past 20 years, there has been a 13.6 per cent. reduction in the proportion of young men under 25 in the population. It would therefore be expected in the ordinary way that there would be a reduction in reported crime for that very reason alone. Let us lay the ghost of any credit that the Government can claim for a reduction in reported crime. The answer lies in a demographic fact.

Following my intervention, the Home Secretary offered to write to me on the reduction in reported crime. I look forward to receiving his letter. I shall be interested to examine the Home Office research that he claims to form the basis of what he is saying. I do not believe that such research exists. Having mentioned Home Office research, I express my sympathy for the high-quality research department within the Home Office. It used to be used as the locus classicus for legislative change in criminal justice. It is now the last place the Home Secretary looks for changes in criminal justice policy, despite the fact that the department continues to produce research of the highest quality.

The Home Secretary claims that prison works. It works as a cupboard in which we put people for a period so that they cannot commit crime. For the most part that is true, and self-evidently so. But surely prison really works only if, as a result of imprisonment, those who have been incarcerated do not repeat crime after release.

Young men commit small burglaries to buy drugs. Perhaps they buy drugs for less than £100. They share them out among their friends, and thus they are suppliers. They then commit another small burglary to obtain drugs. Again, they share them out among their friends. Next time, it is then three and out. As the right hon. Member for Fareham said, that will cause manifest injustice. What on earth is the interest—*[Interruption.]* I wish that the parliamentary private secretary, or whatever the hon. Gentleman is, would stop grunting behind the Minister of State.

If there is to be manifest injustice, what on earth is the Government's interest in introducing minimum sentences? Judges can, and do, pass severe sentences for serious crime. If the Government think that judges are not passing sufficiently severe sentences for serious crimes, it is open to the Attorney-General to appeal to the Court of Appeal against those sentences. I would be the first to concede that, because the prosecution's right of appeal has been exercised carefully and responsibly, it has worked reasonably well since its introduction.

[Mr. Carlile]

It is proposed that there should be mandatory life sentences for offences other than homicide. I face with terror, as do many others, including Lord Taylor of Gosforth, the former Lord Chief Justice, the consequences of mandatory life sentences for rape. What will happen? I ask Ministers to listen, which they failed to do in 1991. Their failure to listen caused them to have to unwrap the 1991 legislation and change it.

I beg Ministers to listen for once to people who hear evidence in the criminal courts and who sentence people—in other words, the judges. Ministers should listen for once to those of us who in practice have to deal with cases in the criminal courts, whether as prosecutors, defenders or police officers. Many police officers who carry out the real inquiries do not support the Government. The same can be said of probation officers and, especially, the families of victims of crime.

I shall tell the Minister of State what will happen if mandatory life sentences are introduced for rape. People will be murdered because offenders will know that, if they are caught, they will be sentenced to life imprisonment for rape in any event. The Minister of State shakes his head. He does so against a weight of authority, which includes the former Lord Chief Justice, Lord Donaldson, and Lord Justice Rose, whose practice was not in esoteric areas of the law. Lord Justice Rose, as he now is, came from Manchester to the High Court and the Court of Appeal. He has applied a wealth of practical experience. The Minister shakes his head against almost every criminologist in the country and, I believe, against the views of the researchers within his Department.

Mr. Maclean *rose—*

Mr. Carlile: I shall give way briefly.

Mr. Maclean: I am grateful to the hon. and learned Gentleman. I merely wish to say that I have the weight of evidence from the Home Office research department on my side when I shake my head in response to the hon. and learned Gentleman's argument.

Mr. Carlile: The right hon. Gentleman may claim that there is some evidence on his side. I should like to see it. I do not understand how the right hon. Gentleman can claim to have evidence on his side that overwhelms Lord Taylor, Lord Justice Rose, David Faulkner and all the other authoritative figures who have ranged themselves against the Government's proposals. If the right hon. Gentleman goes to Oxford university, which the Government hold so dear, and listens to the criminologists there, including David Faulkner, Sir Stephen Tumim and Roger Hood—there is a bevy of them—they will tell him that what the Government are saying about minimum sentences, and especially mandatory life sentences, is utter and absolute nonsense.

Prison works? It works as a way of paying builders for building prisons. That is the only way in which it works. Are the Government, who reduced the prison budget by 13 per cent., making prison work? They removed every probation officer from our prisons. Is that making prison work? They are cutting prison education, which enables young men and women who are illiterate when they enter prison to leave literate and able to obtain jobs. Is that the Government making prison work?

In taking the actions to which I have referred, the Government, at the same time, are proposing to spend between £600 million and £1 billion on creating new lock-ups so that we can have a far larger prison population than ever before. The Minister should take account of the experience of the United States, where they imprison far more people than we do. He will find that prison does not work there. The prison population of the United States, which, proportionally, is far in excess of ours, has not decreased. Violent crime in the United States has continued to increase. The Government seem to rely on an American experience that is a failure.

I shall say a few words about boot camps. The Minister cites evidence from the Home Office, but I suggest that he look at the Home Office research on what happened during the unhappy period of the short sharp shock. Two things happened: one group of prisoners were bullied; the other group took it like the easy medicine it was for fit young men, who came out more fit to commit more crime of the sort that they had committed before they went in.

The truth is that the Government have not begun to tackle the reasons why young people commit crime. I saw a sentence in a Home Office press release about the possible introduction of drug courts. That is the sort of idea that the Government should consider seriously and to which they should devote their attention—breaking the spiral of drug misuse that turns young people in this country to crime.

The Government should pay more attention to the prevention of crime by ensuring that hard messages are delivered to schools and colleges by police officers and others who understand and can explain the consequences of offending, but we see little about that. It is time the Government concentrated on the reasons why people commit crime, and did not simply devote themselves to the rhetoric of retribution. I fear that the Government are doing a grave disservice to this country by misrepresenting the criminal justice issues in the rhetoric of retribution.

A democratic representative in the United States, Mr. Bobby Scott, was quoted in *The Economist* last week as saying:

"When you call for more incarceration, you do not have to explain yourself; when you argue for effective alternatives, you do."

The Government have simply decided that they can profit electorally from that simple message. The Government cannot explain themselves; but those of us who believe in sensible, constructive sentencing that will reduce the incidence of criminal behaviour believe that we can—and we shall not fear to criticise the Government's simplistic approach before the electorate at the appropriate time.

5.51 pm

Mr. Walter Sweeney (Vale of Glamorgan): I welcome the Government's proposal to abolish automatic early release from prison. Hon. Members who have experience of representing defendants in criminal proceedings will be aware that everyone involved in the court system—particularly old lags who have done time before—make an immediate mental calculation when the sentence is handed down of what it really means after allowing for

the appropriate discount. Some people would argue that we already have realism in sentencing, because even the general public know enough about the law to know that an automatic discount applies.

I believe that the present system brings the law into disrepute. The public are entitled to know that the sentence when passed is the sentence that will be served, subject to a small discount that will have to be earned through good behaviour. It is in the interests of the smooth running of prisons and of rehabilitation that inmates should have an incentive to maintain good behaviour throughout their sentence to maximise the discount earned.

There has been speculation about whether honesty in sentencing would lead to a big increase in the prison population. Judges will, of course, be able to reduce the sentence to achieve the intended net objective. If judges choose not to reduce the nominal sentence passed, on the face of it the prison population will increase, but there would be an increased deterrent effect if effective sentences were seen to be longer. That would, I hope, reduce the number of defendants coming before the courts.

I warmly welcome the proposal to introduce automatic life sentences for people over 18 convicted for a second time of a serious sexual or violent offence. Such a measure would ensure that it is possible to prevent such offenders, who remain a danger to the public, from being released. The need for such a measure is demonstrated by statistics that show that 10 per cent. of offenders released after serving a sentence for serious sexual or violent offences go on to commit similar terrible offences again.

I also welcome the proposal that persistent dealers in hard drugs should receive an automatic minimum prison sentence of seven years. My right hon. Friend the Member for Fareham (Sir P. Lloyd) was worried that this might involve people who were not serious offenders receiving a mandatory seven-year sentence. My answer to that is that they should think of that before they commit the offence. The imposition of such a significant minimum sentence would ensure that offenders received their just desserts, particularly the most serious offenders, who, morally, should receive the death penalty or, failing that, a life sentence for the terrible despair, pain and loss of life that they produce in exchange for personal gain.

The proposed automatic minimum prison sentences for persistent domestic burglars are also welcome. It is outrageous that a professional burglar convicted of seven or more burglaries spends little more time inside than they would for a first conviction. Any professional criminal weighs up two things in deciding whether to commit a particular offence: first, the risk of getting caught; secondly, the severity, or otherwise, of the likely sentence.

So far as certainty of detection is concerned, the Government have rightly increased resources for the police. In my constituency, some two dozen extra police officers have been appointed in the past few months—and very necessary they are, too. The police are targeting known and persistent burglars and are increasing detection rates. The success of Operation Bumblebee, launched by the Metropolitan police in 1991, has been emulated by other forces. As every person with any common sense knows, it is no good catching criminals unless they are convicted and given an appropriately severe sentence. A minimum sentence of three years for persistent burglars will help to persuade them that crime does not pay and that they would be better off earning an honest living.

There are, of course, do-gooders on the Opposition Benches who question the value of prison sentences. In the past three and a half years, the prison population has risen by 25 per cent. and crime has fallen by 8.5 per cent. In my opinion, that is no coincidence. In 1995, 468,000 fewer crimes were recorded in England and Wales than in 1994—the largest ever continuous fall in the number of annually recorded crimes. When criminals are behind bars, they cannot commit crimes against the general public. About two thirds of all crimes are committed by one fifth of offenders, so it is common sense that the number of crimes falls when persistent offenders are out of circulation. Home Office research suggests that between three and 13 offences could be prevented when each domestic burglar is imprisoned for a year rather than given a community sentence.

Mandatory sentences are nothing new. They already exist, as my hon. Friend the Member for Milton Keynes, North-East (Mr. Butler) pointed out, for drink-driving. Who can doubt that it is the certainty of losing their licence if caught and convicted that has deterred many people from drinking and driving?

Prison sentences do not only prevent offences; they deter offenders. The police and the public clearly believe that. As the president of the Association of Chief Police Officers, Mr. Jim Sharples, said on BBC Radio 4's "Today" programme on 14 October 1995:

"people who commit serious offences should expect long custodial sentences. Minimum sentences do have a role in our view in playing a part in deterrence".

Recent research has also shown that prison has a deterrent effect. For example, Burnett's 1992 study, which was based on interviews with prisoners, found that, for the whole sample, avoidance of imprisonment was the most frequently mentioned reason for not wanting to reoffend.

Those who argue against prison sentences say that they make bad people worse. The facts do not bear that out. The latest reconviction rates, published in February 1996, show that 51 per cent. of prisoners reoffended within two years of release, compared with 55 per cent. of those who were given community service orders. Given that offenders sent to prison are higher up the tariff than offenders given community service, prison is even more successful than those bald figures suggest.

It has been suggested in some quarters that it is somehow wrong to risk upsetting judges by creating minimum sentences. There is nothing wrong with Parliament legislating to impose maximum, minimum or mandatory sentences. Indeed, Parliament would be failing in its duty if it did not continue to address the issue of excessively lenient sentences.

5.59 pm

Mr. Donald Anderson (Swansea, East): Ministers should find it enlightening and humbling to read the record of a debate that took place in the other place on 23 May. Indeed, that debate is important to all of us, including the hon. Member for Vale of Glamorgan (Mr. Sweeney). In that unprecedented debate, the Lord Chief Justice issued a comprehensive critique of the Government's proposal. What was unprecedented was the fact that a direct criticism of the Home Secretary was

[Mr. Donald Anderson]

made by the most senior lawyers in the country and by former Home Office Ministers. Indeed, a former Home Office Minister, the right hon. Member for Fareham (Sir P. Lloyd), spoke today. That should give the hon. Member for Vale of Glamorgan and others at least cause for reflection and consideration. They should take account of the words of those who have had to make decisions about individuals and policy in connection with a very complex issue.

In the other place, there was also a comprehensive mauling of the way in which the Home Secretary had used statistics in the White Paper, making them less and less credible. Phrases such as "flimsy and dubious evidence", "partial and tainted", "shallow and untested" and "highly misleading" were used by figures such as Lord Donaldson and the Lord Chief Justice. That should give the Home Secretary and other Home Office Ministers cause to reflect.

Rather in the style of Mark Antony, those who spoke in that debate said that they were not aiming directly at the Home Secretary's bona fides, because the Home Secretary was an honourable man. The message was clear, however: everyone considered the White Paper on sentencing to be a highly partisan exercise, unrelated to the needs of criminal justice. The Home Secretary has, uniquely, managed to array against him and his policies the senior judges in the country and the great majority of practitioners.

The Home Secretary may say that that does not matter: that the editorial writers of the tabloids are on his side, and that he is confident that public opinion—or, perhaps, the electorate—is also on his side. It is true that the public are anxious about the doubling of crime over the past few years and the decline in law and order, but it is wrong for politicians, particularly Home Secretaries, to pander to that opinion, pretending that they have the answers and implying that judges cannot be trusted to impose the appropriate sentences.

Although the immediate response of many individuals—the person in the street—is "Yes, sentences should be more severe," that was not reflected in the only major test involving people who had followed cases through and observed them at first hand. I refer to the research of Professor Zander, carried out for the Runciman commission. Of nearly 10,000 jurors—average citizens—only 15 per cent. thought that sentences in cases that they had heard should have been more severe and were surprised that they had not been.

Why is such a wide array of criminal justice practitioners so profoundly hostile to the Home Secretary, his proposals and his practice? Partly because they see the White Paper as just another partisan initiative from this most political of Home Secretaries. He is all too ready, for example, to rely on examples from the United States, as if that country were a paragon of success in criminal justice. We know that, per head of population, the United States imprisons far more people than any other developed country.

The practitioners see the proposals as part of an election manifesto, or as a man trap for the Opposition, rather than a serious attempt to deal with real problems. They know that—as my hon. Friend the Member for Blackburn (Mr. Straw) pointed out—the proposals cannot come into effect until the year 2000, although the Home Secretary could deal with the problem immediately if he wanted to, either by revamping the means of referral to the Court of Appeal's criminal division or by way of a sentencing council. They cannot see how the prison population will not escalate—and explode—as a result of the Home Secretary's proposals, unless judges are in effect told to pronounce shorter sentences, as the hon. and learned Member for Montgomery (Mr. Carlile) said in his excellent speech.

The practitioners consider the proposals unnecessary, because judges now have the power—in rape cases, for example—to impose life sentences. Moreover, there can be a referral by the Attorney-General in respect of lenient sentences. Above all, those with experience of the criminal justice system see the proposals as unjust, as an affront to basic constitutional principles and as removing judges' discretion to do justice in individual cases.

The right hon. Member for Fareham gave a good example in respect of young people in drug cases. Burglaries are another instance. A young man may go into the private area of a public house and take an ashtray as a first offence; he may put his arm through a window—which is technically a burglary—as a second offence; and he may do something relatively minor as a third offence. In effect, the judge has no discretion in cases of that kind.

We need consistency and openness in sentencing. I would agree with the introduction of sentencing bands, so that a judge could make it clear what a sentence meant in practice—although, as has been pointed out, most criminals can estimate what a sentence will mean in their case. However, we should pay attention to the anxieties expressed by the public. The key role of the criminal justice system is to protect the public—that should always be the starting point—but the policy makers should then act, not in a partisan spirit, and not as if they were delivering yet another speech to their party conference, but after cool appraisal and on the basis of respectable research that is accepted in the profession as a whole.

Senior judges, including the Lord Chief Justice and Lord Donaldson, cast clear aspersions on the validity of the research on which the White Paper was founded. Policy makers should also listen carefully, and with respect, to practitioners who know the problem of applying complex considerations to the infinite variety of individual cases.

6.7 pm

Mr. Tim Yeo (South Suffolk): The voice of what might be described as the producer lobby in the criminal justice system has been well aired this evening, not only by the hon. Member for Swansea, East (Mr. Anderson) but by the hon. and learned Member for Montgomery (Mr. Carlile). I believe that we have allowed policy to be influenced excessively by that producer lobby, in the sphere of criminal justice as in so many others. It is the belief that the views of judges, lawyers and others who derive their living from administering or working in the criminal justice system should always hold sway over the general public's views that put the country in the terrible state that it was in in 1979.

This is the first occasion on which I have spoken in a criminal justice debate. I do so because it is impossible to ignore the profound concern in my constituency about the level of crime—a concern that exists despite the welcome

fall that has taken place over the past couple of years. As we know, it is not just the level of crime but the fear of crime that blights the quality of life, and many more years of falling crime rates will be needed before that fear is removed.

Having represented a largely rural seat for 13 years, I am conscious that the fear of crime has increased substantially in the countryside. There is a strong and widely held perception that police resources, especially manpower, are targeted on towns, and that crime prevention measures such as closed-circuit television are most effective in urban areas. The facts may tell a slightly different story, but perceptions are important, and they take a long time to change.

On behalf of all my constituents I give the warmest possible welcome to the proposals—especially the sentencing proposals—in the White Paper, "Protecting the Public". In particular, my constituent, Martin Crawshay, and his colleagues on South Suffolk law and order committee, with whom I have worked closely for several years, are glad that some of the concerns that were voiced at our meeting last year with my right hon. Friend the Minister of State have been listened to.

Let me express my appreciation of the much-improved Home Office funding of Suffolk police for 1996-97. I observed their excellent and effective work at first hand on night patrol a few weeks ago with officers from Sudbury, under the command of Inspector Mark Cordell.

Well-resourced police, backed up by co-operative and law-abiding members of the public, are only part of a successful strategy to combat crime. We also needs courts whose powers and procedures facilitate rather than impede justice. Once convictions have been obtained, we need sentences that deter criminals and protect the public.

It is his approach to sentencing policy for which my right hon. and learned Friend the Home Secretary deserves particular congratulation. Almost single-handedly, he has reversed the drift of post-war penal policy. For far too long, sentencing policy has appeared to be driven by the interests of criminals, by the capacity of the prison system or by cherished experiments of prison and penal reformers—by anything except the interests of the law-abiding citizen.

The title of the White Paper—"Protecting the Public"—is a welcome departure from past thinking. It acknowledges that one of the most basic duties of the Government is the protection of their citizens. I should like to tell my right hon. and learned Friend that, since some of his proposals on sentencing have come under attack by senior judges and other representatives of the producer lobby, I have not met a constituent of any age, occupation or background who agrees with the judges' criticisms or disagrees with my right hon. and learned Friend's approach. For the first time for several generations, it appears that common sense rather than wishful and woolly idealism is to be the basis of our policy.

Rising crime figures—happily, at least partially reversed but still far too high—suggest that previous sentencing policy provided neither a deterrent to criminals nor protection for the public. It was, and is, high time for an alternative approach that may or may not be successful. I listened carefully to the reservations of my right hon. Friend the Member for Fareham (Sir P. Lloyd). We do not know whether the new approach will succeed, but, my goodness, it is at least worth a try, given the proven and complete failure of the system in the last half century.

Where convictions of persistent or violent offenders are followed by longer sentences, at least the criminals cannot reoffend while they are in prison. A few more citizens may sleep a little more safely in their beds. Indeed, the only criticism that I have heard of the White Paper's proposals that has any resonance is that they were not introduced sooner. It is a matter of surprise and regret that it has taken 17 years of a Conservative Government to introduce this element of common sense into sentencing policy.

I have a few constituents, however, who, despite all their experience, are influenced by opinion polls, and for that reason they are interested in the Labour party's approach to the subject. They will have listened in vain today, as on many other occasions when the subject has been debated, for any expression of regret by the Labour party for its opposition in the House to all the measures taken over many years designed to help the police to track offenders and to maintain order. They will have listened in vain for any expression of regret from the Labour party for its opposition to measures that improved court procedures so that guilty people could be brought to book. They will have listened in vain for any expression of regret by the Labour party for its resistance to measures designed to introduce stiffer sentences.

Fortunately, there is still time for the Opposition spokesman, the hon. Member for Cardiff, South and Penarth (Mr. Michael), to say, "We in the Labour party were wrong year after year to oppose all these measures. We now apologise to people whose homes have been burgled or who have suffered physical violence at the hands of criminals who might have been behind bars if our delaying tactics in the House had not prevented the swifter passage of Conservative legislation on to the statute book."

There is still time for the hon. Member for Cardiff, South and Penarth to say that the right hon. Member for Sedgefield (Mr. Blair), whose approach to sentencing when shadow Home Secretary was indistinguishable in every respect from old Labour, was as wrong on that issue as he was on privatisation, industrial relations reform, tax, public spending and the nuclear deterrent throughout his political career.

Now, at the eleventh hour, in a shameless and unprincipled opportunist attempt to win office, the right hon. Member for Sedgefield claims to believe the opposite of what he argued for over many years—the opposite of what most Labour Members and most members of the shadow Cabinet secretly, or not so secretly, argue for.

There is still time for the hon. Member for Cardiff, South and Penarth to tell my constituents—who will be very interested to hear him; if he remains silent, they will draw their own conclusion—that all the past policies of the Labour party were wholly wrong, and to apologise for them. If he fails to do so, the House will know that nothing has changed and that Labour party policy remains to shed crocodile tears over the plight of the victims of crime while resolutely refusing to support measures likely to make life tougher for the criminal.

6.15 pm

Mrs. Elizabeth Peacock (Batley and Spen): I welcome the proposals of my right hon. and learned Friend the Home Secretary, and I know that many of my constituents and many people throughout our great county of Yorkshire will join me in that welcome.

[Mrs. Elizabeth Peacock]

We now have the toughest Home Secretary and Home Office Ministers that we have had for many years. That is widely welcomed, certainly outside the House, if not in the Chamber this evening. Many people in the United Kingdom want to see the White Paper's tougher measures put into operation as quickly as possible.

The Government have a duty to protect their citizens and to ensure that they can go about their normal lawful business and not be locked up in their homes when criminals are on the loose. Criminals should be locked up in prison, away from decent, law-abiding people.

We have heard much about young people on our streets—even young people under 10. What about parents? No one has mentioned the responsibility of parents to look after their young people, particularly those under 10, who should not be on the streets in the evening.

The punishment should always fit the crime, and persistent serious violent criminals should get stiff sentences. Early release should not be automatic; it should be earned, and I am pleased to see that that is now proposed. Prisons work—of course they work, because they keep people locked up, and when they are locked up, they are not committing more crime.

We have heard much about what Parliament and the Home Secretary should or should not do in making laws. Parliament makes laws, the judiciary implement them, and from time to time there will be discussion between the two. Offenders sentenced to under four years in prison are released once they have served half their sentence, and that cannot be right. Such early release enrages victims and their families, as many hon. Members will understand.

In 1994, 217 offenders were convicted of a second serious sexual or violent crime such as rape or attempted murder. All could have been given a life sentence, but only 10 were. Unless they get a life sentence, they must be released once they have served two thirds of their sentence, even if it is well known that they are still a danger to the public.

Under the Government's proposals, anyone aged 18 or over who is convicted of a serious sexual or violent offence for the second time will automatically get a life sentence. I have listened to what many of the professionals in the House have said about that, but I believe that it is right. Such second offenders would be released only when they no longer posed a danger to the public.

In such cases, the trial judge will determine the minimum sentence to be served by way of retribution and deterrence. The parole board can then decide whether it is safe to release the offender. Individuals who continue to pose a danger to the public would remain in prison—indefinitely, if necessary. All cases need careful assessment. Many criminals are released early, only to reoffend quickly.

The former Lord Chief Justice, Lord Taylor, said recently:

> "I believe public confidence in the system is ended when convicted criminals are seen to walk free from prison after serving rather less than half their sentences, however good their behaviour may have been in the interim."

He was right.

Many of my constituents will welcome the proposal that the average sentence for a third conviction of dealing in hard drugs such as heroin or Ecstasy should be more than four years. Many of us believe that even that punishment is not sufficiently severe, but we welcome tougher sentencing of individuals who not only take drugs but deal in them, and affect the lives of many young people. In the past 12 months, we have seen the deaths of several young people who would be alive today were it not for the availability of drugs on our streets.

The proposal for stiffer sentences for persistent burglars will also be welcomed. While a burglary may only take the form of an entry on a court list, that cannot reflect its effect on the victim—who may be an elderly person living alone.

In 1993-94, the average Crown court sentence passed on a first-time domestic burglar was 16.2 months, but for offenders with seven or more convictions, it was only 19.4 months—which is nonsense. Almost 30 per cent. of those offenders were not imprisoned, but returned to the community to continue their nefarious activities. I am pleased that it is proposed that any person aged 18 or over convicted of domestic burglary and with two or more previous convictions for similar offences will automatically receive a minimum three-year sentence.

Many professionals have said that the Home Secretary's proposals are unrealistic and will not work, but many people outside the House want tougher sentencing and longer terms of imprisonment, to prevent reoffending. The public welcome the decrease in crime, but they also want to go about their business and not have to lock themselves into their homes early in the evening because of the number of criminals who are released from prison to stalk our streets.

6.23 pm

Ms Ann Coffey (Stockport): I have a deep sense of anger and frustration at the problems experienced by many of my constituents every day of their lives. I will try to control myself and not use unparliamentary language—although I doubt that anything I might say could match the comments made to me every day of the week.

The Home Secretary did not address disorder—neighbour nuisance, harassment, abuse, anti-social behaviour in the street, vandalism and graffiti. I was looking forward to seeing whether "Protecting the Public" would address those problems. Paragraph 3.41 states:

> "It is vital that the law should be adequate to enable the police to maintain public order."

Excellent—but the paragraph goes on to cite

"travellers who invade rural communities"

and

"illegal open air raves".

Neither applies to my urban constituency.

Paragraph 3.42 states:

> "The Government believes it is intolerable that trespassers should be allowed to ruin people's enjoyment of their own property or their legitimate business activity."

Although that is correct, do not the Government consider it intolerable that people should be allowed to ruin their neighbours' lives and to make life a misery for the public on the streets? If the Government think that, why are they not addressing those problems? At present, the only

redress is an injunction in the civil courts, but the cost is a deterrent. It is time the Government gave those problems more serious attention than does the White Paper.

I was not surprised that my hon. Friend the Member for Blackburn (Mr. Straw) mentioned a 12 per cent. rise in public disorder complaints. I receive letters and telephone calls every week from constituents in various states of depression, anxiety and frustration.

The Home Office has commented that public disorder leads to high levels of avoidance behaviour. People are afraid to go out at night. Pensioners remain in their homes, terrified. Women will not contemplate going out at night because they fear that the streets are unsafe. The term "avoidance behaviour" is a pretty way of describing the absolute terror felt by the people who adopt it. Initiatives such as Homewatch and Streetwatch are attempting to address public disorder, but they will not be successful unless such disorder and its causes are properly addressed.

After a surgery, I often have to write to the chief superintendent about matters raised by my constituents. That correspondence has increased over the past year. The Stockport police have always been responsive and helpful within the limits of their resources and existing law.

I will cite a typical, not abnormal case that came to my attention last Saturday. One of my constituents suffers from angina, spondylitis and epilepsy—and his wife suffers from cirrhosis and is taking anti-depressants. The couple's 12-year-old daughter and 11-year-old son are terrified of going out on the streets. That family live on a council estate, but they have no chance of being transferred, because the level of harassment that they are suffering—windows being smashed and targeted burglaries—is normal for that estate. That couple would have to suffer more to be placed on the transfer list.

The council does its best. The only power at its disposal is eviction, but that relies on evidence. People are unwilling to give evidence, because they will end up suffering more harassment without protection. It is not enough for the council to rely on civil remedies. The law should make it easier for the police to intervene and control the environment.

In another part of my constituency, a public meeting was held after several months of anti-social behaviour by youths on the street. It was attended by 150 residents and police representatives. The residents vociferously expressed their problems. Such public meetings are held all year round. As soon as one public meeting and a problem is sorted out in one part of the constituency, the problem moves to another part, and we then have to have another public meeting to sort it out. The police are very helpful with short-term strategies, but we cannot go on like this. We have to have a proper strategic view to deal with this type of disorder.

A strategic view seems to be missing. I am not surprised that such a view is missing, as the Government are not paying any serious attention to it. They have not even mentioned it in their document, "Protecting the Public".

Another document that perhaps illustrates the problem is the Greater Manchester policing plan. Under a heading of "Public Reassurance", they state that the national objective is

"to provide high visibility policing so as to reassure the public."

That reassurance is exactly what the public are asking for, which is a reflection of the public's concern that no longer is there law and order on the streets.

Greater Manchester police state that their target is:

"To achieve a 50 per cent. satisfaction level with levels of foot and mobile patrols."

A 50 per cent. satisfaction level would be an enormous rise in satisfaction, because currently there is no public satisfaction with police visibility. I do not blame the police for that, because they have to put their resources where the Home Office asks them to.

The Greater Manchester police have recognised the their difficulties with the public over disorder and have set a local objective, which is

"to co-operate with young people, schools, parents and residents to promote community harmony."

That is an excellent objective, but I doubt whether the Home Office will give it any recognition or the necessary resources to accomplish it. There must be a great deal of resourcing if community policing is to be performed effectively. It takes up a lot of police time.

Mr. Howard: Is the hon. Lady aware that we have increased spending on the police by 100 per cent. in real terms since 1979? Is she aware that the country is rapidly getting fed up of Labour Back Benchers giving speeches in every debate in the House and outside, in which they complain about resources and ask for more money, while the shadow Chancellor and the shadow Chief Secretary go round the country saying, "You don't need to worry about your taxes because Labour will not spend any more money on anything"?

Ms Coffey: I am sorry that I annoyed the Home Secretary, but the truth is very painful. Whatever figure he gives about increasing police resources, ultimately the public are extremely fed up and very angry about the levels of disorder they have to put up with. The Home Secretary really should stop worrying about what Labour Back Benchers are telling him, and start worrying about and taking some note of what the public are trying to tell him.

The causes of disorder are very complex, and there are no simple solutions. We must have a short-term and a long-term strategy. We must ask what is the cause of disorder, particularly among young people. We must examine problems in the provision of leisure facilities and youth facilities, and listen to young people.

Perhaps there are other preventative measures that the Home Secretary could take. As he is probably aware, I am the co-chair of the British parliamentary lighting group. We have long been requesting the Home Office's acceptance that improved street lighting decreases crime levels and the fear of crime. That does not seem to have been accepted by the Home Secretary, although he accepts the effectiveness of closed-circuit television cameras in shopping centres—which are effective, but they are not appropriate for residential areas.

The Home Secretary must ensure that the police have the time to support crime prevention, such as the homewatch and streetwatch schemes. Many people are very willing to enter into partnerships and do what they can to make their neighbourhoods safe, but they need support. Police time is not available, because they have to deal with the enormous amount of crime.

Madam Speaker: Order. I regret having to call the hon. Lady to order.

6.33 pm

Sir Jim Spicer (West Dorset): Madam Speaker, I gave you an undertaking that I shall be five minutes, and five minutes I will be—because I know that you will not allow me any longer.

I was delighted to hear the view of the Liberal party expressed so clearly by the hon. and learned Member for Montgomery (Mr. Carlile). I noted two points that he made: prison does not work; and we are looking for retribution. Yes, we are; and prison does work. Those are two points.

My right hon. and learned Friend the Home Secretary has been under some attack. He has very broad shoulders. I should like to tell him: by all means listen to the public, and also listen to the police.

I should just like to read a letter sent to *The Times* last week by my chief constable, the chief constable of Dorset. He said:

"Dear Sir,

"The Lord Chief Justice's condemnation of minimum sentencing (*Times* May 23rd) was a revealing insight into the workings of a very senior judicial mind.

"Having recognised the Home Secretary's determined attempt to respond to wide public concern for which the Lord Chief Justice acknowledged there is considerable support, he then goes on to state his preference for the allegedly unanimous, but opposite, views of those who 'work in the system' rather curiously omitting any reference to the police. We do have a little experience in these matters, but to ignore or dismiss the feelings and perceptions of the ordinary person in the street is much more serious.

"His comment that 'certainty in sentencing can only be achieved by sacrificing justice' is I believe altogether too sweeping. The new proposals are not aimed at first time offenders, crimes of passion or foolishness but to persistent offenders who are not being deterred by the criminal justice system at present. Anyone who has had 'cheek by jowl' contact with persistent criminals over the years knows that the one sentence they hate more than any other is prison. Despite their displays of bravado when questioned on the subject most would sell their grannies to avoid it. However the courts regularly save them that inconvenience by allowing them to 'beat the system' even when convicted.

"In my view unlimited judicial discretion in sentencing burglars in particular, is robbing the criminal justice system of its deterrent value and undermining the delivery of justice in the eyes of ordinary law abiding citizens. The Lord Chief Justice in defence of his sentencing discretion suggests that 'the value of the theft, the lapse of time between arrests, how many offences have been committed, whether it was drunken opportunism and the effect on the victim should all be considered'. This is precisely where the delivery of 'Justice' is going wrong, it is focusing too much on the circumstances of the offender and not enough on the victim.

"Who is to judge the 'value' of a theft? How many times is it suggested than 'drunken opportunism' be regarded as tolerable? Should the persistent offender benefit from some mitigation in sentence because he didn't manage to steal very much or because he has evaded arrest for months or years, or because the hapless victim has often bravely carried on their life without outward sign of injury? This just does not make sense, any more than the referral to the cliche 'that what really deters criminals is the certainty of arrest and detection'.

"Detection and arrest alone for the regulars are no more than a temporary irritation, without the certainty of a deterrent sentence and that means prison. If the American experience is that they are all pleading 'not guilty' then discount the sentence to encourage a 'guilty' plea but ensure that they still go to prison!

"Finally I am astonished at the way that his Lordship has misdirected himself in relation to the relevance of the burglary detection rate, which he quotes as 3 in 20, and then seeks to use as evidence to invalidate a 'minimum sentencing' policy because so few offences come to court. This is a complete misunderstanding of the crime figures.

"It is now well established that a small percentage of persistent criminals commit a disproportionately large amount of crime. So reference to the number of offences that come to court completely misses the point. Modern police investigation techniques target known and active criminals and they are being caught and prosecuted over and over again, but for only a fraction of the offences they commit. Unlimited judicial discretion which is over-focused on the offender is not providing deterrent sentences. The system really must stop patronising criminals with misplaced sympathy and talk of rehabilitation when they chose to commit crime for greed, excitement and peer group status. Treat them as adults with minds of their own and make them, not the victims, understand the fear and consequences of crime.

"Yours faithfully,

"Chief Constable."

That, Home Secretary, is the message from the people of this country. Ignore the waffling that we always get from the Opposition, which I have had to listen to for 24 years.

6.38 pm

Mr. Alun Michael (Cardiff, South and Penarth): In that case, it is obvious that the hon. Member for West Dorset (Sir J. Spicer) has not listened to or understood a great deal while he has been sitting here.

This has been an extraordinary debate. Not only did the Home Secretary try, by publishing another White Paper, to distract attention from the White Paper that he had chosen to debate, but he was joined on the Government Front Bench by the Secretary of State for Scotland, whose published proposals on sentencing are quite different from those of the Home Secretary. What a way of running what was supposed to be a crime week, intended to regain the initiative from the Labour party.

Crime Week has been a disaster for the Home Secretary. That was bound to happen, not only because he seems to get everything wrong, but because the difference between the two parties is that the Labour party is serious about tackling crime. The country knows that, and will see it when we are in government.

We have heard the White Paper torn apart by the former Minister of State, the right hon. Member for Fareham (Sir P. Lloyd), who said that the Home Secretary's proposals would be visibly unjust and counter-productive, would not do much for deterrence, and needed sensible rethinking.

From the criticisms both inside and outside the House, it is clear that, although the Home Secretary has now woken up to the problem on which the Labour party has focused for a considerable number of years, his White Paper is less robust than the proposals that my hon. Friend the Member for Blackburn (Mr. Straw), the shadow Home Secretary, has already published, and does not stand up to the same scrutiny.

Indeed, the Home Secretary was so concerned not to give credit to my hon. Friend that he put himself into the absurd position of defending the presence of eight and nine-year-olds on the street well into the night. He tried to wriggle out of it by saying that the police already have the power to act, but he is wrong, except in very specific and limited circumstances. Anybody who has come across the problems in practice knows that that is not the case.

One police superintendent said that he supported

"proposals aimed at keeping vulnerable youngsters off the streets at night and away from potential criminal activity".

He agreed, as many youth workers have, about encouraging and enabling parents to take proper responsibility for the care and control of their children, and continued:

"We are happy to discuss the curfew proposal, but some form of legislation would be required before we had any power to impose such a blanket measure and extensive consultation with the community would also be needed".

That is precisely what my hon. Friend proposed, which is in general a sensible way of tackling a real problem.

During the debate the hon. Member for Vale of Glamorgan (Mr. Sweeney) gave loyal but misguided support to the Home Secretary. But the hon. Gentleman does not take crime in the community as seriously as did his predecessor, and we look forward to the return of John P. Smith at the general election.

I share with the hon. Gentleman the police division of the Vale of Glamorgan, and I am pleased that we now have extra police on the streets. However, it was the Secretary of State for Wales who for several years denied the South Wales police the cash they needed, so it is foolish for a Conservative Member to draw attention to the Government's failure in that regard. It is also foolish for Conservative Members to talk about the Government's record on police numbers, as the Home Secretary did when he intervened desperately on my hon. Friend the Member for Stockport (Ms Coffey), despite the short time available to her, because he did not seem to have confidence in his Minister of State.

In the run-up to the 1992 general election the Government promised an extra 1,000 police officers, but what has happened since March 1992? By 30 September 1995 the number of police officers had decreased by 860. What a record. The Home Secretary has nothing to be proud of in connection with police numbers and with his support of the police.

The hon. Members for Vale of Glamorgan and for Milton Keynes, North–East (Mr. Butler) were both signatories to the report of the Home Affairs Select Committee which demanded statutory regulation of the private security industry. I am surprised that neither of them has been consistent enough to demand its implementation in the debate.

Today's White Paper would allow employers access to criminal records. That is sensible, especially with violent offenders and sex offenders who might wheedle their way into working with children. But the police and the private security industry, as well as the Labour party, have demanded statutory regulation to protect the public against rogue crooked employers too.

By bringing in only half the prescription, the Home Secretary will allow crooked employers, about which we have already given evidence, access to the records of those whom they seek to employ. The Mafia would be delighted with such an arrangement. We keep being told that the Home Secretary is still considering the Select Committee's report, but when the Home Office gave evidence to the Select Committee, its representatives said that it was not really interested, and did not support the idea of statutory regulation. Is it not true that the Home Secretary is unwilling to provide, or is prevented by his Cabinet colleagues from providing, the statutory regulation needed to protect the public?

Anyone who has followed the events or the long-drawn-out investigations in north Wales knows, even if the full report does not reach the public domain, that paedophiles plotted and planned the systematic abuse of children. To allow people in positions of influence as employers in the public or private sector to know details about sex offenders, without themselves being investigated, is surely a recipe for disaster.

The hon. and learned Member for Montgomery (Mr. Carlile) feared that listing acquittals would allow rumour to have the force of a conviction. That is a difficult area, but the level of conviction for child sex offences is very low, and the fact that so few offences come to light is a scandal. We need to do more to protect children against the predators. Yet in recent weeks the Conservatives blocked a Bill to establish a register of paedophiles.

Given the overwhelming evidence that paedophiles are the most devious and cunning people in the world, as well as the most despicable, and given the evidence from "The Cook Report" that most child sex offenders expect to reoffend on release, and use their time in prison reflecting on past abuse and planning future abuse, it is an absolute scandal that only last week the Home Secretary led Conservative Members into the Lobby to defeat amendments to the law which would have helped to protect children by preventing witness statements and photographic evidence from circulating in prison as a stimulus to future offences.

Belatedly, the Conservative party has woken up to the disastrous level of crime, to its impact on ordinary people, and to the fact that Conservatives are no longer believed by the public. The hon. Member for South Suffolk (Mr. Yeo) condemned the Government for taking 17 years to get round to tackling crime. He was right, but he then went on to make a total fool of himself by trying to blame the Labour party for the failures of the past 17 years.

We shall take no lessons from that hon. Gentleman, who by his own admission has not taken an interest in law and order debates for many years. We shall take no lessons from a Conservative party that has yet to apologise for the introduction of the poll tax. As somebody who has been a magistrate since 1972, and has worked successfully for many years on projects to reduce crime in my constituency and in the rest of my area, I can tell the hon. Gentleman that I did not discover crime and the need for clarity of punishment when I entered the House—and nor did many of my hon. Friends.

I can tell the hon. Gentleman and his constituents this: the leader of the Labour party was right to promise to be tough on crime and tough on the causes of crime. Under a Government led by my right hon. Friend the Member for Sedgefield (Mr. Blair), with my hon. Friend the Member for Blackburn as Home Secretary, that will become a national strategy rather than a mere promise by the Labour party, and it will be welcomed by the police and the public alike.

The Conservative party is condemned by its own record. The level of crime is twice as high as when the Conservatives came into office; only one offence in 50 leads to punishment by a court; only one in 750 leads to a punishment involving a custodial sentence. We need the practical and comprehensive policies of the Labour party to nip young offending in the bud, to tackle violence, to deal with nuisance neighbours, and to introduce consistency of sentencing in a way that will work, instead of doing as the Government do when they have to amend their own legislation every other year—and indeed, sometimes almost in the course of a single year.

[Mr. Alun Michael]

The Home Secretary said earlier that it was the first duty of Government to maintain law and order, and to allow citizens to walk the streets in safety and to sleep securely in their beds at night. Yes, but the Conservative Government have failed to provide that safety and security. Since they came into office they have presided over not only a doubling in the level of recorded crime, but an increase of 151 per cent. in crimes of violence and an increase of 448 per cent. in robbery. They have no right to claim virtue in relation to law and order.

The Government have failed, yet they continually seek to pin the blame on the Labour party, which, although it seems to have escaped the Home Secretary's notice, has not been in office for the past 17 years. They seem to find refuge in a mantra of inaccuracies provided by Tory central office. But, if one reads the record that we published this week, one will see that on occasion after occasion, it is Labour that has come forward with constructive proposals, Labour that has supported the Government when they are right and criticised them when they are wrong, and Labour that will be tough on crime and tough on the causes of crime when in office.

6.49 pm

The Minister of State, Home Office (Mr. David Maclean): I am glad that the debate was ended by the hon. Member for Cardiff, South and Penarth (Mr. Michael) in the same farcical mode as his hon. Friend the Member for Blackburn (Mr. Straw) began it. Labour Members have made some extraordinary comments today. They are not quite sure which way to turn, whether to keep up with the rhetoric of being tough on crime and tough on the causes of crime or to condemn some of our proposals and support some colleagues in the other place. They just do not know what way to squirm. We shall find out in 10 minutes what Labour will do about our proposals.

At one point, the hon. Member for Blackburn implied that he was worried that the longer prison sentences that we propose would not be brought in soon enough. Does anyone seriously believe that the Labour party, which does not believe in the private finance initiative or building prisons more rapidly, will build prisons faster than the Conservative Government would to enable that policy to be implemented more speedily? It is so farcical.

Mr. Michael: Will the right hon. Gentleman give way?

Mr. Maclean: No, I will not.

Mr. Michael *rose—*

Mr. Maclean: Sit down.

I turn to criminal injuries compensation. I am not going to lecture the Opposition, I merely want to inform my hon. Friends, in case they were worried or were taken in for a moment by the hon. Member for Blackburn, who said that the criminal injuries compensation measures on which we voted a few months ago could have led to cuts in such compensation. Here are the figures for the past five years: in 1990-91, £109 million was paid out, in 1991-92 the figure was £143 million, in 1992-93 it was £152 million, in 1993-94 it was £165 million, and in 1994-95 it was £175 million.

Mr. Michael *rose—*

Mr. Maclean: No, I will not give way. Now, the year of cuts—

Mr. Michael: On a point of order, Madam Speaker. The Minister ignores the fact that there were £700 million-worth of cuts in the Criminal Injuries Compensation Bill.

Madam Speaker: The hon. Gentleman knows that that is not a point of order. He is being very mischievous.

Mr. Maclean: As I said, Labour Members are squirming tonight and will go for any sort of abuse.

I say to my hon. Friends, what about the year of cuts? In 1994-95 we paid out £175 million, but last year, the Government paid out £183 million to the victims of crime: the highest and most generous compensation scheme of any country in the world except the United States.

I listened carefully to the thoughtful speech of my right hon. Friend the Member for Fareham (Sir P. Lloyd). He said that he was worried that some drug addicts and burglars might be imprisoned after their third offence and there might be some unfairness on occasions. Such people will have two chances beforehand. They will not receive a minimum sentence for the first conviction.

Some people might share the view that it would be a little unfortunate if those who are simply passing on a cannabis cigarette or whatever were sent to prison, but we are not dealing with cannabis. Drug dealers who will be liable to a minimum sentence are those who are dealing in class A drugs. If someone is convicted for a third time for selling crack or cocaine, I have no sympathy for such a person being sent to prison. Have we not heard of so many tragic occasions in the past few years of people dying through drugs—not because they got them from professional dealers but because they bought a tablet from a so-called friend? On resources, I refer my right hon. Friend to chapter 13 of the White Paper, which sets out the details.

I agree entirely with the excellent speech of my hon. Friend the Member for Milton Keynes, North–East (Mr. Butler), who pointed out the tremendous success in deterring driving and drink-driving offences. The threat of imprisonment through the totting-up procedure has worked wonders. He gave excellent support for the Government's proposals, and I totally support what he said.

The hon. Member for Workington (Mr. Campbell–Savours) knows that I cannot comment on the details of the constituency case that he mentioned, but I sincerely hope that his constituent will find some comfort from his public support of her today. If a Member of Parliament can publicly support her, I hope that others in his constituency will have the courage to do likewise.

The hon. and learned Member for Montgomery (Mr. Carlile) promoted what my hon. Friend the Member for South Suffolk (Mr. Yeo) described as the producer view. I must remind the hon. and learned Gentleman that the Criminal Justice Act 1991 was not designed to stop people going to prison but to ensure that prison and proper tough community sentences were given equal consideration and that each was used when and where appropriate. He was worried about shorter sentences. Let me tell him, we

already have shorter sentences, but they are dishonest. They are not what is pronounced in court. The prisoner does not serve that. We are merely trying to bring in some honesty.

There is a myth that rapists will find no option but—

Mr. Straw *rose—*

Mr. Maclean: I want to conclude this point. The hon. Gentleman had 35 minutes and failed to make his points. He is not going to steal my remaining seven or eight minutes.

Mr. Straw *rose—*

Mr. Maclean: I will not give way.

A myth has grown that rapists may as well kill the victims. It is still a myth even if great men repeat it. As soon as the Lord Chief Justice made that point, I checked with experts in the Home Office research department and asked them to trawl the literature on the subject. From the literature that we have studied, there is no suggestion whatever that that is the likely course rapists will take in future because it would require a perfectly calm, logical rapist, who in the moment of rape took a legally correct decision to kill the victim. We have looked at the available research—much is American—but can find no research whatever to suggest that rapists are more likely to kill their victim.

My hon. Friend the Member for Vale of Glamorgan (Mr. Sweeney) made a good point that community sentences have higher reoffending rates than prison. That point needs to be made very clearly. One of the myths that has grown over the years is that prisons are universities of crime. The real universities of crime are the street corners, where the practicals can be carried out immediately.

My hon. Friend the Member for South Suffolk congratulated the police on their excellent funding settlement in Suffolk and elsewhere.

The Opposition today could quote only some of their Lordships in the other place who come to their rescue as their allies. I find it extraordinarily rich that, in a debate on law and order, the Opposition can rely only on support from some of their Lordships in another place, which the Opposition propose to abolish if they are ever elected to form a Government. Our proposals are supported by people the length and breadth of the country, as my hon. Friend the Member for West Dorset made clear. It is the first time that I have heard a chief constable's speech in this House and I would like to hear more of them.

It is quite clear that today's debate has highlighted the divide between the Conservative party and the Labour party. We have set out clear, considered and concrete proposals, which will help to protect the public from persistent and dangerous criminals and have the wholehearted support of the police. Over there on the Opposition Benches sit members of the Labour party—a party totally opposed to our proposals, but too frightened to openly and honestly admit it. The hon. Member for Blackburn has ducked and dived and dodged and weaved today in a pathetic attempt to avoid alienating either his Back Benchers or the public—hence the extraordinary Opposition amendment on which we shall be voting in a few minutes. Opposition Front-Bench Members will be reassuring their hon. Friends that they are voting against the Tory proposals. At the same time, the spin doctors are reassuring the press that the Labour party really does support the Home Secretary's proposals.

The Labour party has tried to debate anything other than the proposals set out in the White Paper. Their so-called strategy for crime is not worthy of the name. I reckon that Labour Members must pray that smoking is never banned because, if it is, it would deprive them of the fag packets on which they need to work out their future policies.

The Labour party talks about crime prevention and about a six-year old report which proposed giving local authorities a statutory duty to undertake crime prevention. While Labour talks, we have been empowering local partnerships up and down the country to install closed circuit television and to promote neighbourhood watch. Labour talks about promoting and supporting the police. We heard the hon. Member for Cardiff, South and Penarth say that he was worried about the number of police officers since the last election. We now have 2,000 more constables than we had before the last election. When we came to office in—

It being Seven o'clock, MADAM DEPUTY SPEAKER *put the Question necessary to dispose of proceedings on the motion, pursuant to Order [7 June].*

The House divided: Ayes 237, Noes 278.

Division No. 153] **[7.00 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hanson, David

Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Janner, Greville
Jenkins, Brian *(SE Staff)*
Johnston, Sir Russell
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
MacShane, Denis
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Morgan, Rhodri
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quin, Ms Joyce
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sheerman, Barry
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Martlew and Mr. Eric Clarke.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui

Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, The Reverend Martin
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Simon Burns and
Mr. Sebastian Coe.

Amendment accordingly negatived.

Main Question put and agreed to.

Resolved,

That this House supports the proposals set out in the White Paper 'Protecting the Public' to introduce automatic life sentences for serious violent and sex offenders; mandatory minimum prison sentences for persistent house burglars and drug dealers; and to introduce greater honesty into the sentencing process.

Northern Ireland

7.15 pm

The Secretary of State for Northern Ireland (Sir Patrick Mayhew): I beg to move,

That the draft Northern Ireland Act 1974 (Interim Period Extension) Order 1996, which was laid before this House on 4th June, be approved.

Once more I need to come to the House to seek authority for the renewal of the current provisions for the government of Northern Ireland by direct rule. I regret that this is needed. These arrangements are far from what is ideal in a democracy, but there is as yet in Northern Ireland no broad enough base of agreement for any other system, including any system founded on greater local responsibility, so we must renew direct rule.

At last, however, after long endeavour, a process of inclusive political negotiations has begun. It moves us closer to the goal of establishing a sufficiently agreed system for the future. In the House tonight there will be as strong a wish that these negotiations shall succeed as there will be recognition that direct rule must continue until they do.

No less strong, I reckon, will be a universal desire to express our outraged condemnation of what was perpetrated in Manchester on Saturday, which is directly relevant to this debate because it took place after the negotiations had begun. Those were negotiations that Sinn Fein could have entered, to sit with other political parties, for which the electorate had voted. They could have sat down with the rest on 10 June. But there was no renunciation of violence by the IRA, with whom they are so inextricably linked; no restoration of a ceasefire that should never have been abandoned, so they excluded themselves, just as they separately absented themselves—by their own decision—from the elected forum last Friday.

Instead, there was from the IRA a calculated declaration of their mind set. They declared on Saturday that their route to political change is the violent, not the democratic, route. The political process did not reject them: they rejected it. They showed that they have as yet no stomach for the disciplines of democracy. Therefore they tried to get what they want by denying random members of the public their most fundamental human rights. And, of course, they threaten more of the same, in Northern Ireland no less than in Great Britain.

That is exactly the kind of duress that this House and this Government, together with the Irish Government, have set our faces against.

Mr. Roy Beggs (East Antrim): Does the Secretary of State, based on his experience, accept that the concessions gained after atrocities have been an incentive to Sinn Fein-IRA to continue along the same path as they have adopted in the past? Does he agree that the deliberate murder of a member of the Garda was, in effect, a Harvey Smith signal thrown at John Bruton in the Republic?

Sir Patrick Mayhew: I agree, of course, with the latter part of the hon. Gentleman's remarks. It was a wicked and wholly unjustified action. I do not doubt that it was intended to convey the message that the hon. Gentleman has described.

[Sir Patrick Mayhew]

I recognise no concessions to the IRA. Both Governments have made it clear that, through their political party, the IRA have to demonstrate that they are wholly committed to peaceful and democratic means. Until that comes about, there can be no participation for their political party in the negotiations. I acknowledge that the Government, in response to representations from numerous quarters, have changed their position on matters that have not concerned principle. We have done so in order—as we hoped—to demonstrate a sensible flexibility, not a willingness to move on points of principle.

I was saying that the IRA have tried to get their way by denying the most fundamental human rights to random members of the public—a kind of duress against which this House, the British Government and the Irish Government have made it clear that we will set our faces. We will not sit opposite people who imply there is more where the Manchester bomb came from unless we deliver across the table what they want.

That is why, after the South Quay attack on 9 February, we jointly declared that, for Sinn Fein, as an elected party, to enter negotiations, there had first to be an unequivocal restoration of the ceasefire of August 1994. After 9 February, numerous further attacks have been made, culminating last Saturday at Manchester. But our rejection of duress stands, and it is, if possible, fortified.

We are not going to be satisfied with some tactical remission of violence. A purported restoration of the ceasefire last Monday, for example, anticipated by many commentators, would have been seen across the world as a cynical and callous ploy.

Mr. David Wilshire (Spelthorne): I am reassured to hear my right hon. and learned Friend suggest that an unequivocal ceasefire is necessary, but will he tell the House what exactly he means by unequivocal and, on this occasion, what exactly he means by ceasefire?

Sir Patrick Mayhew: I offer my hon. Friend a definition that I offered in this House some time ago. Unequivocal means of no other interpretation. For our part, we endorse the words of Mr. Bruton, whose support we gratefully acknowledge. It is for Sinn Fein and the IRA to find the words and the deeds to convince us, and the world, that violence is over: not tactically, not temporarily, but totally, over. I reiterate what my right hon. Friend the Prime Minister said in the House yesterday:

> "If the IRA and Sinn Fein wish to have any future interest in this process, they will clearly need to declare an unequivocal ceasefire. They will need to declare it immediately. They will also have to show that that ceasefire is credible and lasting, and is not just a tactical device to enable them to enter the talks until such time as it is convenient for them to leave. It is now up to them to demonstrate their credibility; it is not up to us or anyone else. They must demonstrate their credibility—but the talks will continue."—[*Official Report*, 18 June 1996; Vol. 279, c. 680-81.]

They have mightily increased the difficulty of that task, if indeed they really wish to set their hands to it.

The Government, however, are not going to give Sinn Fein the satisfaction of saying that in no foreseeable circumstances could they succeed. We still do not believe that to be the case. The position remains as it has been: Sinn Fein have not been excluded; they exclude themselves. They must find words and the deeds to let themselves in, to convince the rest of us that violence is over for good. It is for them to establish such confidence in any ceasefire statement that they may make.

Rev. Martin Smyth (Belfast, South): Are we not moving back to August 1994, and the arguments that told us that violence was over for good?

Would it not be more effective now to take a more political path? Twenty-one years have passed since this sort of legislation came into being. Twenty-one is usually regarded as the time when people come of age and take responsibility. Is it not time the House began to take responsibility for governing Northern Ireland in the same way as it governs the rest of the United Kingdom? We need not wait for the Scots to make up their minds how they want to be governed.

Sir Patrick Mayhew: I said at the beginning that we have to renew direct rule because there is no sufficiently agreed basis for any other system, including any system involving greater local accountability. One possible foreseeable system is the type to which the hon. Gentleman has just alluded—sometimes called a wholly integrated system of government. That is not excluded from the ambit of the talks that are now commencing. But for any alternative to direct rule there needs to be a broad enough basis of agreement to make it stick.

Meanwhile, I wish to urge that it is of the highest importance that the old cycle of retaliation violence be not resumed. I pay tribute to the restraint and wisdom of those described as the combined loyalist military command for not allowing themselves to be provoked into abandoning their own ceasefire. In consequence, the loyalist parties have not excluded themselves from the negotiations, where they are now participating valuably and fully and thereby fulfilling the wishes of those who voted for them on 30 May.

I shall give a brief account of our stewardship in the past year. The first duty of any Government is the protection of their citizens, so I turn first to security policy. Since the ending of the ceasefire, a prudent guard was kept up, but security measures were adjusted to meet a reduced threat of violence. There is no doubt that this has improved the amenities of life for people in Northern Ireland enormously, but nothing was taken away that could not very soon be replaced.

Accordingly, yesterday, and again today, as a direct consequence of the IRA's terrorist threat, there was massive disruption of traffic in Northern Ireland and doubtless great inconvenience caused to the public. But I know that the people of Northern Ireland will always desire and expect the security forces to make whatever precautionary checks are needed, and to take all other steps within the law that the threat of terrorism may show to be needed.

For what my experience in Northern Ireland—four and a quarter years of it—is worth, I think nothing is going to induce any slackening of people's resolve within Northern Ireland to face down the obscene duress of terrorism. Therefore, so long as terrorism remains a threat to Northern Ireland's stability, the Government will meet it with a fully robust security policy. We shall base ourselves upon the excellent co-operation we enjoy in

security matters with the Irish authorities, and where possible we shall seek with them to enhance it. As in Great Britain, so in Northern Ireland, we shall be ready to adopt all lawful measures that new circumstances may require.

I want to express our gratitude to the Royal Ulster Constabulary, and to the other security forces who support them, for their work. It is demanding and incessant. Over the past year, terrorist units have remained intact. Targeting, training, researching weapons and violent intimidation have all continued. There is continuing evidence of paramilitary involvement in drug dealing and racketeering. Murders have been carried out by terrorist organisations under the veil of action against drugs. Punishment beatings have been carried out regularly, revolting in their nature and extent. They have been carried out by both sides, and the number of victims has risen during the year.

All that will continue to be resolutely countered. If I were so advised, the third battalion, which was relocated after the ceasefire, would be returned to duty in support of the RUC in the Province. There will be no let-up—instead, many discontinued measures may have to be restored. As hon. Members would expect, neither cost nor the financial stringency that may result in other quarters of the administration of Northern Ireland will be allowed to impede the effort against terrorism.

As for economic progress, there is clear evidence of a further improvement in the performance of the Northern Ireland economy over the past year, even in comparison with the excellent performance of Great Britain. Over the year, unemployment has fallen to its lowest level for more than 14 years, employment has reached an all-time high and manufacturing output has continued to rise. Exports by Northern Ireland manufacturing firms have out-performed the United Kingdom as a whole, and inward investment is rising steadily. Tourism has reached a record high.

There are good grounds for confidence in the economic future of Northern Ireland. Political progress offers the prospect of yet more attractive developments. There is enormous potential in Northern Ireland for economic growth and for broadly shared prosperity. In the past year, part of that potential has been realised—the best is yet to come.

Rev. Martin Smyth: I received a response from the Northern Ireland Office that there had been 30 objections to the possibility of the Europe Tool Company investing in Northern Ireland. Does the Secretary of State agree that it is rather strange that British companies that purchase from the parent company in South Korea object to British people manufacturing the equipment? It would be a wonderful investment for the United Kingdom economy, particularly in Northern Ireland.

Sir Patrick Mayhew: The hon. Member for Belfast, South is his usual charitable self in saying that it is rather strange.

I refer now to political progress. Intense efforts have been made to secure the beginning of political talks on an inclusive basis. As hon. Members know, the talks began, on schedule, on 10 June. The Government welcome Senator Mitchell's assumption of the chair at the opening plenary session, and the appointment of General de Chastelain and Mr. Holkeri as chairman of strand 2 and the business committee and alternate chairman respectively. I express our deep appreciation of the selfless willingness of these distinguished gentlemen to help.

All nine parties presently participating in this political process have formally affirmed their commitment to the six principles of democracy and non-violence set out in the report of the international body that had been chaired by Senator Mitchell. However well the participants' democratic credentials were already established, I believe that it was an important step for them to reaffirm those principles—and they have done so. We would require the same of Sinn Fein if it succeeds in lifting its self-imposed exclusion.

I believe that these talks can succeed. We have come a long way already, but we must go a great deal further. There have been significant shifts in thinking in recent years among many of those present in the negotiations. The participants arrive at the negotiations with a mandate from their electors to take part to the full in the process. There is clearly a deep wish among the population of Northern Ireland—and, indeed, among all the people of these islands—after years of conflict, for a lasting peace and for consolidation of all the advantages and opportunities of which we have had a foretaste since the ceasefires.

The process commands much international support—I believe that there is much to welcome and nothing to suspect in that. As we have repeatedly made clear, the way forward lies in the hands of the participants. However, it bodes well for Northern Ireland, in the context of any future settlement, that there is such a high degree of positive international understanding. In looking back to the enthusiasm and delight with which the visit of President Clinton was greeted, I believe that the people of Northern Ireland understand that.

An important complement to the talks will be the elected forum, which had its first meeting last Friday—14 June. As has been made clear, it has no authority over the negotiations—it is a purely deliberative body. We see its usefulness lying in its ability to debate ways forward in the development of dialogue and understanding between the communities in Northern Ireland, and more broadly. It can do this with the benefit of the views of a wide range of interests that might be invited to address it—many of whom may be outside the political sphere. I am most grateful to Mr. John Gorman for agreeing to take on the sensitive role of the forum's interim chairman, and I wish it well.

I have set out our hopes for the negotiations and for the future well-being of Northern Ireland, which in many ways turns on them. We are likely to have months of discussion ahead—indeed, I hope that we do. It is unlikely to be a rapid process, and it may often be a rough and uncomfortable one. The rewards of the process are potentially great for all sections of the community in Northern Ireland. Indeed, the welfare of people in both islands is intimately bound up with the settlement that we hope to reach and to put to the people in a referendum.

There is a great responsibility on all of us who are involved in the negotiations. Sinn Fein could have been a part of the negotiations, had the IRA not abandoned its ceasefire. Sinn Fein could have joined the negotiations last week, but the IRA chose not to restore the ceasefire and to bomb the people in Manchester instead. The talks

[Sir Patrick Mayhew]

will continue—with or without Sinn Fein. The IRA can destroy the prospects of Sinn Fein—the other side of its coin—being a part of the talks process, but the IRA cannot destroy the talks process.

I hope that we shall soon have a more satisfactory basis for administration in Northern Ireland. Until then, however, we must renew the current arrangements. I commend the draft order to the House.

7.37 pm

Ms Marjorie Mowlam (Redcar): Tonight, we have come to the House to renew the Northern Ireland Act 1974 at a time when many of the Northern Ireland Members of Parliament are working in Belfast, trying to move the talks process forward. We have come here in an atmosphere of sadness and grave disappointment. Our thoughts must be with the victims, and their families, of Saturday's sickening terrorist attack in Manchester. We commend their courage, and the courage of all the people of that town, as they continue the huge task of clearing up after the devastation of the IRA bomb.

When the Secretary of State sums up this evening, it might be helpful if he would tell us about any special arrangements or compensation that might be available to those who live and work in and around the Arndale centre in Manchester.

The Labour party has nothing but outright condemnation and contempt for the callous individuals who mounted this attack and for the cowards who sanctioned it. Had it not been for the professionalism of the police in clearing the area and for sheer good fortune, dozens of people could have lost their lives.

Those who carried out this act must be brought to justice swiftly. We are delighted with the response from the public in support of the police in their investigations. As my right hon. Friend the Member for Sedgefield (Mr. Blair) said on Saturday:

"If the IRA think they can shift the resolve of any Government with this action they are cruelly mistaken."

After the bombing in Manchester, it is up to Sinn Fein to convince us that it has a commitment to the peace process. It is up to Sinn Fein to say and do whatever is necessary to restore what confidence it can in its shattered credibility. It is a tribute to the determination of the leaders of the loyalist community that its ceasefire has been maintained.

When the bomb exploded at Canary Wharf on 9 February, killing Inan Bashir and John Jeffries, the two Governments pledged their determination to continue the search for peace. Their concerted efforts produced the communiqué of 28 February, which detailed the route to the all-party talks on 10 June. Not everyone agreed with that route—we understand why—but everyone followed it.

The agreed stance adopted by the British and the Irish Governments demonstrated its worth once again this week. We welcome and fully support the two Governments' determination to continue the talks process. In view of the public anger about the appalling murder of Garda McCabe in the Republic of Ireland, we acknowledge the Irish Government's decision to keep under review their official level contacts with Sinn Fein. They are asking very important questions, to which we all want a response.

The optimum result is a peace process that is as inclusive as possible. Although that is impossible at the moment, we must keep alive the possibility of inclusive dialogue at some point in the future. Following the important and welcome progress today, I hope that the talks in Belfast will continue with those parties who demonstrate, day in and day out, their commitment to peace and democracy. If Sinn Fein cannot do that, as the Secretary of State said this evening, the process must continue without them.

This annual debate has often taken place in exceptional circumstances—as it does again this evening—but it is concerned primarily with the Secretary of State's stewardship of Northern Ireland affairs in the past 12 months. In the absence of a new agreed settlement, decisions continue to be taken at a distance from the people of Northern Ireland in a manner that is not accountable. The absence of an agreement in Northern Ireland means that the centralisation of decision making in Westminster persists. When a policy is mistaken or when the Government mishandle a situation, people and businesses in Northern Ireland suffer, but their influence is limited.

For an example, we need look no further than the chaos and confusion surrounding the current beef crisis. Northern Ireland farmers should compare favourably with their counterparts in Britain if the framework before the European Union is accepted. Some 90 per cent. of the herds in Northern Ireland are grass-fed, there is a low incidence of bovine spongiform encephalopathy, and a traceability system is in place. I have not read the details of the agreement announced on the news this evening, but it appears to be very general. It seems as though reference must be made to the veterinary committee every time the process moves forward. I do not think that it will make a big difference to the beef farmers in Northern Ireland, many of whom face disaster.

The privatisation of Northern Ireland Electricity is another case in point. The current level of profits and prices are against consumer interests in Northern Ireland. A Monopolies and Mergers Commission referral is long overdue and the Government must account to the people of Northern Ireland for that delay. Furthermore, this year's Budget contained a nasty sting for training providers. Groups face cuts of between 25 and 40 per cent. after the adult community employment reductions. The Government pulled a further £2 million out of the hat, but only after sustained pressure.

Given the appalling level of unemployment in Northern Ireland—which costs taxpayers more than £300 million per year—it is economically and socially short-sighted to cut training schemes, especially when alternative plans, such as the community work programme, are struggling to get going. The Government's misplaced priorities are affecting key services in Northern Ireland.

Mismanagement has also proved a problem in the past year with the rise and rise of bureaucracy in the health service. Budget cuts are plunging the Northern Ireland health trusts into crisis only three months into the financial year. Northern Ireland's hospitals are gearing up for a summer of chaos. Hospitals such as the Royal Victoria in Belfast or Musgrave Park face theatre closures and cuts in the number of beds and jobs. Patient care will suffer and bureaucracy will escalate—that is the outcome of the Government's health policies.

When ideology triumphs over common sense, services suffer, money is wasted and the concerns of local people—citizens, consumers, business people and community representatives—are ignored. Sadly, that problem is not exclusive to the Government's stewardship in Northern Ireland—far from it. It is a symptom of a deeper malaise throughout the United Kingdom of a Government who are distant from and out of touch with the people.

Unless there is an agreement between the parties and consent is granted for a new settlement, the order will come before the House in the same form next year. A general election will intervene between now and then. If no agreement is reached and if a Labour Government are proposing the renewal of the order, we shall implement different policies from those that we are reviewing this year.

Labour has made it unequivocally clear that there can be no change in the constitutional status of Northern Ireland without the consent of a majority of its people. It seems clear to me that an acceptance of that principle of consent means that Northern Ireland will continue as part of the United Kingdom for a long time into the future. There is clearly not consent among Unionists for a united Ireland and it is equally clear that Northern Ireland's existing status does not command the consent of nationalists. That is why we need new arrangements and structures that both communities can support. As we have said on previous occasions, Labour wants to see reconciliation between the two communities and between the two parts of Ireland—north and south—on the basis of consent.

Rev. Martin Smyth: I press the hon. Lady on that point. First, talk about two communities is often interpreted as division on the grounds of religion, but can people with opposing nationality claims share the same objectives? Secondly, the costs of generating electricity in Northern Ireland are a real problem and I understand that the contract will remain in place until 2002. Is the hon. Lady giving a commitment on behalf of her party that a Labour Government would reduce electricity generation costs in Northern Ireland?

Ms Mowlam: As to the hon. Gentleman's last point, the nature of those costs will be put before the Monopolies and Mergers Commission. The hon. Gentleman is correct in saying that the contract extends until 2002. However, we shall refer it to the MMC and, we hope, it will be dealt with. As to the hon. Gentleman's first point about the two communities and those with different national identities reaching some kind of agreement, he and I and the House should address that issue together. The hon. Gentleman's views and his ability to find ways to co-operate and to build consensus between the two communities are a crucial part of the equation.

Reconciliation between the two communities need not, as he suggests, be rooted in territory, in flags or in domination. It must be based on respect and therefore on an acceptance of each community's allegiances to Ireland or Britain and to Europe. That involves building agreement around institutions that all can share and that fully respect people's sense of allegiance to one nation or another.

That approach embraces the principles of the joint framework document which—together with the Anglo-Irish Agreement and the Downing Street declaration—Labour recognises is a milestone on the road to peace. They are a testament to the commitment of the two Governments to work closely together in order to make progress in the search for peace. Labour would continue that work with the Irish Government and the Northern Ireland parties in order to reach a balanced settlement through negotiation and agreement.

If any party believes that it will get a better deal from Labour in the negotiations—assuming that we will be prepared to bully or to pressure a particular community in order to reach a settlement—it is badly mistaken. We support and uphold the principle of consent. We repudiate and reject the politics of threat and coercion. We will continue the talks, given the chance, in pursuit of agreement. We will uphold Labour's principles, which are, in essence, about justice, fairness and common sense.

We will also apply those principles in other parts of policy, such as policing. Our proposals improve significantly on those from the Government. For example, we have suggested the election of representatives to the police authority; assigning responsibility for implementing change; and progress in changing the composition of the Royal Ulster Constabulary.

Our principles of fairness and justice will apply to anti-discrimination and fair employment proposals. We have made a detailed submission to the review of fair employment being undertaken at present by the Standing Advisory Committee on Human Rights. There is also a clear Labour commitment on human rights. We have made clear our commitment to the incorporation of the European convention on human rights into law in Northern Ireland, as in Britain, and we will work with the parties—which I hope will be working together already—to develop and introduce a Bill of Rights.

We will complete our consultations and introduce policies that will have a real impact on the day-to-day lives of people in Northern Ireland in areas such as the economy, welfare changes and nursery provision. After the vote in another place earlier this week, we hope that the nursery vouchers scheme, which would destroy chances of nursery education, can be stopped in time to provide decent places for three and four-year-olds.

One sensitive subject, proposals on which should be considered and debated more fully, is that of marches and parades. I have spoken and written often to the Secretary of State on that matter. Obviously, there are no simple answers, but we believe that the Government could give their view on the proposals that have been made by ourselves and others in recent weeks. The proposals include the establishment of an independent advisory group to inform the Secretary of State—not to dictate to him—of possible steps to reduce tensions and meet community concerns; the possibility of prescribing guidelines for the conduct of parades in disputed areas; and a system of prior planning permission, as has been recently proposed. It would be interesting if the Government would respond to those suggestions this evening.

I have said clearly tonight that no one should wait for Labour to make a difference in the negotiations. I hope that I have shown, by our criticisms of the Secretary of State's stewardship in the past year and by our policy commitments, that, given the chance, our policies would make a difference to people's lives in Northern Ireland. We believe that the practical policies that I have outlined

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tonight would make a difference to all communities in their day-to-day lives. For now, we support and encourage the Government in continuing to try to take the talks process forward. We will do all that we can to help and support them in that task.

7.52 pm

Sir James Molyneaux (Lagan Valley): I owe it to the hon. Member for Redcar (Ms Mowlam) to follow her on the key phrase she used—"the principle of consent". On the one word "consent", all else that we will consider tonight turns. It is the crucial term and, in some ways, is the only issue that should concern us in coming days.

My respectful advice to the hon. Lady would be that, if we seek consent in the political sense, we should not start with a high-wire act. The media of the world are orchestrated by Mr. Adams who has now become a television producer, given the way he managed and choreographed the photographs at the gate, which was not barred or locked, and the rehearsal that produced those magnificent pictures from the gullible news industry. I dismiss the mistaken idea that, when seeking to achieve consent, one should start with a blaze of glory and a tooting of trumpets on the high-wire act, because, instead of making progress, one falls off.

The fact that I am a modest man with much to be modest about teaches me that the only way to make progress is to go down the scale of options until we find the lowest level at which consent can be maintained. When we have done that, we can then start patiently building on the consent thus obtained, but right hon. and hon. Members should not imagine that we can do it the other way around.

Had this debate been held a week earlier, it would probably have been difficult for any hon. Member to express honestly held views about the farce of what my hon. Friend the Member for Belfast, South (Rev. Martin Smyth) has termed the 21st annual interim period extension device, which we are debating tonight, and how it could be replaced by some practical, permanent method of governing one of the four components of the United Kingdom. We would have been told a week ago to hold our horses, not to stir the situation or to reach for the impossible because devolution is just around the corner. The events of the past seven days have swept away all the inhibitions of two decades. We cannot now be silenced by exhortations to give peace a chance; to win the battle for hearts and minds; or to turn a blind eye to perceived concessions to terrorists in the expectation that those terrorists would be placated by perceived instalments of their ultimate aim.

Over two decades, the majority of right hon. and hon. Members have had reservations, but understandably they have felt that perhaps experiments should be put to the test. We now know the result, and the rescue brigade should not come to the aid of terrorists by insulting our intelligence with suggestions that contacts should be maintained and doors should be kept open to enable Mr. Adams and his friends to regain credibility for an utterly dishonest campaign which is as transparent as that waged by Hitler in 1939 and 1940, when he trampled all over eastern Europe and, at the same time, proclaimed himself a man of peace. I suggest that no public figure will want to forfeit respect by allowing himself to be conned yet again.

Rev. Martin Smyth: Does my right hon. Friend agree that it would be wrong to follow the line of those in the media who misunderstood TUAS to mean a tactical use of the armed struggle instead of the total use of the armed struggle, which Hitler adopted and which Gerry Adams adopts?

Sir James Molyneaux: My hon. Friend knows the news industry well enough by now to know that, dedicated as it is to the ever-lasting search for soundbites as opposed to substance, it is not surprising that the news organisations fed off each other, brainwashed each other and came to a shallow conclusion without a shred of evidence. I hope that my hon. Friend will not feel that that is too harsh a stricture on the news industry, but I feel that it has a lot to answer for.

Another ceasefire or promise to disarm might spark some interest in the minds of some and might possibly provide material for chat shows, but would not be relevant now. The only real issue is the principle of consent, as the hon. Member for Redcar has said. It is not in the nature of terrorists anywhere to accept the democratic principle of consent. The rest of mankind takes it for granted, but consent exists in the terrorist vocabulary only for the purpose of calculating how a democratic people can be terrorised into consenting. For them, democracy will always have a low priority. The bomb and the gun have to be retained, not as a fall-back position, but as the driving force and the engine to extract concessions that will lead to surrender to ultimate terrorist demands.

Against that sober background, I appeal to the current Irish Government and any future Irish Government not to continue reiterating demands for concessions to republican requirements. That justification has disappeared now that the destruction of democracy is the asking price for a cessation of violence. No Irish Government should contemplate paying that price, even by instalments. Nor should a Dublin Government try to pressurise any British Government to consider such folly. The democratic structures of the United Kingdom must not be mutilated when it has been proved that such a course would achieve precisely nothing in return.

The main purpose of the recent election—the forum and the so-called peace talks—has been obliterated. The Secretary of State's curious requirement—as it is not original, I am not blaming the right hon. and learned Gentleman for inventing it—that there should be all-party support for any structure or option effectively rules out the possibility of devolved government in the foreseeable future. That being so, I shall stop beating my head against that brick wall.

Why does the Secretary imagine, or in what circumstances does he imagine, that the House would require all-party backing for arrangements for Scotland, for example, as my hon. Friend the Member for Belfast, South has said? Why does the right hon. and learned Gentleman imagine that in the current talks he is likely to achieve results, when he knows, as I know, that, despite our determined efforts when he chaired the strand 1 talks in 1992, we were unable—two Governments and four parties were involved—to achieve agreement? Why is it thought possible now, with two and a half Governments involved—the half being the Government across the Atlantic—and nine or 10 parties, that they will be any more successful in achieving results?

It is to be hoped that the Government, given that the purpose of the election—the forum and the talks—has been obliterated in its main purpose, or main published and alleged purpose, would consider it possible to come to the House for consultation on possible future roles for the structures so recently established.

Soon, I know, we shall have predictable bleatings about the imaginary vacuum, which would probably be not all that much greater than in Scotland and Wales or the regions of England; but I have a duty to counter any anxiety about a possible vacuum, and in doing so I enlist the aid of the business managers and other parties in both Houses of Parliament.

With Northern Ireland ministerial co-operation, we can make fuller use, for example, of Wednesday morning sittings. We must press on with the aim of expanding the role of the Northern Ireland Grand Committee with provisions for sittings in Northern Ireland, in line with its Scottish counterpart. We can encourage Northern Ireland Members, in addition to those who are nominated, to attend legislative Committees of the House and to participate in debates.

In Northern Ireland, we can make more effective the scrutiny of proposed legislation by providing councillors with specialist knowledge with opportunities to discuss all important legislation with Ministers or heads of Departments at post-consultative stage.

As you will remember, Mr. Deputy Speaker, a week ago we touched on ideas for an economic committee based on both Houses of Parliament to buttress the excellent work of the Under-Secretary of State, Baroness Denton, along with that of her Department and the Industrial Development Board. There may have been the usual objections from the vaults of the Northern Ireland Office, but the grounds for such rearguard action have now been conclusively removed. We must start making progress in streamlining the system of governing the United Kingdom, including the Northern Ireland component, which my colleagues and I represent.

The resumption of violence will become a deterrent to investors, and that must be countered. The creation of a new all-party committee, based on both Houses, will do much to give confidence to overseas investors, and I hope will be of great assistance and support to the Secretary of State and his colleagues in the Northern Ireland Office.

As the debate is focused on constitutional matters and not on security, I shall refrain from tendering in public my suggestions on security. It is, as the Secretary of State said this evening, for the Government to decide what new measures are required to defend the Queen's subjects wherever domiciled from terrorism from whatever quarter.

I trust that we have not entirely forgotten or dismissed the suggestion made by the Father of the House, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), for a supremo without ministerial burdens to co-ordinate a counter-insurgency strategy within the United Kingdom and Crown territories. We should not underestimate the benefits to the IRA of its tactical lull in terms of training, targeting and re-equipping over the past two years of the so-called ceasefire.

I believe that there is an urgent need for the Government to consult other European Governments to discover how those Governments completely eliminated the scourge of terrorism from their territories. I do not doubt the capacity of the security forces and the police throughout the United Kingdom to meet the challenge, but the morale of the general public in Northern Ireland in the main and—I say this from experience of moving about this island—that of the general public here is in urgent need of repair. The public need to be convinced that the 20-year retreat is over and that the Government are convinced that any perceived concessions will merely prolong the agony and encourage murderers to do even more.

In conclusion, and in short, the Government must let it be seen that they now intend to take sides and support the 85 per cent. of people who flatly refused to vote for Sinn Fein-IRA on 30 May.

8.7 pm

Mr. Andrew Hunter (Basingstoke): It is a privilege to take up the remarks of the right hon. Member for Lagan Valley (Sir J. Molyneaux). Not for the first time, and I am sure not for the last, I find that I substantially agree with the greater part of his speech. I detect, however, one area of disagreement, with which I shall deal later. I hope that the right hon. Gentleman will not take exception to what I shall say.

As for the substantial business of the evening, the issue is somewhat academic. There is no alternative. Indeed, there are no options. The Northern Ireland Act 1974 must be renewed. When we debate the other hardy annuals, the emergency provisions and prevention of terrorism legislation, hon. Members sometimes make the point that they wish different circumstances would prevail and that the day would come when renewal would no longer be necessary. As my right hon. and learned Friend the Secretary of State said in his opening remarks, the same argument applies to the measure that is before us.

We look forward to the day when there need no longer be direct rule in Northern Ireland. We look forward, of course, to the time when the democratic deficit can be addressed positively by the establishment of acceptable forms of government in the Province. Whatever our analysis of the present situation in Northern Ireland, and whatever our personal future agendas on Northern Ireland, we can agree that, for the time being, there is no alternative but to renew the 1974 Act.

As for the present situation, from one point of view, as the saying goes, it is a case of "I think we'll have to think it out again"; it is time to go back to the drawing board. The bomb last Saturday certainly brought destruction to Manchester. It also blew apart many of the illusions that had dogged the so-called "peace" process for many months.

As I see things, we are, in a manner of speaking, back at base. In effect, we are starting out again. In that context, I shall make just three brief observations. I shall state them simply and then expand them. First, in prevailing or foreseeable circumstances, the Provisionals' participation in the process has come to an end. Secondly, the talks should continue without the Provisionals. Thirdly, we should revise our priorities; security issues should now share equal prominence with the search for political agreement between the constitutional parties.

First—regarding the Provisionals' participation in the process—it is, I contend, self-evident that the Manchester bomb has underlined and reinforced Sinn Fein-IRA's self-exclusion from the process. Both in prevailing and in

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foreseeable circumstances it seems that that self-exclusion is now absolute. The leader writer in *The Independent* on Monday made the point when he wrote:

"The whole point of this process as originally envisaged was that it included Sinn Fein and the IRA. It is very hard to see how they can be brought back for a long time."

The leader writer in *The Guardian* on the same day made precisely the same point:

"There is no evidence that they"—

Sinn Fein—

"can deliver peace, and plenty of evidence that they intend to continue with war. Unless and until that changes, there is no point in talking to them in the current process."

After the Manchester bomb and after the shooting of the Garda officers in the Republic, there should be no illusions. There is no place in a civilised society for Sinn Fein-IRA, let alone in negotiations seeking to create in Northern Ireland new relations based exclusively on non-violence and democracy. It beggars belief. In Northern Ireland, they have threatened, intimidated, tortured and murdered. In England, they bomb shoppers on a Saturday morning. In the Republic of Ireland they shoot policemen. At the same time, they have the audacity to claim that they want peace and to take the gun out of Irish politics. There is no place for such people in negotiations, and there never can be while that mind set prevails.

Mr. Adams says that he will not be deflected from the search for peace. Of course, if he is serious, he can begin immediately. He can unequivocally and unreservedly condemn those who planted the bomb in Manchester and those who murdered Garda Officer McCabe. He can publicly renounce, denounce and repudiate the IRA, but he will not do that. Unless he does, talk of "unauthorised" IRA operations and divisions within the Republican movement count for nothing, and Sinn Fein-IRA's self-exclusion will remain absolute.

Moreover, the renewing of a so-called "ceasefire" at some point in the future as the key to entry into negotiations is surely now woefully inadequate. The first point is that the Provisionals are out; we can regard their self-exclusion as absolute. The second point is that the talks must go on. Faced with the Provisionals' self-exclusion, there is a choice for the two Governments and the other parties: either to call it a day, pack their bags and go home, or to continue without Sinn Fein.

I strongly reject the argument that talks without Sinn Fein are not worth the candle. I welcome the Government's decision to press on, and I understand that that is the decision of the other parties as well. First, the primacy of importance that some commentators and politicians have hitherto given to Sinn Fein's participation has been misplaced. It is highly questionable that an agreement involving Sinn Fein was ever achievable. It is even more questionable now.

I do not believe that the Provisionals have ever been interested in compromise, and they are not interested now. They are not prepared to accept anything short of what can be sold to their supporters as a transitional package leading clearly and inevitably to a united Ireland; an irreversible step on the road to that united Ireland, regardless of the wishes of the majority of the people of Northern Ireland. It is self-evident that such a transitional package would be unacceptable to all Unionists, both on the mainland and in Northern Ireland—and rightly so.

Secondly, talks without Sinn Fein are effectively a revival of the three-strand talks, the so-called Brooke initiative of 1991—I refer to my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke)—which my right hon. and learned Friend the Secretary of State resumed in 1992. On this, I have a slight difference of understanding from the right hon. Member for Lagan Valley, as I do not believe that the exercises were fruitless. He made a point about the breakdown on strand 1 issues. My understanding is that agreement was well and truly in sight but the Social Democratic and Labour party—I regret that no member of it is here to correct or answer me on this point—changed its position, to the surprise of others, at the last moment. I believe that it was possible during those talks—I believe that it is possible now—dimly to discern potentially promising areas of common ground and common thinking between Unionists and nationalists. I believe that it is worth exploring that ground again.

Sir James Molyneaux: I can set the hon. Gentleman's mind at rest. I was not implying that the talks were a complete failure, because, as he said, much ground work was done. The phrase used at the time, as the Secretary of State will remember, was that they were "banked". They are still there. The only difference between the hon. Gentleman and me is that I was far too delicate to apportion the blame to my neighbours from the SDLP, who are not here at the moment.

Mr. Hunter: I am grateful to the right hon. Gentleman for that clarification.

I was listing the reasons that I believe that negotiations, talks, without Sinn Fein should be pursued, and the last reason I have for holding that position is my belief that an agreement reached by the representatives of 85 per cent. of the people of Northern Ireland is better than no agreement at all. The resolution of Northern Ireland's "democratic deficit" is highly desirable. Moreover, an agreement by the 85 per cent. on the form of Government within the Province and on the structures for communication and co-operation with the Republic would further isolate the men of violence. I argue that it is not unreasonable to hope that Unionists and constitutional nationalists can find substantial areas for agreement through negotiations. My second point, then, is that negotiations should proceed with Sinn Fein.

My third and final point is this. I believe that we should revise our priorities in an important respect. That is not a thought that I have previously shared with my right hon. and learned Friend the Secretary of State, but I do not think that he will consider it heretical, because he alluded to much of what I believe in his opening remarks.

The reality is that the IRA is at war with the British and Irish people. Since 9 February, IRA active service units have planted no fewer than seven bombs on the mainland, and more can be expected. They have murdered two people, and they could have murdered many more. They have injured more than 300 people—I fear, scarring and psychologically traumatising some for life. The cost of repairing the damage by those bombs is in the region of half a billion pounds, and this campaign has not been as intensive as some in the past.

The IRA safely stores the greater part of its arsenal of weapons and explosives in the Republic of Ireland.

Mr. Thomas McAvoy (Glasgow, Rutherglen): Will the hon. Gentleman explain what he means when he says that the IRA "safely stores" its arms in the Republic?

Mr. Hunter: We have reason to believe that the overwhelming majority of those arms remain undetected. Therefore, by definition, they are safely stored. The Garda have made a number of discoveries, and have caught IRA personnel in transit moving a minute proportion of the arms and explosives; but the greater part are safely stored, undetected.

There, in the Republic of Ireland, the IRA maintains various echelons of its command, or parts of them; it recruits and trains volunteers, as it does in Northern Ireland. Through robbery and other means, the IRA is raising funds in the Republic. It uses Irish ports to transport men and materials to this country. Most recently, it has murdered one Irish police officer and wounded a second. That state of affairs cannot be tolerated in either country, and it must not be tolerated. It calls for thought and action.

I stress that I do not advocate the proverbial emotive, knee-jerk response to terrorist activity or terrorist violence. That could be unwise, and could prove counter-productive. I do, however, advocate a fundamental review of security, which should receive as much detailed attention as is given to the search for political agreement between the constitutional parties. The review should be conducted jointly by the two Governments, because security measures are most effective if they are undertaken in that way. In the light of the common threat to the United Kingdom and the Republic of Ireland posed by the IRA, ideally we and the Irish Government would have a common security policy and a common security programme.

The right tone and tenor of such a security review would be assured if the two Prime Ministers led, as they have on political matters. In short, I believe that there is a case for a security summit, from which a common security policy and a common security programme could flow.

I certainly do not claim to be an expert on these matters, but I am aware of some areas in which, in the past, the Army, the Royal Ulster Constabulary and others have felt that improvements could be made. By that, I mean the conditions governing hot pursuit across the border from both sides; special operations within the Republic; cross-border communication between the respective police forces and armies at a tactical level; our use of Irish air space; and the gathering and exchange of intelligence, which is the ultimate weapon in the battle against terrorism. No doubt there are other areas of concern. I believe that they should be addressed as a matter of urgency. A fundamental review of our security could also consider that range of other measures that have been deployed against the IRA from time to time, such as the broadcasting ban, internment and a strategy for border crossing points.

The essential point, however, is that sovereign Governments must assure themselves, and must be able to assure their citizens, that everything possible is being done, first to protect people and property, and secondly to enforce the rule of law. In the prevailing circumstances, it must be restated that security is our equal highest priority—hence the argument for a security summit to achieve maximum co-operation and joint action with the Irish Government.

Let me summarise my argument. The situation has changed, but it should not cause total despair. We now know where we stand. In prevailing and foreseeable circumstances, the Provisionals' self-exclusion from the process is absolute. The talks must go on, and hopefully an agreement can be reached. An agreement reached by the representatives of 85 per cent. of the people of Northern Ireland is better than no agreement. We must revise our priorities, and refocus attention on security issues. In the context of an agreement between the constitutional parties, joint security measures could probably be implemented more effectively. Meanwhile, we must live with the Northern Ireland Act 1974 for a little longer.

8.26 pm

Mr. Thomas McAvoy (Glasgow, Rutherglen): I speak as a Labour member of the Northern Ireland Select Committee.

The nature of what we are discussing, and the inevitability of it, have already been mentioned, but I feel that particularly in the aftermath of the Manchester bombing and the murder of Garda McCabe, it would be useful for a Labour Back Bencher to describe the fury that is felt about those events. We have never supported, sympathised with or even hinted that we see any justification for violence. These latest terrorist atrocities are just the latest in a long line, but the timing is especially unfortunate. Everyone had hoped that we were heading towards a constitutional settlement in Northern Ireland at last, and hon. Members are particularly angry for that reason.

Direct rule is not the answer, as all hon. Members know, but it will be inevitable for as long as the present situation continues. The IRA maintains that it is fighting for a united Ireland and that it holds out the hand of friendship to Northern Ireland's Unionist population, but, as has been pointed out, what it did in Manchester poses a particular threat to investment. The IRA's threats of violence endanger the future economic development of Northern Ireland.

How can the IRA pose as the arbiter of an all-Ireland arrangement when it is damaging the very country that it professes to wish to unite? Let me put it in a more human way. Each person that the IRA kills or maims in Northern Ireland creates a group of people who are then not prepared—understandably—to listen to overtures of so-called peace from it. The IRA has created pools of bitterness by attacking and murdering people in Northern Ireland: that is its legacy. It aims to create a united Ireland, yet its actions are creating deeper divisions and are turning people against its cause.

My hon. Friend the Member for Redcar (Ms Mowlam) and my right hon. Friend the leader of the Labour party have the complete support of Labour Back Benchers when they say that the threats, intimidation and violence of the IRA will make no difference to how we conduct ourselves, not only in opposition but, I hope, in a year's time when we are in government. That is the message of not only Labour Front Benchers but Labour Back Benchers.

[Mr. Thomas McAvoy]

The loyalist paramilitaries are setting an example of maturity and discipline. Men of past violence are now committed to the democratic process and have signed up to the Mitchell commission's six principles.

The right hon. Member for Lagan Valley (Sir J. Molyneaux), in yet another thoughtful speech, mentioned the principle of consent. The majority in Northern Ireland do not favour leaving the United Kingdom. I must say to the right hon. Gentleman and to my other friends on the Unionist Benches that, too often when they make speeches about consent, they leave out another aspect of the matter: that, if we are to have a system in Northern Ireland that has the broad consent of the majority of the people, the Unionist community must have the broad consent of the nationalist community to institutions and organisations in Northern Ireland. My hon. Friend the Member for Redcar recognised that point in her speech.

The Unionist community has the strength of being in the majority, but I should like to see it take the high-profile position of being seen to offer the nationalist community consent and consensus, not just by rhetoric but by its actions. The Ulster Unionist party, the majority party representing the Unionist community, should be more open in extending the hand of friendship and negotiation to the nationalist community.

My hon. Friend the Member for Redcar made a point that I have made repeatedly in the past: the flashpoint of parades must be addressed. We broadly support the Government's stance, but I regret the fact that efforts have not been made to establish community consent for parades. The two communities in Northern Ireland recognise the desirability of parades, but it would help if there was a mechanism that allowed the communities to agree. I do not see the point of any organisation parading through an area where it knows that it is not welcome. The Secretary of State should establish some mechanism to secure consent in the communities for parades.

The position in Scotland has been mentioned, but it is different. Although there are differences of opinion on devolution or a Scottish assembly, there is no organised violence, and each side recognises that there are political differences. I agree with the principle of devolution.

I congratulate the Secretary of State and the Government on the co-operation and understanding that they have reached with the Irish Government. As my hon. Friend the Member for Redcar said, we make progress in the Northern Ireland-Ireland peace process when the British and Irish Governments take the same course, taking all political parties with them.

I have been mildly critical of the Ulster Unionist party, but I congratulate it on its professional and constructive attitude to the forum and the talks. Its example of being prepared not to surrender a point but to negotiate is a good one. It has reflected well the aspirations of the community it represents.

Another problem is the so-called punishment beatings, of which some loyalists are as guilty as the IRA. Who do these people think they are that they can be police, judge and executioner? They must be stopped.

The IRA's action in Manchester was a betrayal of the mandate it received in last month's elections. It sought a mandate on the basis of its participation in the peace process. As soon as it got that mandate, it betrayed it and returned to violence.

I do not agree that the IRA is a monolithic organisation with no nuances within it. There are differences of opinion; it is not quite as straightforward or simple as some folk say.

The House should send the message that violence and intimidation will not work, and will make no difference to the negotiations. If the IRA is genuinely seeking to represent its people—albeit only 15 per cent. of the population—it must declare a ceasefire and return to the peace process.

Everybody must know that the atmosphere in Northern Ireland during the ceasefire was first-class. People relaxed and felt that they could live a little without the fear of being killed. If the IRA wants a united Ireland, in the sense not of uniting bits of land but of two communities opposing violence and talking to each other, it should abandon violence, sign the six Mitchell principles and recognise that there is no future in its continued violence.

8.38 pm

Mr. David Wilshire (Spelthorne): My right hon. and learned Friend the Secretary of State said that the original legislation that gives rise to tonight's order imposed temporary direct rule on Northern Ireland while a new way forward was sorted out. More than 20 years later, we are marking the passing of yet another 12 months and being asked to approve a further extension. It is not putting too fine a point on the matter to say that that is extremely depressing.

Some of us, sadly, also find it extremely predictable. I have a sense that things are worse rather than better. If we are ever to break that apparently never-ending sequence, we must take stock of the peace process. I share the belief of my hon. Friend the Member for Basingstoke (Mr. Hunter) that things are fundamentally different since the Manchester bombing.

Where are we one year on, as we renew yet again this inevitable order? Direct rule is still with us, and I see no sign of it going away before we observe this ritual again next year. Local government in Northern Ireland is still virtually powerless, despite all-party co-operation being a daily fact of life in the council chambers of Northern Ireland.

If my right hon. and learned Friend cannot make progress with constitutional matters, he may find it worth while to examine local government powers as a one-off way of showing that democratic and peaceful co-operation between parties that believe in working with each other can deliver results. Progress in that direction need not be so controversial that it would bring the house down around us.

One year on, the peace process is still alive, but probably only just. In a strange way, that process may have been given a chance by the Canary Wharf and Manchester bombings rather than totally ruined, for one particular reason. Those two bombings, particularly Manchester, finally brought all democrats to their senses. Those two atrocities proved to me beyond doubt that one-sided concessions do not lead to permanent peace, and will never lead to justice. The bombings showed also that appeasing evil is not only degrading but achieves nothing.

We must compare the achievements of the British and Dublin Governments and Sinn Fein-IRA. That is an uncomfortable task, but essential if we are to understand

our position and make progress. I regret having to say that the British Government's achievements over the past 12 months make the most dismal reading—although I do not blame them. The most noticeable features that come to mind are £100 million of damage and a death at Canary Wharf and at least £100 million of damage in Manchester.

The Dublin Government have made significant progress of the sort that is deeply damaging to UK interests. During the past year, Dublin has established an effective veto over what is left of the peace process, as shown in the discussions leading to the all-party talks, and in the wrangling over Senator Mitchell. Now, the UK must obtain the agreement of a foreign Government before we can make any progress with our peace process, which appals me.

Regrettably, the achievements of Sinn Fein-IRA over the past year have been huge and—in their eyes at least—impressive, but in my eyes they are a total affront to the people of Northern Ireland. Over the past 12 months, Sinn Fein-IRA have bombed a date for talks out of the British and Dublin Governments. They have retained every one of their guns and every ounce of their explosives—apart from those used for tactical reasons. Sinn Fein-IRA have managed to drag an American president into a UK domestic matter, which has always been their aim. They have managed by their pressure and menace to foist on the people of the UK a foreigner as the chairman of all-party talks.

That is not all—not by any stretch of the imagination is that half of it. The worst thing is that, during the past year, and the year before, Sinn Fein-IRA have been able to re-equip, train, recruit and target the innocent virtually unhindered. When we started the peace process two years ago, Sinn Fein-IRA were demoralised, well and truly infiltrated, and effectively contained by the Royal Ulster Constabulary and the British Army. As I read it, at that time they were suing for peace. Two years later, Sinn Fein-IRA are revitalised and have reorganised. I say clearly and simply that we should be ashamed of ourselves for having allowed that to happen.

We must first admit, if we are to make progress, that we have been conned by Sinn Fein-IRA. Somehow—for reasons that commentators have tried to explain—we managed to persuade ourselves that Sinn Fein-IRA were willing to accept democracy and to fool ourselves that they had halted their violence and called a ceasefire. I totally agree with the remarks of my hon. Friend the Member for Basingstoke in his brave and deeply impressive speech.

Where is the evidence that Sinn Fein-IRA have become democratic? Only yesterday, Adams refused to say whether he is pressing his co-terrorists for a ceasefire. Only yesterday, Adams refused to repudiate an armed struggle. Only yesterday, Adams refused yet again to condemn the murder of a policeman in the Republic or the Manchester bombing.

It is crystal clear that Sinn Fein-IRA hold democracy in contempt. They always have. They have continued to do so during the peace process, and they always will. Where is the evidence that Sinn Fein-IRA have ever halted their violence or called a real ceasefire? The grisly list of mutilations and murders has continued growing day by day throughout the past year. The Canary Wharf and Manchester bombings confirm that the so-called ceasefire was nothing but a cynical and tactical ploy. The British and Dublin Governments, never Sinn Fein-IRA, said that the ceasefire was permanent. We kidded ourselves into believing that, because we wanted to believe it.

Now that we know the Sinn Fein-IRA definition of a ceasefire, I sincerely hope that we finally understand that, if Sinn Fein-IRA were to reinstate their so-called "ceasefire", it would be nothing short of a sick joke. I sincerely hope that no one will ever again fall for that ploy. We must realise that another cynical declaration is far removed from what must happen if Sinn Fein-IRA are ever to be allowed to sit down with genuine democrats.

The second thing we must do when deciding where we go from here—in addition to being conned in the past year, and vowing that we will not let it happen again—is to realise that we are still trying to do the same thing. We are still trying to kid ourselves, to make ourselves feel a little more cheerful. I still hear people saying that they want to believe, and that they do believe, that Sinn Fein-IRA are made up of different organisations.

A few moments ago, I heard the hon. Member for Glasgow, Rutherglen (Mr. McAvoy) suggest that Sinn Fein-IRA are perhaps not as organised as they might be. I still hear people wishfully thinking that there is a split in the IRA. But those are very dangerous fallacies.

Mr. McAvoy: For the record, I did not say that the IRA was not organised; I said that it was not monolithic. There is a difference.

Mr. Wilshire: I accept that. I was trying very hard not to suggest that the hon. Gentleman was necessarily caught up in some of my criticisms, but he gave me an opportunity to say that there are people who think in that way. I entirely accept his correction.

If anyone still doubts that Sinn Fein-IRA are other than one and the same, I invite them to consider the list of Sinn Fein-IRA representatives on the forum. Let us consider just three of them.

Sinn Fein is represented on the forum by a Mr. Gerry Adams. He is none other than the man who was a member of the IRA delegation that met Viscount Whitelaw. Mr. Adams—the Sinn Fein member of the forum—is none other than the Mr. Adams who has twice been interned for membership of the IRA.

Then there is his crony, Mr. McGuinness, who is another member of the forum representing Sinn Fein. We would do well to remember that Martin McGuinness was imprisoned in the Republic for membership of the IRA, and that, at his trial, he very proudly told the court that he was indeed proud to be the commander of the IRA's Londonderry battalion.

The third person on the list is Mr. Kelly. A Sinn Fein representative on the forum, he is none other than the Mr. Kelly who has served two life sentences for IRA bombings. Mr. Kelly was involved in the bomb attacks on the Old Bailey and on Scotland yard, and played his part in killing one person and injuring 250 others.

Those are the representatives of the so-called "different organisation"—Sinn Fein. Those three people were and remain members of Sinn Fein-IRA; the facts, the evidence and the their actions prove it. I hope that no one remains in any doubt about the reality of that organisation.

Sinn Fein-IRA will continue to portray themselves as two different organisations, and one has to accept that that is a very clever tactic. During the past year that tactic has

[Mr. Wilshire]

paid enormous dividends. As Sinn Fein, these killers have managed to obtain dozens of one-sided concessions from the peace process. Then, acting as real killers, these people—in the guise of the IRA—have obtained dozens more concessions by the tactical use of the bomb and the bullet. It is a clever tactic. It is a deliberate tactic. If we allow ourselves to be fooled, it will continue to work.

Where is the evidence for a split in the IRA? If anyone believes that there is a split, in my judgment, they base their belief on Sinn Fein-IRA propaganda, some of which we have recently heard. The callous murder of a policeman in Adare was by an IRA "rogue element", said the IRA. That is palpable nonsense. If the IRA murderers of that policeman were a rogue element, the police in the Republic would have found their corpses by now. They have not found any corpses because the murder was planned and executed properly, thoroughly and deliberately by the IRA. There is no split.

There are those who say that the Manchester bomb proved a split. The Manchester bomb was a tonne and a half of home-made explosives. It was not an impromptu expression of frustration by a few deranged people, and it was not done by breakaway people who are out of control. The Manchester bomb was carefully planned and part of a positive, deliberate and calculated policy. That policy has but a single objective: a united Ireland, on Sinn Fein-IRA's terms at any price.

The truth of Manchester is quite simply that, while Adams was posing for his propaganda photographs outside the gates of Stormont, his friends were busy putting a tonne and a half of fertiliser through a food mixer. That is not done in a few days; it takes a long time. While Adams was posing for his photographs, he knew that they had already planned to bomb on a Saturday morning in Manchester. It was callous, it was deliberate, and it proves that there is no split.

The third thing we must do when we decide where we go from here is to stop pandering to these evil people. The time really has come to call a halt to our dealings with Sinn Fein-IRA. That goes for the Dublin Government as well as for us. I must tell the Dublin Government that their rhetoric since the shooting of the policeman and the Manchester bomb has been fine. I applaud their rhetoric, but their decision to keep in touch with Sinn Fein-IRA is an affront to the bereaved and to the injured. I hope that the House deplores that decision.

The only message that Dublin should send to Sinn Fein-IRA, and the only message that we should send, is quite simple. It is: "No more talks; no more meetings; no more leaving doors open; no more keeping in touch, unless and until you in Sinn Fein-IRA renounce violence for ever, unless and until you show some remorse for your hideous crimes and unless and until you surrender—I say 'surrender' not 'decommission'; let us not mince our words—unless or until you surrender all your arms and explosives you, Sinn Fein-IRA, are outcasts, and the only contact you will now have with either of the two Governments, with any of us as politicians, or with the huge majority of decent ordinary people in Northern Ireland, is with our police and our armies as they track you down."

I agree wholeheartedly with the suggestions made by my hon. Friend the Member for Basingstoke. A crackdown is necessary. One can deal with evil only by confronting it.

Clearly my main argument is that we need to come to our senses with regard to Sinn Fein-IRA, and to exclude it. But that in itself is not enough. I know that some of my colleagues would go even so far as to say that members of Sinn Fein-IRA should be instantly locked up, but I would not support that. Even if I did, that in itself would not be enough, either.

As well as coming to our senses and cracking down on Sinn Fein-IRA, we must have a positive policy for the future. We must make it clear that we know where we are going. That is why I support all the calls from both sides of the House and from all the other people who say that the peace process must continue. We must press ahead with talks between all genuine democrats, and with good will we must thrash out an agreement to which the Unionist parties and the SDLP can both sign up.

While we do that, we must take care to avoid three dangers. While making that progress, we must understand that the framework documents are non-starters. They are wholly unacceptable to the majority in Northern Ireland, because they represent a green agenda; they will not be entertained.

Secondly, those who participate in the talks over the coming year must understand that, in Northern Ireland, there remains and will remain a big majority who want to remain within the United Kingdom, so a united Ireland must not be on the agenda.

The third thing that must be understood both by the British Government and by the Dublin Government is that, at the end of the talks process, no solution can ever be imposed either by IRA violence or by Government coercion. There is no way in which a solution can be imposed without the wholehearted consent of the people of Northern Ireland.

I accept that securing that agreement will not be easy or quick. In my judgment, it will not be helped by Senator Mitchell or other foreigners interfering in our internal affairs. I fear that it may be accompanied by more violence. To those who may be tempted to suggest that what I say might all too often encourage violence, I reply that whatever way forward is chosen—be it the way that I advocate or the way that anybody else advocates—if it is a way that does not give in to terrorism, it will surely produce more violence. That we must accept and confront—but we must and can reach an agreement.

When we do, we must put that agreement to the people of Northern Ireland in a referendum. I believe that, if the Unionist parties and the SDLP back such an agreement, it is sure to secure a huge majority in a referendum. When we have that, we can legislate to end tonight's annual ritual.

If, when we have done all that, Sinn Fein-IRA continue with their violence, Dublin as well as the British Government will have a justification for interning their members, and that is what will have to happen. Having gone through the process of agreement, referendum and legislation, we shall be able to demand and expect that world opinion support us.

I believe that the people of Northern Ireland deserve better than never-ending direct rule. They deserve to feel confident that we have ended our attempts to appease

terrorists and to do deals with the devil. Above all else, they deserve to know that we in the House have a clear policy for giving them what they want above all else, which in my view is peace, justice and prosperity—three things that they have waited an enormous length of time to enjoy.

9.3 pm

Rev. William McCrea (Mid–Ulster): I am delighted to be able to follow the hon. Member for Spelthorne (Mr. Wilshire). Many of the things that have been brought to our attention tonight are worthy of our most earnest consideration.

I entered the House in 1983, and since then, we have undergone the annual ritual, as we are once again this evening, of debating the interim period extension of the Northern Ireland Act 1974. Since 1973, I have served in local government in Northern Ireland, and I am still a member of a local district council. Unfortunately, we realise that the powers of such councils are practically nil. Consultation in reality means very little. The word "consultation" should never be included in any agreement if anyone wants it to mean something, as we have seen from the reality of consultative processes in Northern Ireland over the past 24 years.

Since entering the House in 1983, I have had the privilege of representing the constituency of Mid-Ulster, which has endured much due to terrorism. In recent days I have been delighted at the good news of the creation of 300 new jobs in Cookstown. I therefore express once again my appreciation to Baroness Denton, who has responsibility in the other place for economic development in the Province. She has put herself out there at the front in trying to gain employment for the people of the Province and I respect her for so doing.

Unfortunately, yesterday evening, after the good news of the 300 jobs in Cookstown, the town was closed off due to the threat of terrorism. That is the tragic reality. The people of my constituency have been held to ransom for many years because of terrorist thugs who have no intention of being part of society—except they rule it. They have no intention of entering the democratic process. Those who represent IRA-Sinn Fein on district councils insult democracy. One of them sat in the chair of the council on which I have served for 23 years and of which I was chairman last year, yet, up to this moment, never once has he condemned one act of terrorist violence by the IRA. Never once did he condemn the blowing up of our main street and economic centre in our town and district. Yet he has the cheek and the brass neck to take the post of chairman and try to project an image. What is the image of? It is an image of carnage, destruction, murder and vile atrocity. That is not what I believe that our district or our Province have a right to expect.

We are gathered here under the shadow of the gun and the bomb. We must face the reality of a police officer in the Irish Republic paying the ultimate sacrifice simply for being a member of that state's police force. I have no doubt that he played his part in seeking to bring peace to his community with diligence and excellence. I certainly join those who have sympathised with his wife and family circle.

Once again the people of Manchester on the mainland have endured the vile atrocity of a bomb. While it is true that one can put back together the buildings, having come through such an experience with my family and in my home, I know that it will take longer to put back together the pieces of the people who have endured such a tragedy. On behalf of my constituents and the good people of Northern Ireland, I wish the people of Manchester godspeed in their recovery, and trust that not only the scars on their bodies will heal but the scars that are much deeper.

No one in the House can understand the devastation, heartache and heartbreak unless they have experienced the hurt and the pangs of suffering of those who have gone through the nightmare of terrorist violence. I thank God that most hon. Members have not known that experience, and I trust that they never will. The heartache being endured by those families is not diminished when they see representatives of murderers walking in the corridors of power across the world, accepted as if they were democrats.

I condemn and express my contempt for those who have carried out these dastardly deeds in the Irish Republic and, in recent days, in Manchester, but I wish also to commend the professionalism of the police. I trust that they know that their professionalism is deeply appreciated throughout the United Kingdom.

We must ask why the terrorists do this. It is difficult for anyone to enter the twisted mind of a terrorist or a terrorist organisation, but I do not believe that this could be called mindless terrorism. I do not believe that there is such a thing as mindless terrorism. There is a purpose behind their activity. There is an aim and an objective. We must ask what sort of objective there could be in the mind of anyone in a sane society for carrying out such dastardly, devilish and heinous deeds, whether at Canary Wharf or in Manchester?

I think that the Provisional IRA believes that it can shift the resolve of Governments to rule justly. I think that it believes that because it was a former Prime Minister who said of the Anglo-Irish agreement, that she signed it because she

"could not allow the violence to continue."

Therefore, without the violence, there would have been no Anglo-Irish agreement.

Following that agreement we had the Downing street declaration and then the framework document. If ever any document gave cheer to the enemies of Ulster and the United Kingdom it was the framework document. They believed that they were progressing in a certain direction and that Governments listened to the bomb and the bullet. No matter how one tries to dress it up, it was a green and Republican document. It is resented by the vast majority of law-abiding and decent people in Northern Ireland. Anyone who does not believe that should ask the people and allow them to give their answer.

After 25 years of carnage, murder and destruction, what will the IRA have to do before it is dealt with effectively or told that there is no place in a civilised and democratic society for the bomb and the bullet? The IRA has received concession after concession. Despite that, the South Londonderry brigade of the IRA—it calls itself the South Derry brigade—made a statement at the weekend. It said:

"The British Government have failed to deliver and have palmed us off for 20 months with schoolboy concessions."

I can assure the House that those who have watched those concessions being delivered to the provisionals on a silver plate do not believe that they were schoolboy concessions.

[Rev. William McCrea]

In fact, many in the republican movement jibed at the Unionist elected representatives and said—I quote one of them:

"When will your English overlords know that you can't buy us off?"

What was termed a peace process, and the announcement, and the glitter and media attention of a ceasefire, was nothing but a cynical farce—but of course it achieved much for Adams. It got him into the United States. Senator Mitchell was one of those who signed the document to get him there. It even got him into the White House. He sat down with the leader of the western world, and there was Adams—a terrorist, a representative of murderers—sitting, dining with Presidents.

Those who have dined with Adams and McGuinness should be ashamed of themselves, because, instead of their gaining peace, Adams gained a certain respectability and was taken in, walking the corridors of power, paraded across the world—and all the time it was a farce.

There were those who realised it—realised that the leopard had not changed its spots. Gerry Adams would never have been known of, if not for the power of the bombs and the bullets of the IRA. Who would have listened to Gerry Adams? What would he have been? It was not his authority in speech or his oratory in delivery; it was the power of the weaponry of terrorism. Because of it, Adams was received. Although he was carrying out a totally dishonest campaign, Adams and McGuinness and the republican hierarchy led democratic Governments a merry dance.

They are still doing it. Mr. Clinton is keeping his contacts open. The Prime Minister of the Irish Republic is keeping his contacts open. They must be maintained. That is an insult to democracy.

We are currently witnessing, on one hand, the pressure exerted by the terrorists, and, on the other, Adams working and using the media to project an image as though he were the dove. Some Members of the House may be gulled, and why not? Were they not conned when they walked him into this, the Palace of Westminster, stood on platforms with him and presented him as though he were some democrat who had fallen out of heaven, while he represented a cold-blooded murder machine that murdered many of my constituents?

Although we may con ourselves, the provisional IRA are recruiting, restocking and retraining at this moment. Yet we were told, "All it will take will be a ceasefire; the doors of Stormont buildings will magically open, and in, sweeping through the gates with his republican entourage, will be the acceptable Gerry Adams."

I say on behalf of my party that Gerry Adams was unacceptable last year, he was unacceptable last week, before the bomb, and he still is unacceptable after the bomb. Gerry Adams has not changed; Martin McGuinness has not changed, either. In a previous but similar debate, I mentioned the names of those who comprise the army council of the IRA. I should like to know what action has been taken against them. Since that debate, several television programmes have openly named them, too, and described the positions of authority on the army council that they hold. Are these people—whether in the Irish Republic or the United Kingdom—above the law? Are they beyond the law? Why cannot they be lifted and brought to justice? Many of them have carried out the most heinous crimes imaginable.

Now the talks have begun, and I have been elected both as a negotiator and as a member of the forum. Many people in Northern Ireland do not understand why representatives of a foreign Government parade up the steps to those buildings day by day. The elected representatives of the Province have in the past had much in common. During the previous set of talks a sub-committee was set up, comprising the SDLP, the Ulster Unionists, the Democratic Unionists and the Alliance party. It was charged with looking into a way of administering the Province by means of devolved government, to deal effectively, justly and fairly with the day-to-day affairs affecting all the people of Northern Ireland.

The papers describing those meetings have not yet been released, but I can tell the House that the parties reached an agreement—or nearly did. Many have applauded the leader of the SDLP in recent times, but it was he who prevented an agreement from being reached. He alone of all the delegated members would not allow that body to succeed. He should be condemned for that.

At the beginning of the current talks we were told that we had to accept Senator Mitchell—whether one likes it or not, he is a foreigner—as chair of the opening plenary. He was imposed on the elected representatives there because the SDLP and the Irish Government would not allow anyone else to chair the session. It appears that no one else in the world would be acceptable to them. The reason, of course, is that Senator Mitchell is Clinton's envoy. He signed the papers allowing Gerry Adams into the United States; now he is Clinton's man, sent to get Gerry Adams into the talks.

The principle of consent has been mentioned in the debate. On this occasion, no consent was sought and no consent was given by the elected representatives of the community to Senator Mitchell's acting as the supremo among the independent chairmen.

I believe it important that the talks succeed, but only if the outcome is freely negotiated among the parties.

When one looks at the documents that were presented as a basis for the inter-party talks, one notes that the Union was mentioned as a matter worthy of discussion, but that articles 2 and 3 of the Irish constitution were missing and not mentioned. The IRA has used the obnoxious and immoral articles 2 and 3 as one of its main planks and justifications for the murder and destruction of the people of the United Kingdom.

I make an appeal to Her Majesty's Government: the people of Northern Ireland want to see our Government championing the cause of the Union, of the United Kingdom, across the world. Northern Ireland is a vital part, and it ought to be a vital part, of the Union. The Government should fight tooth and nail to ensure that Northern Ireland remains a part of the United Kingdom—just as Scotland and Wales remain a part of the United Kingdom.

The hon. Member for Redcar (Ms Mowlam) mentioned a united representation in relation to the beef crisis. There was a special case for Northern Ireland in that crisis, and I regret that it was not presented as a special case in Europe. Northern Ireland could have led the United Kingdom out of the morass in relation to the BSE crisis.

The hon. Lady referred to the bureaucracy in the health service. I inform the Secretary of State that the community is concerned about the 3 per cent. cash reduction in health service finances—and this reduction occurred after 14 years of cuts and cash reductions. Efficiency savings cannot continue without damaging the service to the people. Therefore, I appeal to Her Majesty's Government to reinstate the cash that has been taken away from the health service budget and to allow the health service to be an excellent service, as it has been in the past.

The hon. Lady said that a Labour Government would raise the issue of the police. I have talked to many members of the Royal Ulster Constabulary. She said that we must deal with the make-up of the RUC. There is no reason why members of the minority communities are not represented in the RUC—it is a fair and efficient force. The door is open for all applicants, and it would serve the Church leaders and the politicians of the minority community better if they encouraged their people to join the RUC.

One thing concerns my constituents in relation to changing the make-up of the RUC. Those who have served in the RUC to this present moment may be from one community, but we must remember that they have faced 25 years of the most horrific violence. They have had courage when no one else has had courage—they stood in the gap when no one else had the courage to do so. They find it rather insulting that, after they have fought the battle, and after—God willing—the battle has been won, they are going to be told, "Thank you for your courage, thank you for your determination, thank you for your sacrifice, thank you for the lives of some of your colleagues, but it is thank you and goodbye." If a Labour Government were to pursue such a policy, I assure hon. Members that it would be opposed and resented by the vast majority of the good people who have been served by an excellent police force during very difficult times.

9.29 pm

Mr. Tony Worthington (Clydebank and Milngavie): I shall deal immediately with the point raised by the hon. Member for Mid-Ulster (Rev. William McCrea). He addressed his comments about the police to my hon. Friend the Member for Redcar (Ms Mowlam). If he had read our consultation paper, he would know that we do not say any such thing. Perhaps the hon. Gentleman will admit that he has read the paper and that we do not make the remarks he alleges about the Royal Ulster Constabulary.

Rev. William McCrea: I have read the paper and listened to the debate tonight. I cannot understand how a Labour Government would dramatically change the make-up of the Royal Ulster Constabulary without sacking many of its serving members.

Mr. Worthington: I am grateful to the hon. Gentleman for acknowledging, in his own way, that we do not say what he alleged in our consultation paper. It is a pity that the hon. Gentleman could not have admitted it more graciously.

Sadly, tonight's debate has been dominated by the horror of the Manchester bombing. Many people have been scarred for life, both physically and mentally, because they made the simple mistake of being in Manchester city centre at the wrong time on Saturday. I extend our sympathy to those who were the innocent victims of zealots.

We must judge the events not just by their consequences, but by their intentions. It is simply miraculous that we are not today expressing anger and grief at the loss of dozens—perhaps hundreds—of lives in the past few months. The Canary wharf bombing could have resulted in many more deaths than two and the Hammersmith bridge and Manchester bombs were intended to kill and to cause disruption on a massive scale. The IRA must be judged by its intentions—to kill many hundreds of innocent people in the past few months.

I congratulate the police and other services on reducing the intended carnage. I congratulate them also on the early progress that they have made in detecting those responsible. In the days and months ahead, it is crucial that the British and Irish Governments present a united front in responding to the challenges posed by the bombings. The business of keeping the British and Irish Governments together will not be assisted by the disparaging use of words such as "foreigner".

The killing of an Irish policeman sent shock waves around the Republic of Ireland as people realised that those who claim to be fighting for Ireland have a horrible and different vision of what Ireland would be. The Labour party rejoiced in the recent visit of President Robinson—I cannot think of anyone less deserving of the description foreigner. Her response to the weekend's events had more force for me than any other. She said that the bombing had left her "shocked, sickened and numbed." She said that she felt angry that it had been done supposedly on behalf of

"an Irishness that has nothing to do with the Irishness that I stand for as President of Ireland".

The hon. Member for Spelthorne (Mr. Wilshire) referred to the questions that have been put to the IRA. He should have added that those two brutal, straight questions have been put by the Irish Government. They asked, first, whether Gerry Adams had asked the IRA for a restoration of the ceasefire and, if not, why not. What politician for peace could not answer that question immediately? Secondly, the Irish Government asked whether Sinn Fein continues to support the "armed struggle" of the IRA.

It is totally unconvincing for Adams to say that he accepts the Mitchell principles on behalf of Sinn Fein while failing to condemn the Manchester bombing. As John Bruton has said, the hypocrisy must end and the straight talking must begin. If the two countries, the two Governments and the two Parliaments stand together, we may eventually solve the problems in a peaceful and democratic way.

I listened with respect to the hon. Member for Basingstoke (Mr. Hunter) when he talked about security. He talked sense about the necessity for the two Governments to take a joint view of security and to act jointly against terrorism, but we will not achieve what is in effect a cross-border institution, which is what the hon. Member urged upon us, unless we manage to keep the two Governments together. Such a cross-border institution would be of infinite value if it provided a joint attitude to the holding of arms and to terrorism.

If it had not been for the bomb, we would have debated more fully tonight the events at the all-party talks and the forum. Those taking part in those talks and in that forum

[Mr. Worthington]

have a huge duty to demonstrate to the people of Northern Ireland that democracy can and does work. Every time posturing and grandstanding is displayed before us, we know that the only beneficiaries are the enemies of democracy. I found it much more encouraging today to read in the *Belfast Telegraph* about the hon. Member for Upper Bann (Mr. Trimble) praising the recent contribution of the Democratic Unionist party to the talks. The hon. Member is quoted as saying:

"I think we are seeing a significant shift in the way things are being done."

It is also encouraging to read the words of the Minister of State, Northern Ireland Office—I fully understand why he is not in his place tonight—who said:

"We've had a most constructive engagement over the last few days. That engagement is producing results and I find progress that's being made encouraging."

It is crucial that all the people involved in those talks encourage the thought that progress will be made by democratic means. The Opposition believe that a solution is attainable, but it requires good will and trust, and those who seek verbally to destroy good will and trust condemn Northern Ireland to a restless and disturbed future.

The Opposition want to end direct rule. Everybody who has spoken has said that we must end direct rule, and we are all uncomfortable with the present situation. The way in which legislation for Northern Ireland is processed in the House is an affront to democracy that we wish to end. At the moment, we simply do not do justice to the people of Northern Ireland who wish to live in a free and open society where major issues of public policy are debated and consulted upon and are subject to the democratic will of the people of Northern Ireland.

My hon. Friend the Member for Redcar mentioned issues such as agriculture, electricity and employment, and other hon. Members have mentioned health. I would add to that list the area that is my sphere of responsibility—education. Government policies for education are not being presented or examined coherently or fairly, and perhaps cannot be in the framework of direct rule. The people of Northern Ireland lose through that. First, the education and library boards face a funding crisis that is affecting the quality of the education of the children of Northern Ireland.

As a consequence of Government decisions and the allocation of resources, about 300 teachers were made redundant last year. I found that figure by ringing round the education and library boards and the trade unions. I should have been able to find that figure by asking the Government but, unbelievably, in response to a parliamentary question, the Minister could not tell me how many teachers were made redundant in a Province of 1.6 million people. We can imagine the anger in an English or Scottish local authority of similar size if the chair of the education authority did not know the consequences of his policies.

This year, the situation threatens to be even worse, as the Government try foolishly to cut education for tax cuts that may not be delivered. The Southern board forecasts that its schools cannot survive without further redundancies in the current year. It will seek to release 60 to 70 teachers through redundancies. The North Eastern board received an increase in its block grant of a mere 1.62 per cent., which is well below the rate of inflation. The consequences for 1996-97 will be 85 redundancies, of which 13 have already been made compulsory. In addition, much capital building work has had to be abandoned. Maintenance work has had to be curtailed to the extent that, in the board's words, it is "virtually non-existent". There are already larger class sizes and increases in the pupil-teacher ratio. Special needs services have been curtailed.

We must ask the Government why that has happened. It is a sign of the inadequacy of direct rule that we must use the Chamber as a forum for discussing such matters.

In the relatively small further education sector, 229 full-time lecturers' jobs have been made redundant since 1990. That is an average of 13 full-time staff per college. We should remember that the Government's skills audit of last week revealed that, in the FE sector, the entire nation was deficient. That, of course, includes Northern Ireland. Why do we continue to retrench and make cuts in an area where we are competitively at our weakest?

Another area in which the Government are not serving the needs of the people of Northern Ireland is nursery education. The Government, if time does not run out on them, will impose the voucher initiative. Northern Ireland desperately needs good-quality nursery education that can help boost a child's achievement throughout life, but that is not what is proposed through the voucher initiative. It will not buy good-quality education. The system will be of most use to a well-off person seeking a subsidy for private child care. It will be of least use in a deprived area where there is not enough money to provide extra spaces in the local primary school.

Extra resources should go first to those most in need, but the Government break that rule. The people of Northern Ireland, including teachers, have made it clear when talking to me that they want first-rate nursery education, not second-rate vouchers. There is no scope within direct rule to insist that Northern Ireland enjoys first-rate nursery education.

There is another area of education in which the Government are imposing dogma. The FE colleges of England, Wales and Scotland have been incorporated. Three years later, without any rationale to support the move, without any policy document and without any proposal setting out what the role of FE should be, the colleges in Northern Ireland are to be incorporated.

My experience of FE in Northern Ireland is that it is in a sad and leaderless state. At the same time, the Government's skills audit suggests that FE colleges should be playing a leadership role in Northern Ireland.

In England, Scotland and Wales, education and employment have been brought together. That has not happened in Northern Ireland. No rationale has been put forward to explain why it has not occurred. If colleges are to be incorporated, is there to be a funding council for FE, one for FE and higher education, or no funding council at all? Nothing has been said about that. What is to be the mission of FE in Northern Ireland? What is supposed to be the relationship between the Training and Employment Agency, FE and the Department of Education in Northern Ireland? Again, not a word has been said about that. That is not adequate.

We all hope for peace, and are perhaps willing to take a risk for peace, but in other respects we could be doing better. To do so, the Government must get on top of the issues that require attention.

Direct rule will be continued today with a heavy heart. We are all aware of the quality of government and political life in Northern Ireland. I feel almost apologetic for raising issues such as education in this place. In terms of Northern Ireland, the House is dominated by talk of bombs and constitutional matters. Over about 20 years of direct rule, real politics have receded. People have stopped talking about education and health issues. They have stopped talking about the very matters that impact on people's everyday lives in Northern Ireland.

We must find a way forward. Over the next few months, and perhaps years, we have a duty to find a way in which the quality of public life in Northern Ireland can be improved so that we in this place do not have to meet in these regrettable circumstances every year. When I meet the people of Northern Ireland, I am convinced of their wish to live together under a mutually fair society. It is our duty as political leaders to make that possible for them.

9.44 pm

Sir Patrick Mayhew: The quality of the debate has justified its extension to three hours. Last year, we had only an hour and a half. The debate has been wide-ranging and has been both general and particular. The easiest way for me to attempt to do justice in summing up the debate in the 15 minutes or so that remain to me is to concentrate on general matters and then deal with particular matters. I shall try to deal with each of the speeches that we heard.

I take great encouragement from the fact that no right hon. or hon. Member who spoke did other than express support for the process of political talks. Everybody who spoke wished to see the process of political talks to be a success. It is true that some thought them more realistically ambitious than others. The right hon. Member for Lagan Valley (Sir J. Molyneaux) believes that it is right to begin at a low level, not on a high wire—a phrase with which those of us who count ourselves his friends are well familiar—and work upwards, and much can be said for that.

Nobody has said that the future can be determined other than by the process of talking and reaching an agreement.

Rev. McCrea *indicated assent.*

Sir Patrick Mayhew: I see the hon. Gentleman nodding in his place as I say that.

Again there has been—I suppose that it is a corollary of the same point—total agreement that a solution cannot be imposed. The record of British Governments, English Governments over the centuries seeking to impose solutions on the misguided affairs of Ireland and Irish people—as they seemed at that time—is not particularly encouraging. I take heart from the common position that emerges from the debate.

There was another common position: the total condemnation of what has occurred; of what happened in Manchester; and of the notion that a Government of a democracy can be made to change their policies by the threatened use of violence.

I listened with particular care to what my hon. Friend the Member for Spelthorne (Mr. Wilshire) said and was sorry to hear him say that he looked back over the past two years and the attitude of the Government—who from time to time he has supported—with shame. I feel that he failed to recognise some of the facets of the problems that have faced us, which are important.

It is true that Sinn Fein-IRA are different sides of the same coin, as the Prime Minister said yesterday. It is true that our ambition to see Sinn Fein as an elected party with a substantial vote, able to be represented and taking a part in the talks process has been disappointed. It has not removed its self-exclusion, and that is disappointing. It was our hope that it would. But I do not think that there is any ground for shame at all in Her Majesty's Government having sought to help it to achieve that.

I acknowledged, in response to an intervention by the hon. Member for East Antrim (Mr. Beggs) at the beginning of the debate, that, in some respects, the Government's position had changed during the past 18 months, particularly on decommissioning. I acknowledged that, not on a point of principle but on a point of management. I realised that that would expose us to the charge of appeasement. That is not a charge that I believe to be justified, but I do not think that it is a ground for shame.

Let me say to my hon. Friend the Member for Spelthorne that, if we had to have a Manchester attack—of course, we did not—I would think it advantageous for that attack to result in Sinn Fein-IRA's being condemned without any qualification all around the world. I have heard no one say, "Of course it is reprehensible, but you must see that they have some legitimate grievances." We have all heard that in months and years gone by. It has been said time and again: "If only you had understood the difficulties—if only you had not been such wooden-headed English, so ignorant of Irish nationalist sensitivities." I ask right hon. and hon. Members who are present tonight if they can identify a single person anywhere who has said, "You have to understand it. The British Government could have avoided it."

That has been, as it were, the negative objective that Her Majesty's Government have had. We have, of course, had a positive objective: we have wanted the process of talks, which every hon. Member who has spoken supports, to be truly inclusive of all parties with a democratic vote or mandate. That has been the positive objective, for the obvious reason that, if we are to carry the process through to an agreement which, in turn, will be put by referendum to the people of Northern Ireland and the Republic respectively and separately, it will have a better chance of sticking if it has the support of all parties.

I have not, however, been so unrealistic as to underestimate the prospect of failure. Against that event, Her Majesty's Government have had the negative objective of peeling away from those who rely on violence to secure their political ends any support that they have previously had for violence in a democracy.

I welcome the support of the hon. Member for Redcar (Ms Mowlam) for the two Governments' insistence on the restoration of the ceasefire. Manchester last Saturday showed the wisdom of that. I also welcome her recognition that, if the talks cannot be fully inclusive, they should at least retain the objective of inclusivity.

Let me diverge for a moment to the speech of the right hon. Member for Lagan Valley. He took us to task for supposing that it was necessary in all circumstances to have all-party support for any outcome of the talks. That is not our position. Of course such an outcome is

[Sir Patrick Mayhew]

desirable, but we have always taken the view, and take the view today, that in any talks process it is the participants who are the masters of the proceedings. If the participants in the process that has now begun conclude that there is a measure of agreement, or any proposal less than unanimity that shall be acceptable, it is well within their remit so to decide, and for agreement to be implemented.

I must exercise confidentiality, but I have good reason to suppose that parties who object to a particular policy within that process would, as good democrats, accept the outcome. It is not a question of saying that everything must be supported by everyone participating in the talks. That would be unrealistic, and would impose a virtually unsustainable condition in many instances.

I must be selective in choosing which parts of hon. Members' speeches I shall deal with. The hon. Member for Redcar mentioned marches. In a democracy, people have the right to parade, demonstrate or express views publicly and peacefully, and I know that she recognises that. In the same way, people have a right to show what they think if they disagree, provided they do so peacefully. The issue of parades is a difficult one, as are so many things in the contemporary scene in Northern Ireland.

We are constantly seeking ways of reducing the prospects of confrontation, but there must be a spirit of compromise. In many instances, what one might describe as the loyalist institutions have shown that willingness to compromise and take a different route. The willingness to compromise has not been evident in Sinn Fein, which organised opposition to the parades and marches. We must be careful not to undermine the Chief Constable's operational responsibility for maintaining law and order, which is why it is not quite the simple proposal that people suggest when they say, "Surely it would be better to have a nice advisory committee." There are many difficulties, but we keep the matter under review. I have it much under review with the Chief Constable and the Deputy Chief Constable, Mr. Flanagan.

The right hon. Member for Lagan Valley spoke of the principle of consent underlying everything. That must be right in our democracy; it must be central to the viability of any outcome to the process. I welcome what he said: that the principle of consent exists in terrorists' vocabulary only as the kind of consent that people can be terrorised into giving. We are not in the business of permitting terrorisation; genuine consent must be the basis of everything.

The right hon. Member for Lagan Valley spoke of a new all-party committee of both Houses of Parliament to bolster the work of my right hon. Friend Lady Denton, and I acknowledge that he has been urging this for a long time. He raised the matter in the House as recently as last week's appropriation debate. My right hon. Friend the Minister of State will write to him about it, but the Northern Ireland Grand Committee, which I wish to see extend its jurisdiction and capabilities, and the Select Committee on Northern Ireland Affairs are available to discuss economic matters generally.

Although the right hon. Member for Lagan Valley made many enticing remarks on which I should like to comment, in the interests of time I must move on to speeches that followed. My hon. Friend the Member for Basingstoke (Mr. Hunter), in a most interesting speech, said that it is time for a fundamental rethink and for a security summit. There is much to be said for a review of security co-operation by the two Governments. I said in opening that we shall base our position on the excellent security co-operation that we have at present.

My hon. Friend the Member for Basingstoke mentioned four matters: hot pursuit, co-operation, Irish air space and the sharing of intelligence, all of which should be addressed. There was much merit in his comments, which I shall refer to my right hon. Friend the Prime Minister, and no doubt much will pass between the two Governments in seeking to improve the already excellent co-operation.

My hon. Friend said that the situation should not cause total despair. I do not want to be pedantic when I say that it should not cause any level of despair at all. It should cause renewed analysis, clarity of analysis and, if possible, greater resolution.

I very much agree with the hon. Member for Glasgow, Rutherglen (Mr. McAvoy) about the influence of terrorism on the economy because of the jobs that are damaged. The other side of the coin is that the more jobs there are, the less opportunity terrorists have to lure young people in particular into their toils.

I will move quickly over the speech of my hon. Friend the Member for Spelthorne, much of which I could agree with—but I have disagreed in particular with the analysis that he offered. I have also addressed the speech of the hon. Member for Mid–Ulster.

I will invite the Minister of State, my right hon. Friend the Member for Devizes (Mr. Ancram), who has responsibility for education in Northern Ireland, to write to the hon. Member for Clydebank and Milngavie (Mr. Worthington) on some of the matters that he raised. We have five education and library boards in a Province that has a population of 1.6 million. When we propose reducing that number to four, our ears are beaten about by people who say, "How dare you do such a thing?" That is a little obstacle to saving some money. This has been a valuable debate—

It being 10 o'clock, MR. DEPUTY SPEAKER *put the Question, pursuant to Order [7 June].*

Question agreed to.

Resolved,

That the draft Northern Ireland Act 1974 (Interim Period) Order 1996, which was laid before this house on 4th June, be approved.

TRIBUNALS OF INQUIRY (EVIDENCE) ACT 1921

Motion made, and Question put,

That it is expedient that a Tribunal be established for inquiring into a definite matter of urgent public importance, that is to say, the abuse of children in care in the former County Council areas of Gwynedd and Clwyd.—*[Mr. Burns.]*

Hon. Members: Object.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation),

Companies

That the Companies (Fees) (Amendment) Regulations 1996 (S. I., 1996, No. 1444), dated 5th June 1996, a copy of which was laid before this House on 5th June, be approved.—*[Mr. Burns.]*

Question agreed to.

Building Societies

That the draft Building Societies Act 1986 (Continuance of Section 41) Order 1996, which was laid before this House on 5th June, be approved.—*[Mr. Burns.]*

Question agreed to.

Environmental Information

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

10 pm

Mr. Matthew Taylor (Truro): This is not the first time that the importance of ensuring that the public have access to environmental information has been discussed in the House. The Government have previously indicated their agreement, at least in principle. The European Union directive on freedom of access to information about the environment has been implemented by means of the Environmental Information Regulations 1992, but a major deficiency is that they lack a specific enforcement mechanism.

More than three years ago, in July 1993, the Government's command paper on open government promised to introduce a new statutory right of access to health and safety information modelled on the regulations. It was suggested that the new right could be enforced by a tribunal and that it could deal also with complaints made under the regulations. Although there have been three Queen's Speeches since the publication of the White Paper, and although the legislative programme has not been onerous on the Government, there has been no sign of implementing that proposal.

The matter was re-examined during the passage of the Environment Bill in 1995. Last March, Viscount Ullswater stated in the other place:

"I fully agree with the wish . . . to make sure that people have adequate rights of redress under the regulations. Indeed, that is specifically required of member states by the directive."

The EC directive on freedom of access to information on the environment—to which the Government have signed up—states:

"It must be possible for the applicant for environmental information to appeal against the public authority's decision."

Viscount Ullswater added:

"Powers to create an environmental, health and safety tribunal would be included in legislation to create the health and safety access right, when parliamentary time is available."—[*Official Report, House of Lords*, 9 March 1995; Vol. 562, c. 516.]

In Committee on the Environment Bill, I introduced an amendment to allow for the creation of a specialist tribunal that could hear disputes over the provision of the access to environmental information. The Minister anticipated

"soon being in a position to create a dual-purpose tribunal that will be included in legislation to create the proposed health and safety access. Of course there is the caveat of parliamentary time, but I understand that work is now under way to deal with some of the difficulties that have been considered . . . It is well in hand."—[*Official Report, Standing Committee B*, 13 June 1995; c. 667.]

Given that the Minister insisted eight months ago that work was well in hand, perhaps the Under-Secretary replying tonight will explain whether we are any closer to establishing an environmental information tribunal. The answer appears to be no.

The Chancellor of the Duchy of Lancaster was questioned about the delay when he appeared before the Select Committee for Administration in January. He replied:

"A commitment was given, a promise was made, we have not delivered it so far and I want those promises honoured."

[Mr. Matthew Taylor]

It appears that the Government are happy to agree that an environmental information tribunal is needed, and are happy to give assurances that one will be created as soon as possible. But they are less happy to give a firm timetable as to exactly when a tribunal will be established, let alone accept my amendments to create one.

In the meantime, the public are denied access to a proper enforcement mechanism under the environmental information regulations, and to health and safety information. It is important to understand that, because the Government have said that the proposed right to health and safety information will not apply retrospectively, information that is now being gathered will not be accessible even when—or if—the new legislation is enacted. The longer the delay, therefore, the more information that may be withheld permanently from the public.

It may be asked whether there is reason for concern at the delays, and it may be suggested that it is not important that the delay is occurring. The fact is that the privatised water companies have refused to provide information, and British Gas has refused to provide information about contaminated lands. Railtrack even denied that the regulations applied to it, even before privatisation.

The Government have so far refused to issue further guidance, and they insist that it is for the courts to decide who is covered by the regulations. In the absence of a tribunal, that is essentially forcing people to go through expensive and possibly lengthy court proceedings—during which time the information loses its value—if they are to get any further.

An example from my own area are the efforts, with which I have occasionally helped, of the south-west solicitors Toller Beattie. They have asked for information and correspondence received from South West Water to the Department of the Environment. That information related to the delay to four bathing water schemes in the south-west and to the process under which the provisional list of sensitive areas was reduced while the list of less sensitive areas was increased—an extremely sensitive issue in the south-west.

The Department of the Environment gave a formal refusal, on the grounds that much of the information that was sought related to the confidential deliberations of the group that worked out which areas were sensitive and which were less sensitive under the urban waste water treatment directive. Further correspondence that was later produced showed that the information held had not even been considered by that group.

Surely the public have the right to know on what basis an area of bathing water has been declared sensitive, and therefore whether it may or may not be cleaned up. Surely a water company that may or may not be polluting that water should not have the right to withhold such information from the general public whom it serves.

So is there an effective alternative to a tribunal—something already in existence? The fact is that getting environmental information is difficult, and success is by no means guaranteed. There is an internal review, and internal reviews have a useful role to play in some circumstances. However, there will always be cases in which someone requesting information is thwarted, particularly if the release of information might be embarrassing to the people holding it. That is why an internal review can never be a substitute for a truly independent tribunal.

The ombudsman may also have a role, but the post of ombudsman was created for the purpose of investigating maladministration, and the ombudsman may not rule in cases in which legal rights are under consideration and there is recourse to the judicial process. Even when examining maladministration, the scope of the ombudsman is limited by statute.

Moreover, the ombudsman currently has jurisdiction over only a limited number of organisations, only has discretionary powers of review rather than a duty, he conducts investigations in private, his decisions are not legally binding, and there is no set time period for review. That is a situation which is likely to lead to delaying tactics by those holding information against those who are quite justifiably seeking that information, particularly when making it available quickly may be at the root of the issue at hand.

It is true that the courts may provide an alternative, and, in a few instances, it may be possible to argue that there has been a breach of statutory duty. It is not clear, however, whether that remedy is available in all cases. Any plaintiff in such an action will probably need to show that he or she has suffered some kind of damage, which could be exceptionally hard to demonstrate if denial of information is the issue. If one does not have the information, how can one show the damage?

There are also limitations on the right to bring an action for breach of statutory duty—for example, where actions are brought against Ministers. In such cases, the only means of compelling a public body to comply is by judicial review, a remedy that is too expensive and time-consuming for ordinary citizens, and too time-consuming for it always to be useful even to many who could afford it.

Moreover, judicial review is an inappropriate remedy for many of the complaints that arise under the regulations. It is not an effective means of challenging whether an authority has wrongly withheld information under one of the discretionary exemptions in the regulations—if the information is commercially confidential, for example—because the court will not substitute its discretion for that of an authority.

The truth is that the only suitable forum for solving such problems would be an environmental information tribunal. The Government have conceded the advantages of a tribunal for that purpose, and have said in the past that they have no objection in principle to creating one. However, those statements must be thrown into doubt by their lack of action, which is already making a material difference to those who seek such important information.

The advantages of a tribunal set up specifically to ease the flow of environmental information, and incidentally to ensure that this country meets its international obligations, are clear. First, it would be a truly independent body, favouring neither side in a dispute. Information could be reviewed in camera, and the independent body could decide whether it should be withheld on grounds of commercial confidentiality. That is an important point.

As an example of what happens as things stand, in one case the Health and Safety Executive responded by saying that it would

"have to accept the manufacturer's view"

that information requested about the Control of Industrial Major Accident Hazards Regulations 1984 might be confidential. Such an attitude leaves it entirely in a company's hands to decide whether the public can have access to environmental information that it holds, which may be extremely important to those individuals.

Obviously there should be a requirement for cases to be reviewed within a specified time scale, which would mean that the timing of the release of information could not be manipulated to limit its impact, and delaying tactics could no longer be used with impunity. Decisions would, of course, be binding, and subject to appeal only within the current court system on a point of law. A body of precedents would eventually be established,, which would help to increase the flow of information to the public.

An environmental information tribunal should also have discretion over the payment of costs in particular cases, which should include the possibility of some cases being publicly funded, in the public interest.

The central point of the debate is that the Government have agreed that in theory there is a legal right to information, guaranteed under the EC directive on freedom of access to information on the environment, which the Government say they support. The public now have a theoretical right of access to environmental information, yet in reality, as we have seen with South West Water and several other bodies throughout the country, they can effectively be denied information about pollutants that may be affecting them personally.

The only remedy that I can think of is an environmental information tribunal, and I believe that Ministers have accepted that fact. I hope that tonight we can take a step forward, looking perhaps towards the Queen's Speech in the autumn. I hope that the Minister will now give a firm commitment and a fixed timetable for establishing such a tribunal.

As the Government have already revealed their sympathy for the idea of such a body, and as the concept has broad support, surely there is no reason to procrastinate further. We know that, unless they intend to announce a change of mind tonight, the Government support the idea, and we understand that Ministers are sympathetic to it. Indeed, through our international obligations, they have already signed up to the idea of the tribunal. So where is it?

10.13 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I should make it clear at the outset that the Government have a commitment to openness and making environmental information available to the public. We have a good record over many years of doing just that.

National legislation has created more than 50 statutory public registers containing environment information. The Department of the Environment has listed them in a booklet, "Environment Facts: a guide to using public registers of environmental information", which was published in 1995. Public registers are a helpful way in which to provide access to environmental information. Potential users are made aware of what information is available and where it can be inspected, and they are not charged for it.

The Government also provide a wide range of more aggregated information in a variety of publications about the state of the environment and the factors that impinge on it. The Department of the Environment publishes an annual "Digest of Environmental Statistics", which brings together a wide range of information drawn from a large number of more detailed reports. That is supplemented by a periodic publication, "The UK Environment", which is broader in coverage, less technically oriented and aimed at a wider audience, especially schools and further education establishments. The next edition will be published in 1999.

This year, we are also introducing a new pocket-sized booklet that provides key facts about the environment. A pilot edition was produced for internal use in 1995. I shall let the hon. Member for Truro (Mr. Taylor) have copies of it and a number of other publications that I am sure he will find interesting.

In March, the United Kingdom became one of the first countries to publish a set of indicators of sustainable development, which illustrates changes over the past 20 years or so in some 120 key issues and objectives. They are a preliminary set of indicators, on which we want to obtain views so that they can be developed further. In the longer term, we intend to use them to highlight key messages and monitor our performance against our stated objectives in the sustainable development strategy.

The indicators have been widely welcomed at home and abroad as a manifestation of our commitment to open reporting. It may also interest the hon. Member for Truro to know that, later this year, we intend to add the indicators of sustainable development to the Department of the Environment's world wide web site. Increasingly, information is being published in electronic form as well as on paper.

The Government's commitment to openness goes wider. In 1992, they enacted the environmental information regulations, which give the public a right of access to environmental information held by central and local government and a large number of bodies under their control. As with all freedom of access regimes, the right of access is sensibly restricted on a small number of occasions.

It is now more than three years since the regulations came into force. Although records have not been kept of the number of requests for environmental information, there is no doubt that the regulations and the Government's code of practice on open government have resulted in a large increase in the supply of environment information to the public.

The Government have actively promoted their policy of openness. For instance, in 1992, the Department of the Environment published "Green Rights and Responsibilities", which promised the citizen a right of access to environmental information. A pamphlet explaining the new access rights under the regulations was produced in 1993, and about 190,000 have been distributed to citizens advice bureaux, libraries, local authorities and other bodies, and directly to members of the public who have asked for a copy. That was followed in 1994 by a model local environment charter, "Your Council and the Environment", which detailed, among other things, the citizen's rights to environmental information from local authorities.

[Mr. James Clappison]

I have described some of the measures that the Government have taken to disseminate environmental information to members of the public. We are not complacent, and are open to suggestions about the way in which dissemination can be improved. As I said, I shall send the hon. Member for Truro some of the publications that I mentioned.

The hon. Member drew specific attention to the solicitors Toller Beattie. I am of course aware of the correspondence in which he has been involved, and the considerable correspondence in which the firm has been involved. I am aware that that firm has made very many requests of my Department for environmental information over the past two years. I understand that it has similarly requested environmental information from other Departments, the Environment Agency and local authorities.

Its requests of my Department have been addressed to a number of different branches and directorates. As the hon. Member for Truro said, the firm has particularly requested information on water pollution policy. One section alone of my Department's water and land directorate has dealt with almost 90 letters that have been addressed or referred to it in the past 21 months. I concede that not all those responses have been within the time limit specified within the regulations. That is perhaps regrettable, but there has been a large volume of correspondence. I can tell the hon. Gentleman that only comparatively rarely has information been refused, in accordance with the legitimate exceptions provided for in the regulations.

I understand that my Department has offered to hold a meeting with Toller Beattie to discuss its requirements for environmental information. I think that that would be a sensible way to proceed. I appreciate that Toller Beattie is seeking information on bathing waters, to which it may or may not be entitled.

I am sure that the hon. Member for Truro would be interested, as would his constituents—I am not sure whether Toller Beattie would be—in the most recent statistics relating to bathing water quality in the south-west. Speaking from memory, I think that the statistics show a picture of improvement. The hon. Gentleman is not dissenting, so that suggests that that is the case. His constituents, and possibly Toller Beattie, have something to welcome there. I will let the hon. Gentleman have information relating to that.

Mr. Matthew Taylor: I hope that the Minister will feel able to respond to the question of the information tribunal.

Mr. Clappison: I am afraid that, for somebody seeking more information about the environment, the hon. Gentleman's Adjournment motion was not a good start. It did not contain the necessary information. It states that the hon. Gentleman wished

"to raise the subject of the availability of environmental information."

The hon. Gentleman mentioned tribunals during his speech, which I will read with interest. I will also read the interesting and complex legal arguments that he advanced. From what he said, I think that he has had his answer already in another place. Perhaps, on this occasion, a better start could have been made to seeking environmental information.

Question put and agreed to.

Adjourned accordingly at twenty-one minutes past Ten o'clock.

House of Commons

Thursday 20 June 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

KING'S COLLEGE LONDON BILL *[Lords]*

Order for Second Reading read.

To be read a Second time on Monday 24 June at Seven o'clock.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Bovine Spongiform Encephalopathy

1. **Mr. William O'Brien:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received from farm workers and other workers in the beef industry in West Yorkshire regarding economic suffering because of the BSE outbreak; and if he will make a statement. [32360]

The Minister of Agriculture, Fisheries and Food (Mr. Douglas Hogg): I have not received specific representations from West Yorkshire, but my hon. Friend the Parliamentary Secretary met representatives of the rural, agricultural and allied workers group of the Transport and General Workers Union on 15 May to discuss a wide range of BSE-related issues.

Mr. O'Brien: Many people in West Yorkshire have suffered as a result of the BSE outbreak, and there are many reasons for that. What action does the Minister intend to take against the Doncaster firm, Prosper De Mulder, which allegedly produced animal feed in a way that was against the regulations laid down by the Government? The present Minister must be aware of the meetings that took place between the former Conservative Member of Parliament for Dewsbury, Mr. Whitfield, the right hon. Member for Suffolk, Coastal (Mr. Gummer) when Minister of Agriculture, and Mr. De Mulder.

It has been pointed out that financial contributions were made by the De Mulder company to the Dewsbury constituency Conservative party to help Mr. Whitfield in his campaign. Will the Minister join me in calling for a full inquiry into the financing by De Mulder to the Conservative party in Dewsbury? Silence on that matter will mean only further allegations of sleaze about the financing of the Tory party.

Mr. Hogg: Allegations of sleaze do the hon. Gentleman no good at all. It is not an attractive allegation and he should not have made it in this place. As to the more substantive part of his question, if any of the allegations that people were negligent or in breach of their statutory or other duties are backed by evidence, that might well be a reason for those who have or may have suffered loss to consider some legal action, but that depends on being able to establish through credible evidence some cause for action.

Sir Donald Thompson: The West Riding is a large place, and I live, as my right hon. and learned Friend knows, in the Pennines. Many people in the Pennines were encouraged by the Government and the EU to go into suckler herds, and the cattle which are now leaving their mothers are worth considerably less than they were a year or even two years ago. Does my right hon. and learned Friend have any words of hope for those cattle rearers?

Mr. Hogg: The low price that beef producers are currently receiving for their product is, of course, a matter of considerable concern. It is best addressed by a revival in market confidence, but, as the House will know, the Agriculture Council meets next week in Luxembourg and will consider a number of Commission proposals to bring support to beef producers. At the moment, two specific proposals are on the table, the first of which is a top-up to the premiums of 21 ecu and 25 ecu, and the second is an element of money—which to us will be worth about £14 million—that can be focused on beef producers in accordance with national decisions. Those proposals are on the table. They may change, but we shall be able to use those resources to address the problem that my hon. Friend identified.

Mr. Clapham: The Minister will be aware that there has been a dramatic fall in the number of beasts going into some abattoirs, including one in my constituency. That is likely to affect jobs. He will also know that the intervention board has included just 42 abattoirs on the list of those designated to deal with cattle under the 30-month scheme. The abattoir in my constituency is not on that list, and local farmers are having to travel considerable distances to abattoirs that are. Will the Minister ensure that there is a fair geographical spread, and that the list is monitored continuously so that abattoirs such as the one in my constituency, which have spent huge amounts to bring themselves up to European Union standards, are included when that becomes practicable?

Mr. Hogg: It is important to try to define our principal objective. Here we are referring to the slaughter of cattle aged over 30 months. We want to complete the process with all possible speed, because there is a substantial backlog. The intervention board has therefore tried to match renderers with abattoir capacity, and also to ensure a fair geographical spread.

We are now slaughtering up to around 27,000 cattle a week, and we have slaughtered about 150,000 since the policy got going at the beginning of May. We keep the location of abattoirs and renderers under daily review, and that is very much the responsibility of my hon. Friend the Minister of State. I hope that the hon. Gentleman will accept that our objective now is to complete the slaughter of the backlog of cattle with all possible speed.

2. **Sir Teddy Taylor:** To ask the Minister of Agriculture, Fisheries and Food what amount has been spent to date on measures related to the BSE issue; and what is his latest estimate of future spending. [32362]

Mr. Douglas Hogg: The cost to date has been around £190 million. Over the next three years, the cost will be around £1.5 billion.

Sir Teddy Taylor: The current estimates suggest that every man, woman and child will be required to pay £60—which is £250 for the average family—plus the cost of the selective cull and the cost of intervention. Can the Minister give any assurance to the general public that this massive and costly programme will actually lead to the eradication of BSE within a reasonable period?

Mr. Hogg: I share my hon. Friend's dismay about the fact that it has been necessary to spend such huge sums on the policy. I think that we all regret that. As for eradication, that is an important point. I am glad to say that we are seeing the progressive elimination of the disease. There have been about 160,000 confirmed cases so far; the high point was reached in 1992, when there were about 36,500. The number of cases is falling by 40 per cent. year on year. Last year, there were about 15,000; this year, if we took no action, we would expect about 8,000, and about 2,800 by 1998. As I have said, the disease is being eliminated. That is because of the action that we have taken on feedstuffs, about which I have spoken in the House many times.

Mr. Alex Carlile: Is the Minister aware that the figures that he has given do nothing to allay the despair felt by farmers in my constituency and elsewhere about the muddle that the Government have produced in their terrible, failed attempt to resolve the crisis? Will he now tell farmers in Montgomeryshire and elsewhere when they can expect to know what system will finally be used to resolve it? When will he tell them the health grounds for the proposed increased cull, and when will he tell them what compensation the farmers will receive for the unnecessary destruction of thousands of good cattle?

Mr. Hogg: The hon. and learned Gentleman is less coherent than usual, but let me deal with compensation, which is an important point. Here, I refer to the accelerated slaughter programme. Clearly, any cattle that are slaughtered under an accelerated slaughter programme will attract compensation. The compensation will be significantly higher than that which we pay for cull cows under the 30-month slaughter scheme. We shall clearly have to embark on detailed negotiations with agriculture representatives—

Mr. Carlile: Quickly.

Mr. Hogg:—and quickly, to try to agree a fair basis for compensation.

Sir Jerry Wiggin: Now that the framework agreement is in position, will my right hon. and learned Friend assure the House that the Government have obtained from the European Union firm assurances that, as the steps that we are taking progress, there will be a reciprocal lifting of the various bans by the EU, so that we shall at last be returning to a fair deal?

Mr. Hogg: I do not want to deceive the House about this. Thus far, we have an agreement on the eradication plan. Last night, the Standing Veterinary Committee unanimously approved the United Kingdom eradication plan. Separate from that, although clearly related, is the Commission framework document. That document must be adopted at Florence. There is a good prospect that it will be, but it is fair to say that, as yet, it has not been. The framework document as we now see it will provide a mechanism for an early relaxation of the ban in the way that is set out in the document. That reflects our proposals.

Mr. O'Hara: Is the Minister aware of the moral outrage in the industry not only at the lack of transparency and equity in the way in which abattoirs were selected to participate in the over-30—month cull, but at the price of £87.50 per head that was negotiated—which, I am advised, is three to four times in excess of the market rate that would have been offered by abattoirs that were not allowed to tender? On a throughput of 20,000 cattle a week, that is an extra burden on the taxpayer of £1.5 million a week.

Is he further aware that the scheme's beneficiaries are using that unfair commercial advantage to undercut less favoured rivals in the business, and to negotiate deals directly with farmers, thereby cutting out auctioneers and destroying the meat market for farmers? Why was there no transparent tendering process, how was the figure of £87.50 arrived at, and how does he justify it? Most important, when will he act to correct the chaos that he has caused in the market?

Mr. Hogg: I think that the hon. Gentleman has asked 12 questions and I fancy that you, Madam Speaker, would prefer me to focus on one or so. The one that I shall focus on is the key one: why we chose the abattoirs that we did. That goes back to the point that I made to the hon. Member for Barnsley, West and Penistone (Mr. Clapham). Our purpose is to secure rapid implementation of the 30-month slaughter. We need to do that to clear the backlog. We have tried to choose abattoirs that are most likely most quickly to enable us to eliminate that backlog. The identification of the abattoirs is done by the intervention board, working with others, under the direct supervision of my hon. Friend the Minister of State.

Sir Hector Monro: Will my right hon. and learned Friend accept that the farming industry appreciates the efforts that he and his colleagues have made to resolve the crisis, but that the farmers losing most are probably those selling prime beef under 30 months, due to the loss in market value? Therefore, was it not disappointing that he had to reduce the premium by 10p yesterday for the 30-month cull, because that helped to give some compensation to the beef industry generally?

Mr. Hogg: My right hon. Friend makes an important point, and I shall divide my answer in two. As to the producer selling for consumption beef under the age of 30 months, my points about the announcement at Luxembourg next week will provide some support for my

right hon. Friend's constituents. His second point relates to the reduction in the top-up, which was set at 25p over and above the 85p cull cow rate. The problem with that top-up was that we were compensating for destruction at a rate higher than producers were selling for consumption, which was undesirable and created perverse economic incentives. We reduced the top-up for that reason.

Dr. Strang: Will the Minister confirm that, in addition to the 1 million cattle that will be slaughtered under the 30-month scheme, he has agreed to the slaughter and destruction of a further 150,000 cattle—mainly milking dairy cows? The Minister has acknowledged that compensation must be higher than for cull cows, but does he accept that the figure should cover the cost to the farm of losing those animals? What will be the effect on milk production and jobs? Has the Minister made any estimate of the likely cost to the taxpayer? Will he confirm that, in return for all those measures, the UK is not even getting a timetable for lifting the ban?

Mr. Hogg: I am sure that you will forgive me, Madam Speaker, if I again observe that I have been asked about six questions. I will focus on the key question. The eradication programme approved last night by the Standing Veterinary Committee provides for an accelerated slaughter scheme designed to speed the decline of BSE that has two distinct approaches. As to animals born in 1990-91 and the two following years, we will trace the farms of origin to identify animals most at risk of developing BSE, which will be subject to a compulsory cull.

However, there are no mandatory birth records for animals born before October 1990. As it would not be possible to compel farmers to participate, we must adopt a voluntary approach. Compensation rates for farmers who choose to participate will be significantly higher than those applying under the 30-month scheme. We shall consult closely with the farming community and others on the modalities, including compensation rates.

Mr. John Townend: What proportion of the £1.5 billion will be met by European Union compensation, and what proportion of that compensation will be indirectly paid by the British taxpayer because of the reduction in the UK's rebate?

Mr. Hogg: As a result of the reduction in the rebate, the UK will be paying the lion's share.

Disability Discrimination Act 1995

3. **Ms Hodge:** To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to implement the Disability Discrimination Act 1995 in the agricultural industry. [32363]

7. **Mr. Gerrard:** To ask the Minister of Agriculture, Fisheries and Food what steps are being taken to implement the Disability Discrimination Act 1995 in the forestry industry in England. [32368]

The Minister for Rural Affairs (Mr. Tim Boswell): The employment provisions of the Disability Discrimination Act 1995—with one exception relating to trade organisations—which apply to all employers with more than 20 employees, will be commenced by 2 December 1996. Codes of practice will be available. Drafts were laid before Parliament last week.

Ms Hodge: Why has the agricultural industry, which is renowned for low wages, been singled out under the 1995 Act as the only one in which discriminatory wages have been specifically endorsed by the wages boards?

Mr. Boswell: I do not for a moment accept that the agricultural industry is unique or has been singled out. In fact, I bracketed that and the forestry industry in answering. I understand the point that the hon. Lady is seeking to address. It is precisely because my predecessors, after consultation, decided to retain the Agricultural Wages Board with its provision for a statutory minimum wage that there is any element of distinction between the treatment of agricultural employees and those in other industries.

Mr. Gerrard: Will the Minister confirm that public rights of way and public footpaths in forest areas will be covered by the Disability Discrimination Act 1995, and that, when Forestry Commission estates are sold, in particular, it will be illegal for purchasers to narrow footpaths or to do anything else to restrict access? Will he tell us precisely what he is doing to ensure that employers in the forestry industry are aware of their responsibilities under the Act?

Mr. Boswell: Those are somewhat different and disparate points. After the anticipated announcements on implementation and further advice to employers by my noble Friend, we shall be ready to give advice to employers in forestry and in agriculture on their obligations under the Act. Clearly, access provisions will be bound by the general law. On forestry disposals—which I think the hon. Gentleman has in mind—wherever possible the approach will seek to safeguard access to woods that are used extensively by securing an access agreement through the local authority. I am sure that local authorities will wish to have the specific interests of people with disabilities in mind when implementing the provisions.

Mr. Riddick: Is not the best thing we can do for disabled people to ensure that there are jobs in the British farming industry for them and for other people to take up? Towards that end, does the Minister agree that it is extremely important that we boost consumer confidence in British beef? Is it not important that we tell the British people that the incidence of Creutzfeldt-Jakob disease here is no higher than in any other European country, and that the precautionary measures taken in this country probably make British beef the safest in the world to eat? Is it not the case that there is real anger among the farming industry at the way in which some food lobbyists and Labour Members—not least the hon. Member for Peckham (Ms Harman)—have—*[Interruption.]*

Madam Speaker: Order. The hon. Gentleman is going quite wide of the question. I know that he was very keen to be called during a question relating directly to BSE, but the question does not relate directly to BSE. His question must relate to the Order Paper.

Mr. Riddick: It is about saving jobs.

Madam Speaker: I understand that the hon. Gentleman wants to save jobs, but he is going the wrong way about it.

Mr. Boswell: I can assure the House that the Government are as interested in securing economic and effective jobs as they are in the proper provision of facilities for people with disabilities. We shall certainly proclaim loud and clear the interests of the British beef industry on every possible and conceivable occasion.

Mr. John Marshall: Will my hon. Friend confirm that the disabled should look at the Government's record rather than listen to the rhetoric from those on the Opposition Benches? Will he confirm that spending on the disabled has more than trebled in real terms under this Government?

Mr. Boswell: I shall have to be a little careful in answering outside my departmental responsibilities, but the Government have an excellent record on disability. I remember being modestly engaged—in my previous job at the Department for Education—in securing some of the provisions for future and higher education, in which I am delighted that my hon. Friend the Minister of State, Department for Education and Employment is also engaged.

Mr. Tom Clarke: Does the Minister accept that agriculture, horticulture and forestry are very important employers of disabled people, and especially of disabled people with learning difficulties? Has the Minister of Agriculture read the programme of action from the Forestry Commission on dealing with disabled people? Does the Minister accept that there is a responsibility on the Minister of Agriculture and on all Cabinet members to promote employment for disabled people—if only because of its outstanding importance and our refusal to accept complacency on such matters?

Mr. Boswell: I can assure the hon. Gentleman that there is no complacency whatever among Ministers. We seek the right balance. Among other things, we very much wish to emphasise to employers in forestry, agriculture and elsewhere their direct responsibilities under the Act and under the codes set out under the Act and the need to have regard to the interests of disabled people. It is a difficult balance to find, but we are determined to offer advice and encouragement for them to fulfil those responsibilities.

UK Food Industry

4. **Mr. Nicholas Baker:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking (a) to reduce the extent of regulation on the UK food industry and (b) to increase its global competitiveness. [32364]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mrs. Angela Browning): The Government's food law deregulation plan was published on 14 September 1993. It listed 29 action points. Action has already been completed on 15 of these and a further 11 are due for completion this year. In addition, the Ministry has a market task force, dedicated to improving marketing competitiveness.

Mr. Baker: The Government's activities on deregulation and the market task force are to be welcomed. I hope that my hon. Friend will do what she can to increase those activities, because they benefit the food industry, which is well poised to take advantage of world markets, not least as the common agricultural policy fades. Will my hon. Friend take action to discourage and prevent the over-zealous enforcement of food regulations by environmental health officers, which is still taking place? Does my hon. Friend agree that the last thing our excellent food industry needs is a Government formed by the Labour party and the Liberal Democrats, who are the enemies of enterprise and the apostles of over-regulation? The damage they have caused to our beef industry is already very serious.

Mrs. Browning: My hon. Friend is right to seek to draw a balance between the need, quite rightly, to protect the consumer and the need not to stultify enterprise in this important industry. The system which we have developed, and which environmental health officers enforce, is the HACCP system—hazard analysis critical control point. It looks at where the critical points are in food production, identifies where the risks are and applies the law proportionately. I hope that the House is aware that that system has been recognised in this country and is being emulated in others as well.

Mr. Corbett: Does the Minister not find it extraordinary that one of her hon. Friends should contemplate relaxing regulation on food when we have just been told of the colossal cost of clearing up the BSE scandal and when there has just been concern over the safety of baby milk? Would not the best answer be the establishment of a food standards agency, separate from the Minister's Department?

Mrs. Browning: No, I am not astonished. My hon. Friend the Member for North Dorset (Mr. Baker) struck the exact balance—proper enforcement proportionate to risk. I can assure the hon. Gentleman and the House that baby milk is quite safe.

Mr. Batiste: Is my hon. Friend aware that, over recent years, small independent abattoirs have had to pay huge sums in order to meet the standards set by new and ever-higher regulatory levels? It is precisely those abattoirs that are now facing devastation as a consequence of the application of the policy on BSE and the decision to use only the large abattoirs for that slaughter policy. Before my hon. Friend comes back to the House with proposals for the slaughter of more animals, I hope that she and her colleagues will think carefully about the need to be fair to those small independent abattoirs, particularly those which have in place adequate rendering facilities.

Mrs. Browning: I am aware of that, and I am sympathetic to the investment made by abattoirs across the country, many of which are seeking higher standards and the EU mark to enable them to export. That export market has now, unfairly, been denied to them. My hon. Friend will have heard the answer given by my right hon.

and learned Friend the Minister when he explained how those abattoirs have been selected for the 30-month cull scheme.

I must tell my hon. Friend that one of the encouraging things is that the British consumer is still eating beef. We can see in the supermarkets that there is still support in the United Kingdom for the consumption of beef. Therefore, there is an opportunity for all slaughterhouses to slaughter for consumption. Despite the importance of the cull scheme, we must not lose sight of the fact that abattoirs are still slaughtering for consumption, and that is the most important aspect.

Mrs. Golding: Does the Minister not think that food safety should come before the political dogma of deregulation? Is she prepared to risk another food crisis by sticking to the dogma that deregulation is all—important?

Mrs. Browning: We never subjugate the safety of consumers to any policy or dogma. I refute totally the hon. Lady's suggestion and I am sorry that she could not find something more constructive to say.

Mr. Spring: Is my hon. Friend aware of how efficient the farmers in my constituency are in terms of global competitiveness? Is she also aware of the high levels of optimism among cereals farmers in Suffolk, which is manifested in rising land prices? Will my hon. Friend join me in applauding the fact that that optimism has translated itself into an unemployment rate in my constituency of only 4.2 per cent.—one of the lowest anywhere in the developed world?

Mrs. Browning: My hon. Friend is right to highlight the competitiveness of firms in his constituency—and, indeed, the United Kingdom in general. That is why we supported the general agreement on tariffs and trade and why we are seeking to reform the common agricultural policy and move towards world market prices as soon as possible. British farms will be well placed to compete in a global market.

Fishing Policy

5. **Mr. Austin Mitchell:** To ask the Minister of Agriculture, Fisheries and Food what proposals he has for using decommissioning funds to encourage conservation–effective fishing. [32366]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Tony Baldry): The aim of any decommissioning policy should be to help bring fishing effort into better balance with what fishing stocks will bear.

Mr. Mitchell: Given that there is a conservation crisis in fishing as a result of the common fisheries policy and that there will be continuous pressure for decommissioning, would it not be more sensible not to take out conservation-effective fishing vessels, such as Grimsby's seine-netter fleet, but to rearrange the programme to give priority to taking out, first, the bigger and more efficient vessels, those whose activities are more damaging to conservation and the environment and those vessels whose track record shows that they have been making the biggest catches? Would it not also be sensible to do that on a Europe wide basis? If we do it alone, we shall simply ensure that the stocks that we save are looted by over-large foreign fleets.

Mr. Baldry: I made it clear to the Council of Ministers the other day that its forthcoming decommissioning proposals, which do not make any provision for decommissioning industrial fishing vessels, are crazy. Industrial fishing does enormous damage, especially to stocks in the North sea. I have also made it clear that we will not contemplate any further large-scale decommissioning of the UK fleet until we have made some substantial progress on the issue of quota hoppers.

I find the Labour party's approach to the whole issue somewhat surprising, given the comments of the Labour Member of the European Parliament who represents the hon. Gentleman's area—Peter Crampton—who describes himself as the Labour party fisheries spokesman in Europe. He appears to have welcomed the 40 per cent. reduction in the UK fishing fleet. I find that very strange indeed.

Mr. Bellingham: My hon. Friend will be aware from his recent visit to the Wash inshore fishery that conservation is of paramount importance. Is he aware that the current dredging programme is causing great concern to local fishermen? Will he confirm that the promised monitoring programme and consultation process are actually in place and working?

Mr. Baldry: I visited my hon. Friend's constituency last year specifically to look at the whole issue of dredging. I fully appreciate that concerns about dredging were raised with me at that time. I am confident that the monitoring programme is being assiduously carried out.

Cattle Slaughter Scheme

6. **Mr. Llwyd:** To ask the Minister of Agriculture, Fisheries and Food what is the latest weekly figure for the number of animals slaughtered under the 30-month scheme in England and Wales; and if he will make a statement. [32367]

Mr. Baldry: Just under 20,000 animals were slaughtered in England and Wales under the 30-month scheme in the week ending 16 June.

Mr. Llwyd: I thank the Minister for that answer. Is he aware that, this time last year, a 600 kg live-weight beef animal would have realised about £786? Even with the 25p per kilogram top-up payment, there is now a loss of more than £90 per animal. With this week's cut in the premium to a measly 15p per kilogram, the loss will be about £158 per animal.

Does the hon. Gentleman realise how important that sort of animal is to a small mixed farm? Will he explain his remarks earlier this week, when he said that it was now clear that the market had developed in such a way that the premium could not be justified? He seemed to be saying that somehow the market had made up for the premium, which is arrant nonsense. Will he please explain?

Mr. Baldry: Let us all be quite clear about the purpose of the top-up: it is for clean beef, steers and heifers, which we would have expected to come into the human food chain. As of 20 March, it was clear that some farmers would not have them ready to enter the food chain. The advice of the Meat and Livestock Commission and others was that there was an incentive for farmers to hold back those cattle to be slaughtered under the 30-month scheme rather than putting them into the human food chain. That is a crazy situation.

We took factual and accurate advice from the Meat and Livestock Commission, and the 15p top-up premium as from 16 June reflects the market price. It also reflects the fact that it is now more advantageous for farmers to sell their cattle into the human food chain than to sell them into the 30-month scheme. That must be right.

It is also fair and proper to ensure that anyone who has cattle under the scheme as of 16 June, who may not have been able to get them into the slaughter programme, will have the benefit of the top-up from whenever those cattle are slaughtered. In fact, we are talking about cattle that were well over 30 months on 20 March.

Sir John Cope: Does not the progress made from the over-30-months cull to the agreement on eradication and now the possibility of agreement on a framework document show that my right hon. Friends were entirely right to use the veto in the Community and thereby to bring beef to the top of the agenda? They have brought us to a position where we are now very close to an agreement that we can all back.

Mr. Baldry: Yes. Having, along with other ministerial colleagues over the past few weeks, spoken to many fellow Agriculture Ministers and other Ministers elsewhere in the European Community, I am convinced that if we had not pursued the policy of non-co-operation, we would not have made such positive progress in seeking to lift the export ban on UK beef.

Mr. Salmond: But have not the Minister and his colleagues achieved an armistice in the beef war by agreeing to a level of eradication and slaughter that the Minister of Agriculture previously said that he would not agree to? Is not the House entitled to understand, therefore, that the past month of posturing has been at best irrelevant and at worst positively damaging? Is it not reasonable to expect to see a white flag of surrender over Downing street this afternoon?

Mr. Baldry: With respect, all that is disingenuous twaddle. No one looks for the lifting of the export ban more keenly than beef producers in Scotland, and I cannot believe that any beef producer in Scotland will look with any respect at the hon. Gentleman's comments.

Sir Jim Spicer: Does my hon. Friend accept that behind the words "an accelerated programme" lies devastation for many of our dairy herds? Does he accept that those of us who come from dairy-producing areas welcome today what my right hon. and learned Friend the Minister has said—that there will be increased compensation for animals that have to be slaughtered under the scheme? Will my hon. Friend confirm that there will be compensation not just for the loss of the animal, but for lost production from that animal? Can my hon. Friend assure us that there will be compassion and common sense in the way in which the programme is operated?

Mr. Baldry: I hope that I can reassure my hon. Friend on all those points. This morning, I again met the deputy president of the National Farmers Union—the president is abroad—and the president of the Country Landowners Association to start the process of discussion on the details of compensation between the Government and the farming industry, including from next week the farming industry in Scotland, Wales and Northern Ireland. We shall, of course, listen carefully to what the farming industry says about compensation. As my right hon. and learned Friend the Minister has made clear, compensation will be at significantly higher rates than under the over-30-months scheme.

We shall, of course, listen carefully to what the industry says about the various elements of compensation, not least the representations that it makes to us about consequential loss. In those discussions and negotiations, we shall discuss the practicalities of the scheme, such as how pregnant cows will be dealt with. There will be as much understanding as possible about the impact on the livelihood of individual farmers.

Agricultural Pollution

8. **Mr. Flynn:** To ask the Minister of Agriculture, Fisheries and Food what recent correspondence he has received from representatives of local authorities concerning Government policy on agricultural pollution. [32369]

Mr. Boswell: The Department has received correspondence this year from representatives of local authorities on a range of agricultural pollution issues, including the land-spreading of waste and recycling of farm plastics.

Mr. Flynn: Have not the Government's foolish deregulation policies led to contamination by muck flowing from the rendering industries, particularly in Ashford in Kent, where the products of the rendering industries, possibly contaminated by BSE, are now polluting the environment? The Government have been soft on regulation, and that has created pollution. Is it not right that the country will never again trust the Government to ensure the safety and purity of British food?

Mr. Boswell: The hon. Gentleman is entirely off beam. It is precisely as a result of our stringent legislation and the provision of the new Environment Agency that such matters—including the discharge of waters to agricultural land—are closely regulated. The case that the hon. Gentleman cites relates to treated water from an effluent plant that is discharged in the way that he caricatured. It is subject to all the regulations of the Environment Agency and, to the best of our knowledge and information, they are complied with in full. Any breaches of that legislation will be rigorously pursued.

PRIME MINISTER

Engagements

Q1. **Mr. Nigel Evans:** To ask the Prime Minister if he will list his official engagements for Thursday 20 June. [32391]

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Evans: Will my right hon. Friend ignore advice from the Opposition, who would sign away Britain's vital interests to some European super-state? When he meets European leaders in Florence tomorrow, will he remind them of Britain's economic success, and will he continue to fight robustly for Britain's interests in Europe, in contrast with the Opposition, who would fight for Europe's interests in Britain?

The Prime Minister: It is certainly the case that the principal Opposition party would jeopardise the rebate, undermine the veto and follow policies in Europe which certainly would not add to employment and would damage our position here and in Europe. I confirm that we shall not remotely follow any of those policies. We have a crowded agenda to address at the summit at Florence this weekend—on the intergovernmental conference, unemployment and economic issues—and I hope to get a resolution of the beef dispute.

Mr. Blair: Under the European Commission proposal, when does the Prime Minister think that the ban on beef will finally be lifted? Obviously, I am asking not for a precise date, but for the approximate time when he now expects it to be lifted.

The Prime Minister: We do not yet have an agreement on the framework. There is unanimous agreement by the Standing Veterinary Committee on the eradication plan, which is a great step forward. The agreement on the framework document remains to be achieved and I hope to reach an agreement in Florence. I am not certain that I will, but I certainly hope that it will be possible. After then, it will be for us—not the Commission—to determine the dates, as it will depend on the steps that we have to take. I would expect that, provided that we can reach agreement in Florence, we shall begin to see the lifting of the ban in the early autumn, but that will depend on negotiations still to come.

Mr. Blair: The question is not when it will begin, but when it will end. Perhaps the Prime Minister will confirm the following about the deal. First, there is no date on the deal. Secondly, there are no guarantees; indeed, any part of the ban being lifted has to be referred to a committee which is under no obligation to accept it. Thirdly, he has had to concede extra cattle to be slaughtered, although there is no scientific basis for it. Fourthly, there is no lifting of the third country ban and, fifthly, there is no deal on additional compensation, though we shall be spending billions on it for years to come. If those points are correct, is not calling it a triumph, as some Ministers have today, an utter travesty of the truth?

The Prime Minister: The right hon. Gentleman is wrong in almost every aspect of what he has just said. Let me make it clear to him that, but for the action that we have taken, we would be nowhere near the deal that it may be possible to strike this weekend. In the first eight weeks after the ban was imposed, nothing whatever was offered to us by our European partners. In the four weeks since we began a process of non-co-operation, we have reached agreement on the eradication plan and reached agreement with the Commission on a framework. I hope that we shall reach agreement with our partners on a framework to enable us to begin to move towards lifting the ban.

The right hon. Gentleman is quite wrong about the slaughter of extra animals. No animal that would not have been slaughtered is now to be slaughtered. All those animals would have been caught by the 30-months-plus plan. Almost every one of the statements that the right hon. Gentleman has just made shows a profound misunderstanding of the whole negotiation.

Mr. Blair: My understanding is based on the European Commission document.

The Prime Minister *indicated dissent.*

Mr. Blair: Then perhaps the Prime Minister will answer the question that was put to him: when does he expect the ban finally to be lifted? I suspect that the reason why he will not give us an estimate is that, if he did so, the period would be in years, not months. That is why he does not want to give it. Is not the truth that he is now so desperate to extricate himself from this mess that he will settle for anything? There is humiliation in the deal. There is ignominy in the deal. In fact, it is not a deal at all: it is a rout.

The Prime Minister: The right hon. Gentleman's position is wholly idiotic. Not only that, but now that he is talking in that fashion, he might bear in mind that his hon. Friend the shadow Minister of Agriculture supported the ban, against the interests of this country, after it was proposed. First the right hon. Gentleman says that he supports our policy and that we must negotiate an agreement. Then, when we do negotiate an agreement, he changes his position. The fact of the matter is that there would have been no chance of an agreement, but for the policy of non-co-operation that we have followed. We are now within a few hours, with luck, of getting an agreement in Florence—and that is no thanks to the policies of the Opposition, who right from the outset have done all that they can for party advantage, notwithstanding the damage to the British agricultural industry.

Mr. Duncan Smith: I wonder whether my right hon. Friend remembers the old cowboy movies that he must have watched in his youth. In that context, if one of our colleagues had gone to Germany and told a German audience that he would never be prepared to see Britain isolated in Europe, and that he would therefore be prepared to give up the veto, but then told a British

audience that he would never give up the veto because Britain might have to be isolated in Europe, would my right hon. Friend be justified in saying to that person, "Paleface speak with forked tongue?"

The Prime Minister: When the right hon. Member for Sedgefield (Mr. Blair) went to Germany, I at least did not expect him while he was there to attack a policy that he was nominally supporting in this country. But instead, to curry favour with his hosts, he rolls over on his back with his feet in the air.

Mr. Ashdown: I did not support the Government in the policy of confrontation. Is it not perfectly clear that the Prime Minister, having again marched his troops to the top of the hill in Brussels, is now engaged once more in uselessly marching them back down again? What is the cost of all that folly, the terrible damage to Britain's influence abroad and to respect for this country?

There is muddle, confusion and chaos at home, and we are now required to slaughter more animals. The Prime Minister says none, but the National Farmers Union says 66,000. Brussels is to police the scheme; there is no starting date, no timetable, no clear phasing and no binding response from our colleagues. What words will the Prime Minister now use to convince us all that this is the brilliant and decisive victory that he has predicted all along?

The Prime Minister: Yet again the right hon. Gentleman shows his breathtaking capacity to understand nothing. He is wrong on almost every aspect, as he will discover at the end of the discussions in Florence, when we will have finally dealt with the matter. We would still be waiting for any movement towards the lifting of the ban by Christmas or later, had we followed the policy that he advocated. As it is, we are close to an agreement that will be in the interests of the British agriculture industry. He says that he is interested in the agriculture industry when he is in his constituency, but when he is in the Chamber he just wants to make silly points.

Sir Peter Hordern: Did my right hon. Friend read the remarks that Mr. Henkel made at the conference attended by the Leader of the Opposition? He said that unemployment in Germany was continuing to increase, whereas in Britain it had fallen by 20 per cent., that the rate of taxes on retained profits in Germany was twice as high as in Britain, and that Britain was the enterprise centre of Europe. Is it not the case that we are doing rather well at cricket, our footballers are playing like heroes and my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) is nearly 80 years old? We are moving towards a position where all is for the best in the best of all possible worlds, so why let Labour ruin it?

The Prime Minister: Mr. Henkel, the president of the Bundesverband der Deutschen Industrie, said more than that: he pointed out that we had received 10 times as much investment from outside Europe as Germany had, despite the fact that Germany was a larger economy. What is rather strange is that the celebrated guest at that great meeting where the president of the BDI paid those compliments to the United Kingdom would like to change all the policies that have made this country so successful.

Q2. **Mr. Simpson:** To ask the Prime Minister if he will list his official engagements for Thursday 20 June. [32392]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Simpson: Will the Prime Minister comment on his deputy's claim on "Today" that the culling of a further 65,000 cows amounts to no more than "a handful" of cattle? How does he square that with yesterday's comment by the Minister of Agriculture that any suggestions of a further cull were completely untrue? Will he give the House and the public two simple assurances: first, that the Government will guarantee full compensation to farmers for the reconstruction of the national herd and, secondly, that a sizeable contribution from Europe will now form a core part of the framework agreement that he has negotiated?

The Prime Minister: The hon. Gentleman is entirely wrong to suggest that 67,000 additional animals are to be slaughtered, That is not remotely the case. Every one of those animals was going to be slaughtered in any event. Not a single extra animal will be slaughtered. *[Interruption.]* One can always tell when the Opposition do not like what they are hearing. Not a single extra animal will be slaughtered, so the hon. Gentleman's question is based on total nonsense.

Q3. **Mr. Butler:** To ask the Prime Minister if he will list his official engagements for Thursday 20 June. [32393]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Butler: May I wish my right hon. Friend a most enjoyable weekend break in Florence? So as to ensure that it is enjoyable also for Conservative Members, will he make it clear from the start, and again at the end, that he will accept no weakening of the British veto and no extension of qualified majority voting?

The Prime Minister: Weekends in Florence are always enjoyable, as I have learnt on many occasions in the past. [HON. MEMBERS: "Oh!"] It is a lovely place, and I am looking forward to an enjoyable weekend there. And I can ensure that my hon. Friend enjoys both this and subsequent afternoons by giving him both the assurances for which he asks.

Mr. Garrett: Why do the Government refuse to support the International Labour Organisation's convention on home workers when this country has 1.5 million home workers, many thousands of whom earn less than £2 an hour, and many of whom earn less than £1 an hour? These people have no protection or rights under our existing legislation. Does that not show a quite incredible callousness?

The Prime Minister: Not remotely. A large number of people in this country are in work rather than unemployed precisely because we do not have the sort of legislation

that the hon. Gentleman prefers. I happen to take the view that policies, whether the hon. Gentleman likes or dislikes them, are for this House and should not be pushed upon us by bodies such as the ILO.

Q4. **Mr. Dunn:** To ask the Prime Minister if he will list his official engagements for Thursday 20 June. [32394]

The Prime Minister: I refer my hon. Friend to the reply I gave some moments ago.

Mr. Dunn: Will my right hon. Friend confirm that it is no part of his Government's policy to impose regional government and regional assemblies on the British people, which would mean yet another tier of government, more expense, more bureaucracy and more interference and would be a nightmare for the British taxpayer?

The Prime Minister: I certainly agree that regional assemblies would be a total irrelevance, were they to be introduced. They are proposed by the Labour party only because it knows that its plans for a tax-raising Scottish Assembly are untenable unless it moves into this nonsense. The Labour leader is rather confused about this policy. He said on one occasion, "We are not committed to regional assemblies," and then on another occasion he said that regions should have assemblies. On this issue, not only does he disagree with his colleagues—he disagrees with himself.

Business of the House

3.30 pm

Mrs. Ann Taylor (Dewsbury): May I ask the Leader of the House for details of future business.

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The business for next week will be as follows:

MONDAY 24 JUNE—Remaining stages of the Defamation Bill [Lords].

The Chairman of Ways and Means has named opposed private business for consideration at 7 o'clock.

TUESDAY 25 JUNE—Opposition Day [16th Allotted Day]. There will be a debate on the Government's policy on bovine spongiform encephalopathy on a motion in the name of the Liberal Democrats.

WEDNESDAY 26 JUNE—Until 12.30 pm, debate on the second report from the Employment Committee on the right to work/workfare followed by a debate on the sixth report from the Treasury Committee on the private finance initiative. Followed by debates on the motion for the Adjournment of the House.

Opposition Day [17th Allotted Day].

There will be a debate entitled "Bureaucracy and Patient Care in the NHS" on an Opposition motion.

THURSDAY 27 JUNE—Estimates day [2nd Allotted Day—2nd part].

There will be a debate on the future role of the Commonwealth.

FRIDAY 28 JUNE—The House will not be sitting.

The provisional business for the following week will be as follows:

MONDAY 1 JULY AND TUESDAY 2 JULY—Progress on and completion of remaining stages of the Broadcasting Bill *[Lords]*.

That will be followed on Tuesday 2 July by a debate on a motion relating to the Social Security (Disability Living Allowance) (Claims and Payments) (Amendment) Regulations.

WEDNESDAY 3 JULY—Until 2 o'clock, debates on the motion for the Adjournment of the House.

Until about 7 o'clock, proceedings on the Social Security (Overpayments) Bill, followed by proceedings on the Statutory Instruments (Production and Sale) Bill.

THURSDAY 4 JULY—Until about 7 o'clock, motions on the Structural and Boundary Change Orders.

FRIDAY 5 JULY—The House will not be sitting.

The House will also wish to know that on Wednesday 26 June, there will be a debate on small and medium-sized enterprises in European Standing Committee B. On Wednesday 3 July, there will be a debate on European water policy in European Standing Committee A. [*Wednesday 26 June: European Standing Committee B—European Community Documents (a) 6141/96: Small and Medium Sized Enterprises; (b) 6929/96: Loans to Small and Medium Sized Enterprises; Relevant European Legislation Committee Reports a) HC 51-xix (1995-96) (b) HC 51-xxii (1995-96) Wednesday 3 July: European Standing Committee A—European Community Documents (a) 8600/94: Ecological Quality of Water; (b) 5939/96: EC Water Policy; Relevant European Legislation Committee Reports a) HC 70-ii (1994-95) and HC 48-xxvi (1993-94); (b) HC 51-xvii (1995-96) Thursday 27 June:*

Estimates Day [2nd Allotted Day—2nd Part]

Class 11, votes 1 to 5, Foreign and Commonwealth Office; overseas representation; other external relations; BBC World Service; The British Council; and Overseas Development Administration: external assistance: in so far as they relate to the future role of the Commonwealth. Relevant Report:

The First Report from the Foreign Affairs Committee, Session 1995-96, on the future role of the Commonwealth (HC45-1). Thursday 4 July—Motions on the structural and boundary change orders. The relevant orders are as follows:

The Cambridgeshire (City of Peterborough) (Structural, Boundary and Electoral Changes) Order 1996.

The Lancashire (Boroughs of Blackburn and Blackpool) (Structural Change) Order 1996.

The Nottinghamshire (City of Nottingham) (Structural Change) Order 1996.

The Cheshire (Boroughs of Halton and Warrington) (Structural Change) Order 1996.

The Devon (City of Plymouth and Borough of Torbay) (Structural Change) Order 1996.

The Essex (Boroughs of Colchester, Southend-on-Sea and Thurrock and District of Tendring) (Structural, Boundary and Electoral Changes) Order 1996.

The Hereford and Worcester (Structural, Boundary and Electoral Changes) Order 1996.

The Kent (Borough of Gillingham and City of Rochester Upon Medway) (Structural Change) Order 1996.

The Shropshire (District of the Wrekin) (Structural Change) Order 1996.

The Berkshire (Structural Change) Order 1996.]

Mrs. Taylor: I thank the Leader of the House for that information. Can he tell us today whether the Prime Minister will make a statement on Monday on the outcome of his meeting in Florence? Will the Leader of the House ensure that the House is given the opportunity to vote on a substantive Government motion on any specific proposals on BSE which are decided upon as a result of any decisions in Florence this weekend, not least because such a vote will be of great interest, when we see the details, to hon. Members on both sides of the House?

The Leader of the House announced that the remaining stages of the Broadcasting Bill will be held on Monday and Tuesday of the week after next. Will the Leader of the House confirm that the Government will not seek to overturn the amendments that were tabled in Committee by the hon. Member for Harrow, West (Mr. Hughes), which were carried with all-party support? Those amendments, as I am sure the Leader of the House is aware, will do much in the next decade to improve the accessibility of television for the deaf and visually impaired. He will realise that those amendments are important for the individuals involved and I hope that he will agree that it would be shameful if the House were to try to overturn those amendments. Will he confirm that the Government will not seek to do so?

On another important issue, the Leader of the House will be aware of the Government defeat in the House of Lords on Monday on nursery vouchers. The Nursery Education and Grant-Maintained Schools Bill was discussed and an eminently sensible amendment, to defer the implementation of the scheme until evaluation of the pilots could take place, was passed. We know that the Leader of the House has had a letter from the Secretary of State for Education and Employment which suggests that the Government may experience difficulty overturning the amendment in the Commons and also suggests measures for circumventing the decision in the Lords. Are the Government so fearful of their case that they intend to avoid facing that issue again in the Commons? Would it not be wise to take on board the evidence that comes from those pilots before the final implementation of that rather foolish scheme?

May I also ask the Leader of the House, wearing his hat as Chairman of the Select Committee on Standards and Privileges, whether he can confirm that the Select Committee should be ready to make its report on conduct in the next couple of weeks? Will he, as Leader of the House, guarantee that time will be found before the summer recess so that the House can debate and, I hope, accept the recommendations in that report?

Finally, is the Leader of the House aware that his colleagues in the Home Office are such great admirers of Labour Back Benchers that they have adopted the ideas of at least three private Member's Bills, including those on stalking, on paedophiles and on an amendment to the Public Order Act 1986? Will the Leader of the House ensure that the adoption of those ideas by Home Office Ministers is not used as an excuse to block the measures when they go through their remaining stages? Good ideas are still good ideas even when they come from Labour Members.

Mr. Newton: I shall work backwards. The hon. Lady's last remarks were pretty silly, not least because the national campaigners on stalking have made it clear that they acknowledge the defects in the Opposition Bill and think that the Government are acting appropriately by bringing forward their proposals. That is the sensible and responsible way to behave and the hon. Lady may regret her comments when she reflects on them.

On the subject of the Nolan report, I am happy to pay tribute to the hon. Lady for her helpful and constructive approach in the proceedings of the Select Committee on Standards and Privileges. I can confirm that I am reasonably hopeful now that the Select Committee will be able to produce a report before the recess. I take note of her wish and, I guess, that of others in the House that, if it proves practicable, we should seek an opportunity for a debate. I am bound to say, however, that the pressures on time are mounting all the time.

On the subject of nursery vouchers, the hon. Lady will understand if I say that my right hon. Friend the Secretary of State for Education and Employment has taken careful note of the amendment passed in another place on Monday night, but we have always said that we would evaluate the phase 1 pilots. The results that have been gathered show that the parents in phase 1 are positive about the scheme and we have every intention of ensuring that we can introduce vouchers for all four-year-olds in England from April 1997.

On the subject of the Broadcasting Bill, I am sure that the hon. Lady would not expect me to anticipate debates in 10 days' time, but my right hon. Friend the Secretary of State for National Heritage will be sympathetic to the general concerns of disabled people, as I am, as a former Minister for disabled people. I will bring her remarks to my right hon. Friend's attention.

Lastly, I can confirm that I expect my right hon. Friend the Prime Minister to make a statement after the Florence summit. Any question about debates can be resolved only when we know the summit's outcome.

Sir Terence Higgins (Worthing): As the House did not have an opportunity to debate whether Members' televisions in their rooms should have a direct feed from the Floor of the House, may we have a debate to consider the effect of that provision? It may be true that hon. Members are now hearing more debates than they heard before as they can watch them in their rooms while working on constituency mail and so on, but the effect on attendance on the Floor of the House and the impression created outside has been awful. If we cannot have a system whereby, if Members are watching in their rooms, a hologram of them appears in their place on the Floor of the House, perhaps we could at least have a system whereby the outside television sets show more than one picture—not just the Floor of the House, but the Standing and Select Committees that are taking place at the same time.

Mr. Newton: I cannot conceive of any hologram that would be an adequate substitute for my right hon. Friend. While I am aware of the sort of concerns that my right hon. Friend has expressed, there would be a revolution among hon. Members if we attempted to go back from the present position to where we were. I am certainly anxious to play my part in any efforts to bring home to the public outside how much work goes on in this place all the time, not necessarily on the Floor of the Chamber.

Mr. David Rendel (Newbury): I was interested to see that the Government have put off the debate on local government reorganisation for a week. I was disappointed that they still expect it to take place in the same sort of time as it was originally allocated next week. As some of the reorganisation plans are contentious and the average time allocated for each one is currently only 20 minutes, would it not be more sensible to allow for a comparatively short debate on the non-contentious plans and to allow the more contentious ones to be debated at greater length, according to their worth?

Mr. Newton: I am not aware that any of the plans are particularly contentious. I said that I would reflect on the points raised by Liberal Democrats last week, and by the hon. Gentleman with me privately. I have come to the conclusion that what I have proposed seems to be the most sensible course. The earlier, significantly greater, number of local government orders were debated together and did not take up all the time allocated to them on the Floor of the House—I think that they took up roughly the sort of time that I am proposing on this occasion.

Mr. Harry Greenway (Ealing, North): May we have a debate next week on early-day motion 940?

[*That this House recognises that a report by Ealing Council into efforts to manipulate the housing list by two Labour councillors, who are prospective parliamentary*

[Mr. Harry Greenway]

candidates, shows that their conduct in this matter was extremely suspect and inappropriate and that it further shows that both of these individuals attended court in order to seek to influence legal proceedings instituted by the council to evict unlawful tenants; recognises that their efforts to retain known Labour voters in an illegal council tenancy with the deliberate aim of increasing Labour Party support in the Perivale Ward of Ealing was unfair to the 10,000 people on the housing waiting list and political gerrymandering of the gravest kind; and calls upon the National Executive of the Labour Party to examine their suitability as prospective parliamentary candidates.]

It takes to task two Labour councillors in Ealing who have corruptly been seeking to obtain Labour council accommodation for Labour voters. That issue should be exposed on the Floor of the House for the evil and disgrace that it is, and for the unfairness that it creates for the 10,000 people on the housing list who are not Labour voters.

Mr. Newton: I share my hon. Friend's concern at what is alleged to have happened in that case. I am sure that the people of Ealing will be no less interested than my hon. Friend in the findings of the independent inquiry, which I understand is looking into the matter.

Mr. Dennis Canavan (Falkirk, West): May we have a statement soon clarifying the Government's intentions regarding the date of the general election in view of the report in today's edition of *The Independent* that Downing street is preparing contingency plans for an October election? Apparently, it all depends on whether England win Euro 96. Are Ministers so depressed about their own performance that they now depend on Gazza's performance?

Mr. Newton: The hon. Gentleman should not believe everything that he reads in the newspapers.

Sir Teddy Taylor (Southend, East): Following the astonishing news last week that the two countries that last year voted not to join the European Economic Community are doing wonderfully well in terms of jobs and trade when compared with those that voted to join, which appear to be in an appalling financial mess, may we have an early debate next week on the narrow issue of the huge advantages that nations can gain by not joining the EEC?

Mr. Newton: I have no plans for such a debate, but perhaps my hon. Friend will catch your eye, Madam Speaker, in the debate that is to take place after my right hon. Friend's statement today. I remind my hon. Friend of what my right hon. Friend the Prime Minister said not so many minutes ago about the excellent performance that this country is putting in on the economic front inside the European Union.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will the Leader of the House find Government time to debate holiday flights, particularly charter flights, on aircraft that are not registered in Britain and fly out of here with British holidaymakers to a third destination? He will be aware that his noble Friend the Minister for Aviation and Shipping made a statement yesterday that appeared to deal with this but in fact guaranteed only that such flights will be able to change their country of registration after 1 August. It does not offer protection to holidaymakers. I hope that the Leader of the House is taking this seriously. It will be too late when a plane full of British holidaymakers has gone down because we did not take action to ensure that the planes are safe.

Mr. Newton: I always take seriously points made by the hon. Lady, and my noble Friend's attention was drawn to the fact that she has raised these matters with me before. I shall now draw his attention to the fact that she does not regard the remarks made yesterday in another place as adequate. I am sure that he will consider what the hon. Lady has said.

Mr. Tim Smith (Beaconsfield): Is my right hon. Friend aware that Central Railway plc has applied for an order under the Transport and Works Act 1992 but that the Secretary of State for Transport decided that because the matter is of national significance it should be debated and voted on by both Houses of Parliament, and the earliest date when this could take place is Monday 22 July? Because of the massive blight and uncertainty that the proposal is causing all along the route, will my right hon. Friend do everything to ensure that the debate and vote does indeed take place during the week beginning Monday 22 July?

Mr. Newton: I said last week that I expect that the House will sit well into the second half of July, and I can assure my hon. Friend that I share his hope that it will be possible to deal with this matter before the summer recess.

Mr. Dennis Skinner (Bolsover): On the question of an election in the autumn, will the Leader of the House comment or get somebody to make a statement on the significant fact that the Government are clearing up all the business so that there will not be an overspill period in October? As we have not had an announcement about the recess either, we are bound to draw the conclusion that the Government are trying to provide a contingency arrangement for an election in October or November. My real interest is whether I have to order the envelopes.

Mr. Newton: The only thing that I can say about the envelopes is that the hon. Gentleman will need them some time within the next year. As for the rest of his good-natured but mischievous question, I can tell him that it now looks virtually certain that there will be an overspill and that the Government are well advanced with planning a significant legislative programme for the next Session.

Mr. John Wilkinson (Ruislip–Northwood): In view of the decision of the Transport Council of the EU in recent days to arrogate to the EU the right to negotiate international air service agreements, which hitherto has been the prerogative entirely of sovereign states, can my right hon. Friend persuade the Secretary of State for Transport to come to the House to explain what the implications might be, particularly for my constituents, many of whom work at Heathrow, which is, of course, the premier gateway into Europe and a vital source of revenue for the economy and the local community?

Mr. Newton: My hon. Friend is well aware of the Government's sympathy, and that of my right hon. Friend the Transport Secretary, for his position. I shall bring his request to my right hon. Friend's attention.

Mr. Martyn Jones (Clwyd, South–West): Will the Leader of the House ensure that, when we debate bovine spongiform encephalopathy next week, we are given a final figure for the number of cattle that are to be culled? My farmers are very worried about the number that is being mooted, be it 20,000, 45,000, 150,000 or more. They are in disarray. They are dismayed by the cut in top-up support premium from 25p to 10p. Will he assure the House that the Minister will finally come up with a figure next week?

Mr. Newton: I am sure that, in the wake of the discussions that will take place in Florence—which were much discussed during Prime Minister's Question Time—both my right hon. Friend and my right hon. and learned Friend the Minister will seek to clarify the position as soon as they can. I must, however, reiterate what my right hon. Friend the Prime Minister said on several occasions. All the cattle that have been the subject of some rather exaggerated—indeed, simply wrong—reports in today's newspapers, being by definition considerably more than 30 months old, would have been slaughtered anyway.

Mr. Roger Gale (North Thanet): My right hon. Friend will know that this morning the Trade and Industry Select Committee published its report on the affairs of BMARC. He will also know that the report wholly exonerates my right hon. Friend the Member for South Thanet (Mr. Aitken), and clears him and others of any wrongdoing.

My right hon. Friend may also be aware that last night Messrs Goodman Derrick, solicitors acting for Granada Television, wrote to the Clerk of the Select Committee seeking to prevent this morning's news conference from taking place and publicising those facts. It would seem that Granada Television believes that it is in the public interest to publish smears, lies and allegations against a Member of Parliament, but that it is not in order for a Select Committee of the House to give publicity to the truth. Will my right hon. Friend arrange for the Select Committee report to be debated as a matter of urgency, so that these matters can be fully and properly aired and the practices perpetrated by Granada can be exposed?

Mr. Newton: I share my hon. Friend's interest in the steps that he tells us were taken last night. I am sure that they will be widely noted. As for the Select Committee report, debates on such reports usually—although not always—take place after being selected by the Liaison Committee to fill the slots that are available. I will draw the attention of my right hon. Friend the Member for Worthing (Sir T. Higgins) to my hon. Friend's suggestion. I can also confirm that the report found nothing to substantiate the allegations against my right hon. Friend the Member for South Thanet (Mr. Aitken).

Mrs. Alice Mahon (Halifax): The 10,000 people in the Calder Valley in my constituency who signed a petition against the imposition of nursery vouchers will be very disappointed by the right hon. Gentleman's assertion that vouchers will be imposed by 1997. When does the Secretary of State for Education and Employment intend to bring the issue back to the House, and how can the right hon. Gentleman guarantee that the House will pass the legislation?

Mr. Newton: I cannot answer the latter question at this stage, because the Nursery Education and Grant-Maintained Schools Bill is still being dealt with in another place. As for the hon. Lady's first point, I find her attitude extraordinary. She used the word "imposed", but nothing is being imposed on anyone. What is being offered is an additional choice.

Mr. Jacques Arnold (Gravesham): May we have a debate next week on early-day motion 1015?

[*That this House notes the failure of the BBC Television Panorama programme of Monday 17th June to draw a curious connection to the attention of their viewers; namely, that in an attempt to portray incompetence by the Conservative government, they focused on a farm near Ashford, Kent, alleging at the least irresponsible management leading to the spread of BSE, and hinting at a possible connection with three CJD cases in East Kent; and notes that they displayed the proprietors of the farm to be R. Sternberg of Plurenden Farm, but significantly failed to mention that this referred to the late Rudy Sternberg, a personal friend of the late Harold Wilson, who was created a Life Peer by the then Labour Prime Minister in the style and title of Baron Plurenden, ostensibly for services to British agriculture.*]

Such a debate would enable us to investigate the quality of the research done by television programmes. It is clear from the "Panorama" programme about BSE that the intention was to rubbish the Government's work in dealing with the disease.

Mr. Paul Flynn (Newport, West): It was very successful.

Mr. Arnold: The hon. Gentleman says that it was successful. Who was the proprietor of the farm featured in the programme? No less than Rudy Sternberg, who was made a life peer by the Labour Prime Minister Harold Wilson for services to agriculture. Perhaps, while aiming to hit the Conservative Government, "Panorama" accidentally ripped the scab off Labour sleaze that took place at the time of the Harold Wilson Government.

Mr. Newton: That is an interesting point. It is always a matter of concern when programmes purporting to give a factual account of events seem to omit details that might be relevant. I am sure that, in the light of what he has said, my hon. Friend will want to pay tribute to the steps taken by my right hon. Friend the Prime Minister to introduce greater transparency in the honours system.

Mr. Harry Barnes (North–East Derbyshire): On 23 February, the junior Health Minister, with great fanfare, announced a £50 million powered wheelchair programme. In May, the Department finally got round to issuing some guidelines, but there seem to be tremendous problems in gaining access to the provisions that are supposed to have been established. May we have a debate about the matter?

Mr. Newton: I cannot sensibly promise a debate alongside all the other pressures that have been put on me

[Mr. Newton]

for debates in the past couple of weeks, but I will bring the hon. Gentleman's remarks to the attention of my right hon. Friend the Secretary of State for Health.

Mr. John Marshall (Hendon, South): May I ask my right hon. Friend for a debate on London Transport so that the House can condemn the proposed series of one-day strikes that will disrupt the lives of thousands of my constituents and many hundreds of thousands of Londoners? During such a debate, one could contrast that negative approach with the Government's positive approach in improving the Northern line, in extending the Jubilee line, in encouraging the Heathrow to Paddington link and in improving the Docklands light railway.

Mr. Newton: The whole House is, or should be, disappointed about ASLEF's proposed action. As we have seen time and again, such strikes do not benefit anyone, least of all the travelling public. They will prevent them from enjoying the benefits of the various Government measures to which my hon. Friend has referred. I hope that we might hear some words of condemnation from Labour Front-Bench Members, but I suspect that that is a triumph of hope over experience.

Mr. Ken Purchase (Wolverhampton, North–East): In regard to the jobseeker's regulations, I would be grateful if the Leader of the House brought a Minister to the House to make a statement and to order an inquiry into the death of my constituent, Thomas Causon. In the month since his death, his mother has been unable to establish and to apportion blame for the death. He was 40 years old, had a serious epilepsy condition and was receiving medication, but he was forced to attend an interview. He understood, perhaps mistakenly, that, unless he attended the particular job that he was sent to, he would lose benefit. The job involved painting and decorating outside in bitterly cold weather. Unfortunately, he collapsed and died, but his mother has been unable to establish whether the procedures adopted under the jobseeker's regulations were appropriately applied.

Mr. Newton: In the light of what the hon. Gentleman has said, the whole House would want to express its sympathy to the family involved. He will understand that it would not be appropriate for me to comment further without any further information about the circumstances. I will, of course, bring his points to the attention of my right hon. Friends the Secretaries of State for Social Security and for Education and Employment, who are both here to answer questions next week.

Mr. Flynn: When may we have a debate on television advertising so that we can congratulate the Independent Television Commission, which, in the past couple of hours, has instructed television companies not to show an ASDA advertisement featuring an actress that is designed to push medicinal drugs, in particular paracetamol, which kills twice as many people as heroin in almost every year—it certainly did so last year—and a series of drugs called co-proxamol, which also kills more than 200 people a year? Is ASDA not wrong to make those drugs more accessible to children as young as 12 by cutting the price of those drugs and by advertising them on television? Should not we be protected in our homes from drug pushers?

Mr. Newton: As some of the hon. Gentleman's points are fresh to me and as, I must admit, I doubt whether it is right for him to accuse ASDA of irresponsibility, the sensible and right course is for me to bring his remarks to the attention of my right hon. Friend the Secretary of State for National Heritage, and to make the point that television advertising might be in order when we return to proceedings on the Broadcasting Bill in 10 days' time.

Retail Development

3.58 pm

The Secretary of State for the Environment (Mr. John Gummer): I am pleased to announce that I have today published the Government's revised planning policy guidance note on town centres and retail development, which honours our pledge to the Select Committee on the Environment in the Government's response to the Committee's inquiry, "Shopping Centres and their Future". The Select Committee endorsed our policy, but asked for it to be clearer and stronger. We consulted on the revised document last July. That attracted considerable support in more than 500 responses and also proposed numerous useful suggestions, many of which have been incorporated in the final version.

The revised guidance note is a further landmark in our planning policies for revitalising town centres, and it emphasises our determination to maintain and enhance them. On returning from the United Nations conference Habitat II in Istanbul, I am more than ever convinced that cities and towns are the heart of our civilisation and that we need their life and vigour for our survival.

Towns are where most of our population live, work and shop and where much of the 4.4 million growth in households projected for 1991 to 2016 will need to be located. It is where we should be encouraging the location of shops, offices, leisure and housing. People have mistakenly characterised our policy as a ban on out-of-town development—all stick and no carrot. We must encourage sustainable development that helps make towns and cities attractive places to be, attractive to those who work and live there, and attractive to those who visit. We want to encourage urban regeneration and focus development in existing centres.

We are proposing a planning policy that promotes development in town centres. We want development plans to contain the positive message that development is welcome here—and to say where in general terms and, if possible, to identify sites. Developers and occupiers—whether retailers, firms needing office space, leisure operators and others who attract a lot of people—all need greater certainty from the planning system. To create that climate of confidence, we need a new approach to planning that can articulate the city's vision, inform developers where development will be encouraged and work with them to identify sites—and so speed up the process and reduce uncertainty.

The revised guidance sets out as clearly as possible the importance that we attach to the revitalisation of our city, town and local centres. We are proposing a positive approach to planning, based on a clear strategy about where we will encourage development. That marks a change from the reactive approach that planners have often had to take in relation to a succession of out-of-centre developments. The guidance provides clearer tests for proposals for out-of-centre developments—whether shops, offices, leisure, higher education, health or other uses that attract a lot of people and are best located in, or close to, existing centres. I emphasise that it is a question not just of shops but of those other important developments as well. We expect local planning authorities, after consulting widely, to provide clear guidance on where development will be encouraged in their areas.

As well as that plan-led approach, the guidance advocates a sequential approach to choosing sites, starting with the town centre or other centres, then edge of centre—defined in terms of easy walking distance—and only then, other sites that are well served by a choice of means of transport. Public transport and access will be important if people want to go for that type of answer.

In drawing up development plans and in individual cases, I expect that approach to be followed, with local planning authorities and developers able to demonstrate that they have thoroughly examined more central sites before they look further afield. I shall require that examination to be thorough—not merely a statement that an examination has been made. The guidance recognises that some uses, such as shops selling bulky goods or certain large-scale leisure developments, may be able to establish a need for development that cannot be accommodated in the town centre. In those circumstances, the guidance suggests that they combine with existing out-of-centre facilities and provide improvements to access by public transport.

The main emphasis of our policy is to revitalise town centres by focusing investment and development, to reinforce their economic prosperity. We need to build on their strengths, on the links that exist between businesses, and on the synergy that makes the pay-off of an individual development much more than just its incremental effect. There is a strong economic argument for recapturing the advantages that town centres traditionally had. Town centres are also the focus of our communities—not just economic, but civic and social. The town is also the most accessible place. Developments on the bypass—whether shops, offices, multi-screen cinemas or hospitals—apart from undermining the vitality and viability of existing centres, are often accessible only by car. As such, they are inaccessible to about one third of the population. Town centres, by contrast, are usually accessible to all.

There is, finally, the environmental rationale—our concern about sustainable development. The dispersed pattern that has grown up over the past 50 years has been made possible and been driven by our increased use of the car, which has given us individually greater freedom, but has made us collectively increasingly reliant on it. By locating development back in centres—town centres or local centres—we can also recapture some choice about how we get to the facilities that we need and how we can achieve a range of tasks in a single trip.

Again, I underline the need for a greater variety of uses in existing centres, moving away from the long-term trend of segregation of uses and the creation of large single-use developments. Since the war, that has been one of the matters that has very much divided our cities. We want to re-establish the diversity and mix that makes town centres vibrant.

Above all, we need to make our town centres places where people want to work, visit and live. We need to encourage more housing in our town centres through flats over shops, conversion of redundant offices and mixed-use developments. We need policies that positively enable such developments, rather than rules that prevent them. I expect local planning authorities to have positive policies to help such developments happen.

To revitalise our town and city centres will take more than just planning policies. It will need vision—a shared vision of the local authority, the local private sector and

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the local community. The guidance that I published today stresses the need for everyone to get together to generate a clear way forward, a strategy and an action plan. For many centres, there will be a need to address issues of traffic and parking, improving the environment and improving the management and maintenance of public spaces to create the confidence that will bring in the development.

Town centres need a clear strategy, and many need positive management. They cannot just drift, as many have done up to now. Town centres have to remain competitive, and, to do so, they need to be better managed. There is no point in protecting town centres by stopping development elsewhere, only to find that town centres cease to be attractive and do not put in an effort because they feel that they do not have competition.

Part of making our town centres more attractive to investors and to people as places where they can work, shop, worship, take their leisure and live is to improve the quality of the environment. The guidance emphasises the need for raising the quality of urban design, urban spaces, car parks, shop-fronts and street furniture.

Access by car and—more particularly—car parking is a key issue in the guidance. We need to cater for visitors arriving by all means of transport. To cater better for town centre shoppers, the guidance recognises that the main gain will come from reallocating existing parking from commuters to the town centre shopper and visitor. Additional provision, even when it is part of a town centre development, needs to be seen as a contribution to the town centre rather than as tied to the individual development. We need to make car parks work for the town centre.

I have left until last reference to shopping, if only to put it into perspective. The guidance is not about a moratorium on out-of-town superstores—as the French and others have recently produced. Shopping is only one, albeit the most high-profile, of our key town centre uses. The same broad principles—the plan-led and sequential approaches—apply to all such developments, not only to shopping. Shopping gets more publicity simply because it is a dynamic industry and it is an activity that we all do.

The guidance, however, spells out in more detail our policy for shopping. The policy of getting new shopping developments into town or local centres wherever possible applies as much to food stores as to non-food stores. No one type of shopping is singled out for special treatment. We have clarified the tests that out-of-town retail developments should meet—in terms of impact on the vitality and viability of existing centres, their accessibility by a choice of means of transport and their impact on overall car use.

The publication of the revised PPG6 is another major step in promoting planning policies that will produce more sustainable patterns of development. It also confirms our commitment to the revitalisation of our town centres, to put the heart back into our high streets. It will help focus investment and development, to capitalise on the advantages of locations that are accessible to all. I know that the policy will be popular with many people across the country. I commend it to the House.

Mr. Keith Vaz (Leicester, East): That was not a statement—it was an apology. This is the Secretary of State's apology for years of neglect by the Government of Britain's town and city centres. Every hon. Member will know as they walk down any high street that the Government's legacy on town centre policy is obvious to anybody—the empty shops, the lack of amenities and the fear of crime.

The Secretary of State has sole responsibility for the Government's abdication of their role of providing leadership to the private and public sectors in retail and other development. Will he explain to the House why it has taken him so long to publish the proposals? Does he realise that that delay has caused enormous uncertainty? Does he accept that the only reason why retail development looks elsewhere is the Government's failure to make proposals to revitalise town and city centres?

In what way is the Secretary of State proposing to target regeneration funds in support of the renaissance of our town centres? Will he accept responsibility for the appalling time scale in dealing with planning issues? Will he explain to the House why it is he who takes so long to deal with call-ins on retail development, knowing full well that delay causes additional economic burdens and is an unnecessary interference in the diversity of local policy?

Does the Secretary of State not agree that the Government, through legislation, have directly hampered the ability of local councils to support their local town centres? What does he propose to do with the hundreds of extant planning permissions for developments outside town and city centres?

Labour Members are serious about protecting Britain's town and city centres. They are part of our heritage and a vibrant part of our economy. They are our future. Over the years, we in the Labour party have warned time and again that the pursuit of the Government's planning policies would destroy town centres. They have ignored our concern and the pleas of the private and public sectors.

British retailing is among the most sophisticated and technologically advanced in the world. We have witnessed a retail revolution that has obviously passed this Government by. Over the years, there has been tremendous innovation in retailing, which the private sector has ably demonstrated in its evidence to the Labour party's review of planning policy. Never mind about Istanbul; it is Labour councils that have led the way in city centre management. They are initiating impressive schemes, working in partnership with the private sector, and bringing people back into our town centres so that they are vibrant and exciting places in which to live and work and for our children to play in. They are challenging the fortress approach that has been imposed on them over the past 17 years.

Labour in Coventry has innovative car parking schemes, York has its city centre housing policies, Leeds has proposals for a 24-hour city and there is Birmingham's dynamic use of culture and the arts. There is no need for citizens to retreat to the suburbs after dark.

Every town and city centre in Britain is different, but they all have one thing in common. It was interesting to hear what the Secretary of State said about the heart of Britain being our town and city centres. They have been left with a hole in their heart because of the Government's policies. The butcher, the baker and the candlestick maker

of middle England, so beloved by the Secretary of State, are being driven away by the twin burdens of economic recession and an absence of Government strategy, including a totally non-existent transport policy. Up and down the country, family businesses with a history spanning generations have closed.

Every town and city centre that has suffered over the past 17 years should erect a suitable monument to the Secretary of State to which the local pigeons have access. It should bear the legend, "He did too little, too late, and when he did something, it was not enough." The Labour party believes in making the high street work, not in letting the high street down, which is what the Government have done.

Mr. Gummer: No one would know from that that almost every one of those cities has a Labour council that has driven out of the centre time and again every shop that tried to make money. Let us talk about Newcastle, where John Lewis used to pay three times as much in rates per square foot as it did in Westminster, because Newcastle city council used to tax people out of the city. Leicester, from which the hon. Gentleman comes, has a notorious city council, pushing businesses out of the city centre into the surrounding county. Fosse park in Blaby district has prospered directly because of the city's appalling attitude to business.

The hon. Gentleman mentioned Leeds. That city did not start to think about partnership until the Government forced it to do so because of the Leeds urban development corporation. We had to take over areas of our great cities to rejuvenate them, because of the appalling history of Labour councils that did not care about business, never cared about the city and drove people out into huge soulless estates.

When I appeared before a Select Committee in the other place, one of the questioners was an ex-Labour councillor who was still defending the destruction of the centre of Liverpool by building outside it towns without amenities, without decent public transport and without any of the things that make a town work.

The hon. Gentleman has no right to come to the House and talk about those matters in the way that he did, because we know from reports in *The Independent* that he is busy telling people that, if there were ever a Labour Government, they would be much softer on out-of-town developers. There has been no direct denial of that. The hon. Gentleman knows that that is precisely why the Opposition had a nice cosy little meeting with various representatives of business whom they thought they could cajole on to their side.

The hon. Gentleman's speech was an attempt to cover up the fact that, from Newcastle in the north right the way down to the great cities of the midlands and the south, where Labour has been in charge, city centres have increasingly died. The new programme that we have now put into operation and the partnership in which we have led the way have driven even the city of Sheffield—with two of its worst leaders now sitting in the House—to join the partnership. The hon. Gentleman should be ashamed of himself and he should support our proposals.

Sir Sydney Chapman (Chipping Barnet): Does my right hon. Friend agree that for anyone who has the remotest remembrance of Labour party policies when it was last in government, the uncharacteristically churlish remarks of the hon. Member for Leicester, East (Mr. Vaz) beggar belief? Will he accept the congratulations of all clear-thinking people on his personal initiative in this whole area and the impetus that he has given to it, which is worthy of the utmost commendation?

Does my right hon. Friend agree that one of the problems with encouraging high street shopping is that it demands unpopular decisions, perhaps relating to new bus routes going through streets unaccustomed to such traffic, or the provision of more car parking? If there is to be success in this area and if retail outlets are to return to our high streets, it is absolutely essential that there is the utmost co-operation between local authorities, local traders and local residents.

Mr. Gummer: My hon. Friend is right. He may have noted that in my statement I made no reference to anything that could not be supported by the Opposition if they had chosen to take a bipartisan approach—such as I have done—rather than the extremist view adopted by the hon. Member for Leicester, East (Mr. Vaz) as a fig leaf to cover up a very sad history. The truth is that we need to ensure that the city centres live—and that costs. We also need to take unpopular decisions, and that is what we have done. I note that the Labour party has even criticised me for calling in some of the developments and thinking about them carefully before making a decision.

Mr. Vaz: The right hon. Gentleman takes too long.

Mr. Gummer: The hon. Gentleman says that I take too long—that is because he is used to making decisions and speeches without thought.

Mr. Chris Davies (Littleborough and Saddleworth): Does the Secretary of State accept that much in the document should be welcomed by all hon. Members, and that it gives some real substance to the sentiments that he has expressed for some years? The tragedy is that the document should have been published 17 years ago, when some of the Secretary of State's less environmentally conscious predecessors allowed the stable door to be opened, to the great detriment of traders across the country. Does the right hon. Gentleman accept that, although the document will help in the long term to alter the planning policies that have so changed our towns over the past few years, it is not good enough to think merely of the long term, given the number of developments already in the pipeline for which planning permission has already been granted?

Does the Secretary of State agree that a moratorium should be introduced until developers can demonstrate firmly and convincingly that their projects will not harm the vitality and viability of existing town centres? Does he accept that there are still some unenlightened local authorities that seem to believe that out-of-town developments are beneficial? Does he accept that once such authorities give approval to a development, there is little that retailers can do to prevent it, whatever harm they believe it may do? Does he agree that there should be a simple appeals system, so that the guidelines he now supports can be put into practice by traders?

Where is the money to come from, to pay for some of the town centre improvements described in the document? Surely there is a need for pricing mechanisms to ensure a

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better balance between the advantages enjoyed by car users at out-of-town developments and the advantages for those using car parks in town centres.

Mr. Gummer: The hon. Gentleman would do well to note how many planning permissions sought previously have not been proceeded with. I do not think that the problem is as worrying as he makes it out to be. In any case, as he knows well, there are no powers under which a moratorium could be brought about, so that is not a possibility.

I do not agree with the hon. Gentleman about the timing of the document. Much of our retail development has brought about what the hon. Member for Leicester, East, in one of his more sensible moments, called the retail revolution. Many people want to use supermarkets. I have never been opposed to them and, as Minister of Agriculture, Fisheries and Food, I often commended the fact that people had wider choice and fresher food in city centres than they had ever had before, and at prices that were extremely competitive. I am not opposed to supermarkets, but I am saying that there should be a reasonable balance. That reasonable balance can be achieved by concentrating now on our town and city centres, and that is what I seek to do.

The hon. Gentleman referred to price incentives. It is difficult to imagine how they would operate. No doubt I shall have the opportunity of seeing a Liberal Democrat working party document which, if I know such documents, will be strong on platitudes but not very good on practicalities.

Several hon. Members *rose—*

Madam Speaker: I have the remainder of the day's business to safeguard. More than 40 Members seek to speak in the debate that follows. I therefore require hon. Members to put single brisk questions to the Secretary of State and I require the Secretary of State to answer briskly so that we can proceed properly with our business.

Mr. Peter Thurnham (Bolton, North–East): Will the Secretary of State ensure that local planning controls properly reflect the needs of shoppers? Is he aware that retail costs in this country are much higher than those in, for example, the United States? What will his proposals do to reduce the high cost of shopping here?

Mr. Gummer: I shall certainly look at the particular points that my hon. Friend raises. I am sure that he is pleased to see that I have put much emphasis on what local authorities can do to release more land in the centres of cities, to assemble suitable plots and to use their powers to help in exactly the way that my hon. Friend wants.

Mr. Dennis Skinner (Bolsover): Is the Secretary of State aware that he should also look at the new gimmick that developers use in coalfield areas in particular? They put in applications for opencast, thereby getting rid of valuable agricultural land, and a planning development comes along later. There is such a development in my constituency, adjoining the constituency of my hon. Friend the Member for North–East Derbyshire (Mr. Barnes). An opencast application has been put in, and there will then be an out-of-town shopping development. If the Secretary of State does not ensure that the opencast application is turned down, that valuable land will be almost fit for a set-aside scheme, so the planning application will go through. If he does not do that, the Duke of Devonshire will make a lot of money.

Mr. Gummer: I have not heard such an assembly of prejudices in one question for a long time. The hon. Gentleman must accept that PPG6 makes it quite clear that planning applications for out-of-town shopping centres will not be accepted unless there is no other place for necessary shopping development. That is quite clear, so what he says does not apply.

Mr. Richard Tracey (Surbiton): Is my right hon. Friend aware of the joy that his statement will bring to the town centre of Kingston upon Thames, which has been nurtured by Conservative councils over the years? Will also assure me that he will protect historic marketplaces such as that of Kingston upon Thames and ensure that parking charges do not get totally out of hand, thus killing shopping? Will he give us assurances on security and street cleaning?

Mr. Gummer: On street cleaning, Conservative councils are more likely to get the streets cleaned properly, particularly if they contract out the service. My right hon. and learned Friend the Home Secretary will have words to say about further moves on security. If people live in town centres, that helps security considerably. I have the same affection for historic markets as my hon. Friend, and I am pleased that Kingston has been so well protected by Conservatives in the past, as it will be in future when the present lot gets out.

Mr. Andrew F. Bennett (Denton and Reddish): Does the Secretary of State accept that the Government's conversion is most welcome? It is also welcome that they have accepted so many of the Select Committee's recommendations. However, does he realise that it is rather late for places such as Greater Manchester, where new developments at Cheadle and Dumplington have done a great deal to damage the existing town centre? What does he plan to do to make it possible to convert many of the empty shops in town centres and suburban shopping parades into housing? That excellent proposal needs to be effected, because empty shops make shopping areas depressing.

Mr. Gummer: I agree. That is why we are doing a great deal of work on building regulations, for example, which are different for different types of development. If we can make the whole system more sensible and make it hang together, we shall help to encourage that. We are looking particularly at the problem that the hon. Gentleman mentioned. I remind him that, although we responded to the Select Committee, it was because of our moves in that direction and my announcement that the Select Committee decided that the issue was worth examining. Therefore, it is fair to say that the Government have driven the proposal right the way through.

Mr. Michael Fabricant (Mid–Staffordshire): Does my right hon. Friend realise how much his statement will be welcomed in middle England, particularly in small cathedral cities such as Lichfield? In particular, does he realise that his hierarchy of development—town centre, edge of centre and out of town—and the proactive moves in respect of town councils will be very much welcomed? Will my right hon. Friend explain how he intends to ensure that local councils properly explore the possibilities of development in town centres before it is proposed out of centre?

Mr. Gummer: My hon. Friend must understand that the guidance is the mechanism by which inspectors make their decisions. Local authorities that do not follow the guidance will find that their decisions are overturned and in many cases they may well find themselves carrying the cost of that. Therefore, local authorities will understand precisely what needs to be done. I am working closely with them and in most cases they have had a change of heart. However, it has been very hard in a number of cities. I am pleased to say that even in Sheffield, the new council leader is beginning to think seriously about participation and partnership.

Mr. Geoffrey Clifton–Brown (Cirencester and Tewkesbury): Is my right hon. Friend aware that my constituents will warmly welcome his statement? In particular, a group of traders in Tewkesbury have written to me today to thank my right hon. Friend for overturning his own inspector and making a landmark decision under the new guidelines. Does he accept that the new guidelines are particularly necessary in small and medium-sized historic market towns, not least because large developments are of a disproportionate size to the retail base in those towns? Will he instruct his inspectors rigorously to uphold the guidelines, so that I shall not need to talk to him about some cases that may be building up in future in respect of Cirencester?

Mr. Gummer: My motive for doing that will not be merely to avoid seeing my hon. Friend—but I promise him that not only will I do as he says, but that people who believe that they can get round the rules by renaming their shops and giving them some other sort of title so that it appears that they are not a retail centre, will find themselves caught by exactly the same regulations.

Mr. Robert Ainsworth (Coventry, North–East): I welcome the further retreat from Thatcherite dogma, inadequate and late though it be. However, does the Secretary of State accept that the damage done while that dogma prevailed, and while planning applications were being accepted over the heads of local authorities throughout the country, was profound and long-lasting? What on earth can he do now, as he shuts the stable door after the horse has bolted? Are there not hundreds of planning applications, which were approved by his predecessor while he sat on the Government Benches, still outstanding and ready to be developed at the expense of town and city centres throughout the land?

Mr. Gummer: The real problem is something very different. Labour councils in our big cities have destroyed those cities, first by driving business out of them; secondly by stopping private development within them; thirdly by insisting on dividing where people live from where they work; fourthly by insisting that people want to live in tower blocks rather than in small houses side by side; and fifthly by pulling down instead of renovating. There is no history in Britain worse than that of Labour local government and the town centres. The hon. Gentleman has hit exactly the wrong target. It is only because what he refers to as "Thatcherite dogma" recreated the economy that we can do what we are doing now.

Mr. Harry Barnes (North–East Derbyshire): Why does the Secretary of State propose to clog up the centres of towns with car parks and cars, rather than pursuing a policy of regular, cheap, if not free, public transport—the very policy that the Government destroyed in South Yorkshire?

Mr. Gummer: I wonder whether the hon. Gentleman has ever gone shopping with small children and large numbers of bags. He ought to live in the real world of real people. If we want people, especially women, to shop in city centres, we must provide safe, clear places nearby where they can park their cars, so that they can do their shopping with their children and then get back into their cars and drive. If the hon. Gentleman thinks differently, he has not gone shopping himself. I wonder who in his house does the shopping.

Mr. Ian Pearson (Dudley, West): The Secretary of State will be aware that the Merry Hill centre is located in my constituency. I appreciate that he cannot comment on the current planning inquiry, but can he tell the House whether, and if so how, the revised guidance will affect consideration of proposals to extend existing out-of-town developments?

Mr. Gummer: The hon. Gentleman was kind enough to acknowledge that I cannot refer to the particular case, but in general the position is as follows. I have already said that, if there are to be extensions of out-of-town shopping for one reason or another, it is best if that happens where there is already such a development, and that it should be associated with good public transport and the like. I have made it clear that there is no question of a moratorium on out-of-town shopping, as has taken place in France. We have much to learn from the rest of the continent. If only we had followed more closely some of the good ideas from the rest of Europe, instead of some of the American attitudes, we would have done better.

We accept that there will be some approvals, and I shall examine each case as carefully as I can. But that sometimes takes rather longer than the hon. Member for Leicester, East, with his "quick, tick, tick, tick and out" approach, would want. We want to get the right answer, not simply a quick answer.

Mr. Chris Mullin (Sunderland, South): I find it hard to recognise the picture that the Secretary of State paints of the responsibility for some of the disasters that have been inflicted on us in the past. In the north-east, our town centres have been seriously damaged by the dreaded Metro centre which, as the Secretary of State knows, was built by Sir John Hall, who is not a Labour voter. May I ask about another point that has been referred to but not

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answered? How many planning applications have been granted for further out-of-town centres? Can anything be done about them, or is it too late?

Mr. Gummer: The Metro centre was so successful because Newcastle city council pushed up the rates in the centre of Newcastle until nobody could make money there. That was one of the good examples of how Labour local government works, and how a Labour Government would work, if there were one. Labour taxes people until they cannot make money, and then complains because somebody else tries to allow them to make money "offshore"—in this case, just over the boundary in the Metro centre. The hon. Gentleman clearly does not know the history of the area that he has represented for some time. As for the second part of his question, I shall give him an up-to-date figure. What I said to the hon. Member for Littleborough and Saddleworth (Mr. Davies), the Liberal Democrat spokesman, applies to the hon. Gentleman's question, too.

Mr. Gordon Prentice (Pendle): Has not this policy U-turn come years too late? It is not only the inner cities that have suffered, but towns such as Tewkesbury, and Barnoldswick in my constituency. Barnoldswick—a town of some 10,000 people—has lost its jobcentre and its gas and electricity showrooms, and the centre of that small town is a wasteland. Business rates have gone sky-high and traders do not know where to turn. Has not the Secretary of State been criminally negligent in the way in which he has allowed our small towns to deteriorate?

Mr. Gummer: First, the rates in the north of England have been significantly and proportionately reduced following the introduction of the uniform business rate. At the time of its introduction, some £800 million moved from the south to the north as a result of Conservative changes after the high rates placed on businesses by Labour local authorities. Such authorities used to take money from businesses—because those businesses did not have enough votes to vote the council down—and spend it on silly schemes that helped no one and were paid for by local people. The hon. Gentleman wants to know why that has happened in the north of England—it is because of Labour councils and Labour rating.

As for the hon. Gentleman's comments on town centres, planning permission arrangements will not make people open shops if they will not be profitable. Town centres will be given as big a chance as possible to compete, but the public want proper competition and decent prices. If they are provided in city centres, the people will go there. If they are not—Labour councils have stopped them in many cities—people will go elsewhere.

Mr. Hartley Booth (Finchley) *rose—*

Madam Speaker: Mr. Booth, it is my impression that you came in after the statement had started. Is that correct?

Mr. Booth: That is correct, Madam Speaker, and I apologise. As I have a special interest, I was watching my monitor and heard every word from my right hon. Friend the Secretary of State and the hon. Member for Leicester, East (Mr. Vaz). Had I come away, I would not have done so.

Madam Speaker: That is a story which I have heard many times before. The entire House knows my attitude—Members must be in the Chamber to hear the statement if they wish to question the Minister.

BILLS PRESENTED

Statutory Instruments (Production and Sale)

Mr. Roger Freeman, supported by Mr. Secretary Heseltine, Mr. Tony Newton, Dr. Brian Mawhinney, Mr. Secretary Forsyth, Mr. Secretary Hague, Mr. Solicitor-General and Mr. David Willetts, presented a Bill to make provision (with retrospective effect) for the printing and sale of statutory instruments under the authority of the Queen's printer, for their issue under the authority of Her Majesty's Stationery Office and for the reception in evidence of lists of such instruments which do not bear the imprint of the Queen's printer: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 156.]

Social Security (Overpayments)

Mr. Secretary Lilley, supported by Mr. Chancellor of the Exchequer, Secretary Sir Patrick Mayhew, Mr. Secretary Dorrell, Mr. Secretary Forsyth, Mr. Secretary Hague and Mr. Roger Evans, presented a Bill to amend section 71 of the Social Security Administration Act 1992 and section 69 of the Social Security Administration (Northern Ireland) Act 1992: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 157.]

Data Protection and Privacy

Mr. Harry Cohen presented a Bill to make provision, replacing the Data Protection Act 1984, for regulating the holding, use, disclosure and transfer of information (including automatically processed information) relating to individuals and the provision of services in respect of such information; to provide for the appointment of a Data Protection Commissioner and the establishment of a Data Protection Tribunal; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon 12 July and to be printed. [Bill 159.]

European Union

[Relevant documents: The White Paper on Developments in the European Union July to December 1995 (Cm.3250), First Annual Report on Progress in Implementing the Action Plan for the Introduction of Advanced Television Services in Europe (8567/95), Commission's Recommendation for the Broad Guidelines of the Economic Policies of the Member States and the Community (11/207/96—EN REV 1), Draft for the Broad Economic Policy Guidelines for the Community and for Member States: Report to European Council (7949/96), unnumbered explanatory memorandum of 20th February 1996 submitted by the Department of Trade and Industry on the draft agreement for cooperation in the peaceful uses of nuclear energy between the European Atomic Energy Community and the Republic of Argentina, and Minutes of Evidence taken by the Foreign Affairs Committee on 12th June (House of Commons Paper No. 306-ii).]

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Bates.]*

4.37 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Malcolm Rifkind): I welcome this opportunity to report to the House on matters concerning the forthcoming Florence summit and other matters affecting the European Union. However, I must begin with an apology to the House. As I must accompany the Prime Minister to Florence later this evening, I will have to leave the Chamber just after 6 pm. I hope that the House will understand. My hon. Friend the Minister of State, the Member for Boothferry (Mr. Davis) hopes to reply to the debate and to deal with the matters raised in it.

I also take this opportunity to congratulate the hon. Member for Livingston (Mr. Cook) on his appointment to the Privy Council, which I believe to be a well-deserved recognition.

One of the advantages of this debate is that we can discuss the forthcoming Florence summit. I want to use part of my remarks to comment on the beef crisis and how the Government see the likely developments during the next few days. Before I do so, I shall refer to some of the other important matters likely to be discussed during the weekend. Clearly there are important issues and we hope that, if the beef problem can be resolved, the EU will be able to address more long-term problems that command attention. I shall highlight three issues briefly.

First, there is to be a report on the intergovernmental conference to the Heads of Government. The conference has now been proceeding for two or three months. As one would expect, the deliberations have been mainly general. It is unlikely that the Heads of Government will be expected to reach even provisional conclusions. We would certainly oppose that. It would clearly be premature, and I do not think that anyone else will take a different view.

However, the Heads of Government might wish to indicate priorities for the conference to look at in the next few months. When Foreign Ministers met in Rome earlier this week, we said that flexibility, defence, employment and third pillar issues might well be deserving of some form of priority.

Employment is another major issue that the conference is likely to consider. We are all conscious that unemployment in Europe is far too high. It is likely that there will be a lively debate based on a number of papers that have been prepared. Certain proposals from President Chirac, and Jacques Santer's own ideas, will determine the nature of the discussion. The United Kingdom will want to point to our experience as the country of western Europe that has relatively low and falling unemployment. We have a much better record in that respect than any other major European economy at the present time.

Sir Teddy Taylor (Southend, East): Will my right hon. and learned Friend give way?

Mr. Rifkind: It is rather early, but I cannot resist my hon. Friend.

Sir Teddy Taylor: To get the facts absolutely straight, as I know that my right hon. and learned Friend always does, will he confirm that, while the European Union has a high rate of unemployment—11 per cent. or 20 million—those countries which voted not to join the European Union have low rates of unemployment and great prosperity?

Mr. Rifkind: I could point to countries both inside and outside the European Union that have either high or low rates of unemployment. I do not draw any general conclusion. The United Kingdom is a good example of how it is possible to have relatively low and falling unemployment, which is a great credit to the policies that have been pursued by the Government.

The great challenge facing Europe at the moment, as we know, is the increased competitiveness of countries in south-east Asia and Latin America. If they increasingly challenge our markets, it is not unreasonable to point out that their success is not as a result of an addiction to the social chapter or to putting treaty amendments on employment in the legislation that covers their affairs, but because those countries have increasingly adopted policies of deregulation, development of a market economy, privatisation, competition and more open trading. That has led to their being powerful challengers. I believe that the United Kingdom can, in a similar way, show the rest of Europe how unemployment can best be dealt with. I am sure that many of the discussions on employment will centre on those aspects.

The third main issue that is likely to be considered is European monetary union. Therefore, the Florence Council will consider reports by the Economic and Finance Council—ECOFIN—the European monetary union progress report on ins and outs, fiscal stability pacts, and the Commission's broad economic guidelines. A substantive report is expected to be presented at the Dublin European Council.

There will also be discussion on a number of other matters, with the possibility of declarations on the middle east, what is happening in Russia and other such issues.

Mr. Mike Gapes (Ilford, South): Will the Foreign Secretary give way?

Mr. Rifkind: In a moment, but not now.

I should like to report to the House on the situation affecting the beef industry and what I believe is the objective over the next few days, and comment on certain matters of current interest in that respect.

[Mr. Rifkind]

As is well known, the British Government start from exactly the same basis as that of all other European Governments—that the first priority must be the health of the public, combined with the eradication of bovine spongiform encephalopathy. Those are the twin objectives, and we share the determination of all who are involved in the matter to ensure that they are achieved. We know that, against that background, some 160,000 animals have been found to be infected with BSE in the United Kingdom over a number of years. They have all been slaughtered and destroyed.

We know that, because the British Government are determined to deal with higher risk categories, they have implemented for some time a policy of ensuring that all animals over 30 months of age not only are slaughtered when they reach the end of their working life but that their carcases are destroyed to ensure that they do not enter the food chain. Those measures and, in addition to them, the much more sophisticated control mechanisms now in place in the United Kingdom—more than in any other part of Europe—explain the British Government's view that the ban should never have been introduced, that it continues to be unjustified and that British beef is safe to eat. That is not only our view, but the view that Commissioner Fischler, the Agriculture Commissioner, expressed some time ago.

Mr. Edward Leigh (Gainsborough and Horncastle): Will my right hon. and learned Friend give way?

Mr. Rifkind: In a few moments, if I may.

It is against that background that we have approached these matters, but we are realistic. We know that, even if we believe that the ban should never have been introduced, we need the agreement of the other member states and the Commission if the ban is to be lifted, so the Government have pursued a strategy since the ban was introduced that is designed to bring about the completion of its ending at the earliest possible date.

Our strategy has been straightforward and simple—to persuade the Commission of the desirability of lifting the ban and, through that means, to persuade other member states. As the House will recall, the first category was beef derivatives—the famous tallow, gelatine and bull semen. The Commission was persuaded. It unanimously recommended the removal of that ban. The House will recall that the proposal was blocked by a minority of member states. They went in—if one wishes to use the phrase—for a policy of non-co-operation. They refused to co-operate with the unanimous view reached by the Commission after it took scientific advice.

Against that background, on 21 May, my right hon. Friend the Prime Minister told the House that we did not believe that it was reasonable to accept such an outcome and that the United Kingdom would pursue a policy of non-co-operation until two objectives were fulfilled. The first was the lifting of the ban on beef derivatives. That ban has now been lifted. The second was the agreement of a framework strategy that allowed for the phased lifting of the rest of the ban.

Mr. Robert Ainsworth (Coventry, North–East): On the Government's strategy, did the Foreign Secretary hear the Deputy Prime Minister say that this was a battle between Britain and the rest of the world? If he did, and if he agrees with that statement, why are we not implementing a policy of non-co-operation with the entire world?

Mr. Rifkind: As the hon. Gentleman may not be aware of the full facts, let me enlighten him. It is true that the United States has a partial ban on British beef. It is also true that it has the same partial ban on France, Ireland and Portugal, as well as other countries outside the European Union. The EU ban is much wider than that of the United States and other countries, so it is logical and appropriate to deal first with it, and then we shall be able more effectively to deal with any remaining bans that apply against not only the United Kingdom, but France and other European countries.

Mr. Robin Cook (Livingston): A moment ago, the Foreign Secretary said that the Government's objective was to obtain the completion of the lifting of the ban at the earliest possible date. Can he tell the House when, under the framework that he is recommending to the House, the completion of the lifting of the ban will be successfully reached?

Mr. Rifkind: The hon. Gentleman—the right hon. Gentleman, I apologise—knows perfectly well that it is impossible to give calendar dates. He and the Leader of the Opposition knew that perfectly well when, after a certain momentary hesitation, they decided to give their support to the Government's non-co-operation policy.

Mr. Cook *rose—*

Mr. Rifkind: Let me complete the remark before I again give way.

In the past 48 hours, the right hon. Gentleman has gone through his customary procedure. He solemnly endorsed the Government's non-co-operation policy on the basis laid down by the Prime Minister a month ago to achieve a framework strategy and now, with a sudden presentation of amazement that there is no timetable in the framework document, conveniently forgets that the Government never said that they would propose a timetable. Indeed, the Government have made it clear in the past month that calendar dates would not be introduced. The right hon. Gentleman knows that as well as I do. Perhaps he will put aside his pious and unconvincing indignation before he comments further.

Mr. Cook: The Foreign Secretary can confirm that I wrote to him on 27 May to say that our support was for the lifting of the ban within a defined time scale. I appreciate that the Foreign Secretary cannot offer us a calendar date, but can he tell us which year he will agree to—this year, next year or the year after?

Mr. Rifkind: I will give the information to the right hon. Gentleman in the near future, if he will be patient for a moment longer.

Mr. Leigh: Surely the important answer to the point raised by the right hon. Member for Livingston (Mr. Cook) is that we cannot give calendar dates but—as farmers in my constituency and farmers' leaders said this

morning—there must be an automatic phased lifting of the ban as conditions are met, and that that should not be conditional on politicised committees meeting in Brussels. That is the important point that needs to be made. Now the 30-month cull is in place, any further cull must be based on scientific evidence for the purpose of eradication; it should not be just a mass slaughter of healthy cows.

Mr. Rifkind: I could not agree more with my hon. Friend. He has summed up the point correctly. Since the Prime Minister announced the policy of non-co-operation, we have pursued the adoption of a framework strategy, but such a strategy must, as my hon. Friend rightly says, be based on objective scientific criteria. We know that the Commission's beef derivatives proposal was blocked by a minority of member states, not on scientific grounds, but for a variety of reasons that related, in part, to the state of public opinion back home, in part to their perception of the constitutional difficulties that they would face in getting the lifting of ban through their parliaments, and in part to other, essentially irrelevant, reasons that had no direct relation to public health. We presented our framework document to the Commission, which has largely used our proposals to produce its document, and we are determined to ensure, as my hon. Friend rightly says, that scientific and objective criteria are applied.

We know that the Commissioners, as individuals, are not scientists, any more than Ministers are scientists. They need advice when scientific matters are being considered and I have no objection to the advisory—I stress advisory—scientific committees to which the Commission will refer such matters in order to be satisfied that the conditions that are laid down in the framework document have been met.

That is why the right hon. Member for Livingston was again talking nonsense when he said yesterday, and the day before, that the framework document required the approval of five scientific committees before anything could happen. He knows that, with the exception of the Standing Veterinary Committee, the other committees are purely advisory. He also knows that only two groups of people—scientists and politicians—can give advice on scientific matters. If I had to choose between the two groups on a scientific matter of fact, I know that one of the objectives of the United Kingdom's policy has been to ensure that the Commission bases its decisions on the scientific advice of those who are responsible to it, rather than relying on ministerial judgments in the other capitals of Europe.

Mr. Gapes: Can the Foreign Secretary confirm that, in addition to the 21 countries that have imposed a ban on British beef for a variety of reasons since 1990, 39 countries had imposed bans on British beef before the European Union decision? Can he give us a guarantee that, if the European Union ban is lifted, all the individual countries will abide by that lifting of the ban—or will they make national decisions?

Mr. Rifkind: For countries outside the European Union, the decisions are obviously national decisions. What is unique about the European Union ban is that we are part of a single market. That is what makes the ban qualitatively different from those of the United States, Canada or any other country. A national Government can, of course, come to a decision—and we can respond against that country by a reciprocal ban if we so choose. Every Government has that right, but we are part of a single market, and a ban imposed on health grounds by 14 countries on the exports of the 15th can be maintained only if those health grounds can be justified and if other considerations are not brought into play.

There is a deep sense of unfairness in the United Kingdom about the ban, because the Commissioner for Agriculture has said that, in his judgment—and he speaks for the Commission—British beef is safe to eat. That means that there is no justification for a breach of the single market principle for reasons not directly related to public health.

Mr. Peter Shore (Bethnal Green and Stepney): We all want the phased lifting of the ban to happen quickly. I understand that the Commission will be influenced by, one hopes, objective scientific opinion, but when a proper proposal is made by the Commission to lift a segment of the ban, will that have to be approved by the Council of Agriculture Ministers first?

Mr. Rifkind: No, that should not be required. I shall tell the right hon. Gentleman and the House about the procedure that will be followed, because it is spelt out in the framework document. We told the Commission, and it has accepted the point, that it would be sensible to consider the ban not as a single ban, but as a ban on different categories of cattle, including those from BSE-free herds that have been only grass-fed, embryos, young cattle born recently, those under 30 months and those over 30 months. Those are the five categories that the Commission suggested. In each case, the procedure for lifting the ban—and this point relates to the timetable—will begin when the United Kingdom Government present a working paper to the Commission describing the ways in which the conditions for lifting that part of the ban have been met.

For example, in the case of BSE-free herds—those that have been fed only on grass and have no history of infection—we are working at the moment, as the House knows, on a system of certification, which is already advanced in Northern Ireland and will soon be available for the rest of the United Kingdom. When the Ministry of Agriculture is able to do so, it will present the documentation that shows that that system can produce reliable information that a herd is BSE-free. On receipt of that information, the Commission will ask the advisory committees, on an advisory basis, to advise whether the system is sound and working effectively. If the Commission is satisfied, it will adopt a formal proposal that will go to the Standing Veterinary Committee. If the proposal is approved by the Standing Veterinary Committee, the ban will be lifted. It does not need to go before any Ministers or any Government.

Mr. Leigh: Will we have a choice? We fear that the Standing Veterinary Committee is politicised and that it works under the orders of other Governments. It is not a pure scientific body, so we want to ensure that, once we have met the conditions and it is obvious that we have done our best to meet them, the committee will automatically accept the lifting of the ban.

Mr. Rifkind: I understand my hon. Friend's concerns—we have shared concerns because of

[Mr. Rifkind]

experience—but he should not take that concern too far. Last night, for example, the Standing Veterinary Committee unanimously approved the United Kingdom eradication programme. That decision, frankly, was far better than we had expected. The committee, including representatives from Germany, Austria and other countries that have been difficult in the past, unanimously endorsed the programme. Even on beef derivatives, with which we have had serious problems, we had a good majority at the Standing Veterinary Committee, although we did not have a large enough majority.

The procedure I have outlined is important, and we have considerably strengthened the system as a result of what has been achieved in the past four weeks. In the past, countries could maintain that questions of market confidence were relevant to perpetuation of the ban. The Commission's framework document clearly states that scientific considerations are relevant, and one of the objectives of the forthcoming foreign summit is that the Heads of Government should also commit themselves to scientific considerations as the basis for decision.

Mr. Bernard Jenkin (Colchester, North): If the United Kingdom Government feel that they have fulfilled one of the conditions for the lifting of part of the ban, but are turned down by the Standing Veterinary Committee in Brussels, which imposed the ban originally, what will we do?

Mr. Rifkind: I have two points to make in reply to my hon. Friend. First, we would need to judge whether the decision was taken on bona fide scientific grounds. If it was, we would have to consider the committee's concerns carefully. Secondly, as we found in relation to beef derivatives, that is not the end of the matter. Even if the Commission does not achieve a sufficient majority on the Standing Veterinary Committee, it is still able to take the matter forward and, as we saw in the case of the beef derivatives, get the ban lifted. That has already happened. It is not just theory: we saw it happen with the beef derivatives, although it took longer than we had hoped.

Mr. Gordon Prentice (Pendle): Is not the Commission right to insist on a belt-and-braces approach because the Government have been criminally negligent since 1988 in allowing contaminated feed into the system? Is not the root of the problem that the Government did not police the system? The Commission and our European partners recognise that, which is why they insist that everything that is done here should be double-checked by the European Union. Because everything has to be double-checked by our European partners, the Foreign Secretary—like the Prime Minister earlier this afternoon—is unable to tell the House when the ban will, ultimately, be lifted.

Mr. Rifkind: The hon. Gentleman is getting a bit carried away. He knows perfectly well that, throughout Europe, there are always imperfections in control mechanisms. If the hon. Gentleman believes ill only of his own country, and that there are no problems in any other country, he is either remarkably naive or extraordinarily short-sighted. Of course we recognise that there have been shortcomings in the United Kingdom's control system—that has been acknowledged for some time—but it is absurd to imply that they are unique to the United Kingdom. The hon. Gentleman knows—and should recognise—that the control mechanisms now in force in the United Kingdom go far further than those that exist in any other western European country.

Mr. Denis MacShane (Rotherham) *rose—*

Mr. Alan W. Williams (Carmarthen) *rose—*

Mr. Rifkind: I must make progress—I might give way later.

One matter that I know is of interest to the House is the culling of additional animals, about which there has recently been much publicity. I shall deal with some of the ways in which that subject has been misrepresented in some statements.

We have for some time been slaughtering and destroying all animals over the age of 30 months when they reach the end of their normal working life. Under that policy, 25,000 cattle a week are being slaughtered and destroyed. The Commission proposes that that policy should be accelerated in respect of cattle born in 1989-90—not all cattle, but those that came from herds or areas where they were likely to have been exposed to the same animal feed as animals subsequently found to be infected. We have agreed that that is an acceptable proposal, but that does not mean that there will be any slaughtering of cattle that would not otherwise have been slaughtered and destroyed.

The proposal is that the policy should be brought forward to help produce the earlier eradication of BSE. That factor is not as significant as is being made out in some quarters. We are talking about cattle born in 1989-90—seven-year-old cattle. I am advised that the average age of slaughtered dairy cattle is six years eight months—and it is mostly dairy cattle that we are talking about. A substantial number of the cattle in question would, in normal circumstances—even if it were not for BSE—be reaching the end of their life in the seventh year.

The figure of 67,000, which a number of people have highlighted, is notional. The actual figure is certain to be substantially lower. Of that 67,000, many are cattle that have already been slaughtered or would be coming up for slaughter and destruction during this year under the 30-month scheme. The best estimate that can be made of the additional cattle that might be affected is between 20,000 and 45,000—not 67,000, as previously suggested. Of course, compensation has to be made available to farmers to make up for their loss. It is important that that point is understood; otherwise there could be needless concern and alarm.

Mr. Barry Sheerman (Huddersfield): Can the Foreign Secretary illuminate that point? He spoke of animals with an average age of six years and seven, or 10, months, which would normally progress into the food chain. Surely the stipulation that, thankfully, is coming from Europe, is that they should not go into the food chain. If they did, pollution across species would occur again and we would greatly damage confidence in our beef.

Mr. Rifkind: The hon. Gentleman is mistaken. Those cattle were already going to be slaughtered and

destroyed—but at the end of their normal working life; they would have continued as dairy cattle, producing milk for a longer period. That is perfectly safe and, rightly, no one has objected to that. The cattle would then have been slaughtered and destroyed. They are now going to be slaughtered and destroyed earlier, as that will help with the overall eradication programme. That is an additional factor resulting from the proposal. I am happy to have clarified that point.

Mr. Alan W. Williams: The general public find it puzzling that 40,000 became 80,000 and then 150,000, when the Government maintain at every juncture that they are basing their policy on scientific evidence. How can the science vary so much, especially as 99 per cent. of those cows do not carry the BSE prion? How can the Government claim that the policy is based on scientific evidence? Meanwhile, farmers do not even have a timetable for the lifting of the ban.

Mr. Rifkind: There are two reasons. First, the matter is not arbitrary; we are not talking about all cattle that happen to be born in a particular year. When a cow is found to be infected with BSE, one examines other cows in the cohort that carry a higher risk of potential infection—cattle that would have been born at the same time and, because they were born in the same place, are likely to have been exposed to the same animal feed.

Secondly, we were reluctant to include cattle born in 1989-90 because proper documentation of cattle began only in 1990; before that date, there is no documentation on the age of cattle. The current proposal, which involves taking that year into account, therefore requires the active co-operation of the farming community. Our reluctance sprang from legitimate reasons. In the light of the circumstances, we believe that if there is a proper compensation scheme, the farming community will wish to co-operate and we shall be able to meet the requirement.

I have one further point on the subject, although I do not want to devote my entire speech to beef. The House will have its own view on the necessity or otherwise of the non-co-operation policy. As one who has been very much involved in the policy, I can only give the House my candid judgment: I firmly believe that, without the adoption of the non-co-operation policy four weeks ago, there would not have been the slightest possibility of the Commission adopting a framework document providing for the phased lifting of the beef ban. Nor would there have been the slightest possibility that, at the Florence summit, the Heads of Government might adopt such a policy—as they might do over the next few days. Such is the political controversy surrounding these matters in other countries that they would have found reasons to defer consideration, and it would have taken many more months of uncertainty. Each hon. Member will come to his or her own view on the matter, but I have no doubt that that is the case.

Mr. Menzies Campbell (Fife, North–East): As the Foreign Secretary knows, I do not agree with the central thrust of what he has said, but if we were to assume that he was right, does he view the United Kingdom's action as a valuable precedent to be followed by this country and by other members of the European Union in similar circumstances in future?

Mr. Rifkind: The crucial aspect of what the hon. and learned Gentleman has just said relates to the phrase "in similar circumstances". The particular point about this sad series of events is that, to my knowledge, it is almost unique for 14 member states to impose a worldwide embargo on the exports of a 15th country. It is not just a matter of Britain disagreeing with the rest of Europe on an aspect of European policy. Of course it would be intolerable to introduce a policy of non-co-operation in such circumstances.

This was unique. We are talking about an important British industry, which had its exports banned by the other 14 countries. How would France, Germany or the other countries have reacted in similar circumstances? Is the hon. and learned Gentleman seriously suggesting that if the French Government, for example, had had their exports banned by the other 14, even though the Commission had said that their beef was safe to eat, would simply have said, "That's very sad. We'll wait until you all change your mind"?

Mr. Campbell: The issue is one of principle. Is the Foreign Secretary saying that it is legitimate to use duress in the current circumstances? If so, is he telling the House that, in other circumstances, he would regard it as legitimate for other countries in the European Union to use duress? Would not the United Kingdom resist any effort to make us negotiate under duress?

Mr. Rifkind: The hon. and learned Gentleman must remember what our objective has been: to get a framework agreed by everyone. We have not said, "You must accept our views as to the content of the policy," or, "You must agree that the ban is lifted on 2 July." That might have been unreasonable for the reasons that the hon. and learned Gentleman suggested. We have said that the non-co-operation policy will continue until a framework strategy is agreed by everyone. Our objective was to set a negotiation in train.

Although the Commission was very willing for that to happen, the sad fact, which the House cannot ignore, is that a minority of member states did not want, for reasons of domestic political problems, to start a negotiation, never mind reach an agreement. They wanted the issue to be put in the "too difficult" tray, and perhaps return six or nine months later when their own domestic opinion might have made it possible for them to start to negotiate. That was the problem that we had to address, and we make no apologies for the way in which we dealt with it.

Mr. Mark Robinson (Somerton and Frome): Do not the Opposition, on any attempt to fight our corner in Europe, raise serious questions about what would happen if a Labour Government were elected in this country? Would they agree to everything that was put on the table by our partners in Brussels?

Mr. Rifkind: My hon. Friend raises an important point, because the right hon. Member for Livingston (Mr. Cook) and the Leader of the Opposition tried, I presume, to earn political capital—as they saw it at the time—by

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supporting our non-co-operation policy. Now, they attack us because we may be about to accept an agreement that they say falls short of what should be accepted.

Given that the right hon. Member for Livingston supports the non-co-operation policy, I look forward to hearing whether, if he were in our position, he would continue that policy until the various criticisms that he now makes were satisfied. If he is not saying that, he is slightly unconvincing in the strictures that he tries to present. He knows perfectly well the basis on which the non-co-operation policy was introduced: to achieve the lifting of the ban on beef derivatives—which we have achieved—and a framework strategy for the phased lifting of the rest of the ban, which may be achieved in the next couple of days.

Mr. Robin Cook: As the Foreign Secretary was kind enough to refer to me again, perhaps he will now answer the question that he promised earlier that he would: in what year will the completion of the phased lifting of the ban take place?

Mr. Rifkind: As was indicated earlier, we believe that the Ministry of Agriculture will be able to introduce proposals for the initial lifting of the ban in the autumn of this year. It may be earlier. We cannot be certain of the precise date. The lifting of the ban will be a priority for the Government. It will be based on when the Government are able to show the Commission that the conditions have been met. I believe that that process will accelerate over the next few months and that it is a perfectly realistic expectation.

Mr. MacShane: If the Foreign Secretary thinks that he has won on this matter, I imagine that the Dutch football manager went home the other night thinking that he had won.

Let us be clear. Is the Foreign Secretary saying that the Commission is batting for Britain but that member states are exercising an individual veto? As he is Mr. Veto on so many other issues, why does he object so strongly when other countries imitate him?

Mr. Rifkind: The hon. Gentleman thinks that he is making a clever point, but he makes a poor one. The United Kingdom believes that unanimity should often be the requirement. If there had been a need for unanimity in this area, there would not have been a ban in the first place. It was possible to introduce the ban only because of majority voting. Those who live by majority voting occasionally die by majority voting, so that principle should not alarm the hon. Gentleman too much.

I shall now deal with the wider issues. I am conscious of the fact that, recently, there has been heightened interest in the future of the European Union and the United Kingdom's role in it. The position was explained clearly by my right hon. Friend the Prime Minister in an important speech yesterday. Our commitment to the European Union is based on two fundamental considerations, the first being the political benefits to the United Kingdom, which were best explained by my noble Friend Baroness Thatcher in 1975.

What she said is as true now as it was then. She said that we must ensure that no effort is spared in telling people the basic reason why it is in Britain's interest to remain a member of the European Community, that the Community gives us peace and security in a free society, a peace and security denied to the past two generations, that the Community gives us a chance to influence world affairs, that Britain's instincts have never been isolationist, and that membership of the Community enables us to play a full part in the counsels of Europe and a continuing role in world affairs.

Sir Peter Tapsell (East Lindsey): Is my right hon. and learned Friend absolutely sure that those are still the views of our noble Friend?

Mr. Rifkind: That is an entirely fair question. All I can say is that my noble Friend Baroness Thatcher has never been reluctant to let her views be known on any given matter. If those remarks now misrepresent her current opinion, I am sure that she will take the earliest opportunity to say so. Sadly, she has not done so in the past 20 years, so I am entitled to assume that she holds them as fervently and enthusiastically today as she did then.

The other reason why the European Union is crucial to this country is the single market, which we must not confuse with a free trade area, as occasionally is done. The whole point about the single market is the elimination not just of tariff barriers but of non-tariff barriers, and to deal with the inevitable protectionist tendencies in member states in the European Union. That is why we need the enforcement measures. That is why—despite the criticisms that we often hear about it—there needs to be a European Court—*[Interruption.]* There needs to be one. To ensure the enforcement of the single market, that is a requirement. That is well understood. It does not in any way diminish some of the criticisms that we make about certain aspects of the way in which the court is permitted to operate, but that is a separate matter.

Mr. Robinson: Will my right hon. and learned Friend confirm that 40 per cent. of all American investment that comes into Europe comes to the United Kingdom because we have the most favourable regulatory regime of any country in Europe, and that that is why we need to use the European Court in these circumstances to improve the single market?

Mr. Rifkind: That is indeed right. As my right hon. Friend the Prime Minister said earlier today, when he quoted the head of the German confederation of industry, 10 times as much investment comes to the United Kingdom as comes to Germany—because of the economic circumstances in this country.

Mr. Bernard Jenkin: Although it is certain that we need a court to have a rules-based single market, and we need adjudications on those rules, is it necessary to have a legal system that is superior to our own, and which penetrates our legal system, giving rights and obligations to individuals and institutions within the member states, which is quite unlike any other free market agreement between nation states in any other part of the world, such as the North American Free Trade Agreement?

Mr. Rifkind: It is more than a free trade agreement. It goes back to the origins of the treaty of Rome. It is not some new, sinister development. It has nothing to do with

the treaty of Maastricht. It was in the original treaty that we signed some 20 years ago. That point must be remembered.

Mr. Tim Renton (Mid–Sussex): My right hon. and learned Friend rightly drew a distinction between a free trade area and a single market, but does he agree that there is a link between a European single market and European monetary union? Monetary union can be seen as a logical consequence of a single market, and it is very difficult for a single market to be achieved without a single currency.

Mr. Rifkind: I am afraid that I must part company with my right hon. Friend. In a recent speech, the Governor of the Bank of England also indicated that he was unconvinced of the existence of a necessary connection between the two elements.

The Government's position on our commitment is clear, but the Leader of the Opposition is in danger of confusing—to say the least—people both here and abroad about what his actual beliefs are. I read with interest a speech that he made recently to the German confederation of industry in Hamburg. Some time ago, he said proudly that, under his leadership, he would never allow this country to be isolated or left behind in Europe. In Germany earlier this week, he said:

"I shall defend the interests of the British people as stubbornly and fiercely as I expect the German government to defend the German interests."

We shall all wait with considerable scepticism to discover how it is possible to reconcile never being isolated with stubbornly and fiercely defending British interests.

Some time ago, we heard the Leader of the Opposition say that, under his leadership, Britain would abandon the veto in regional, industrial, social and employment policy. In Germany, he said that the Conservative party would portray Labour as wanting to end the British veto. Why can we not have a straight line from the Leader of the Opposition? He said in Germany:

"We will be part of the European Social Chapter".

In the very same speech, however, he said:

"The impact of non-wage costs on total employment costs cannot be ignored, nor can the way some regulations prevent the kind of workforce flexibility needed by modern manufacturing processes and the new service industries."

As in so many other areas of policy, the Leader of the Opposition says all things to all people in a desperate attempt to promote his own position.

I believe that the situation in the Labour party is beginning to resist that approach. Only this week, in the European Parliament, 52 Labour MEPs rejected the Labour policy of support for non-co-operation. In doing so, they attacked not just the Government but their own leadership. Very recently, a document was published, signed by 50 Labour Members of Parliament who were attacking their own Front Bench on the single currency, and who say that they are going to launch a campaign to persuade their own party leadership to change its current policy of being sympathetic to the idea.

Those inconsistencies, with Labour MEPs attacking their Front Bench and 50 Members of Parliament criticising official policy—well, it all looks quite familiar. The hon. Member for Livingston is going to begin to experience what some of us have been experiencing for a little longer. We have always known that these divisions exist in the Labour party, but until recently Labour Members have been slightly better than us at concealing them. It is now evident that that deception cannot be sustained. The extraordinary, unprecedented self-discipline is breaking down, and I have no doubt that that will add to the gaiety of mankind.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael Morris): Order. I must announce that Madam Speaker has decided that, from 7 pm, speeches shall be restricted to 10 minutes.

5.23 pm

Mr. Robin Cook (Livingston): I shall follow the Foreign Secretary in addressing the bulk of my remarks to the beef dispute and its resolution, but before I do so, let me also follow his example in referring to another matter that will arise at the Florence summit. I hope that it will prompt concern on both sides of the House, and possibly on all sides of the Tory party.

In the past two weeks, the Foreign Secretary has twice attended Council meetings at which the peace process in Bosnia has been discussed, and he will know that that is also on the Florence agenda. This may well be the House's last opportunity to raise concerns about the peace process before the House rises for the recess, and it is likely that Bosnia will proceed to elections while it is in recess. I suspect that the Minister of State will have a lot on his plate when he replies to the debate, but when he does so, will he give us the Government's current views on whether it will be feasible to hold fair and free elections in Bosnia by 14 September, and tell us what view the Prime Minister will express at the Florence summit when the matter is discussed?

The Minister will be aware that there are serious doubts about whether the elections can be free and fair. For instance, are the Government satisfied that candidates outside the governing parties will have access to independent media? What happened to the television station, promised during the Dayton peace process, that would give access to people outside the state apparatus? Are the Government satisfied with progress on the return of refugees? I understand that 1,950,000 out of a total of 2 million have still not returned. Can they realistically take part in the elections in September?

Finally, and perhaps most important, what more can the Government offer to bring Mr. Karadzic and General Mladic to justice before the international war tribunal? Even if they do not stand in the elections, their continuing presence intimidates others, and there can be no reconciliation after the atrocities of the war if no justice is brought to bear on those responsible for those atrocities. I would be grateful if the Minister could tell us what view the Government will express in Florence; and I thank the House for its patience in allowing me to refer to the peace process that is intended to resolve the war in Bosnia.

On the more absorbing issue of the resolution of our beef war with Brussels, I am quite confident—more confident than the Prime Minister sounded at Question Time—that the issue will be resolved in Florence. It is evident that the Government will now accept anything that is on offer to get themselves off the hook on which they have impaled themselves. We can see that if we examine the deal that is now on offer from Brussels, and compare it with the deal sought by Britain.

[Mr. Robin Cook]

First, there is the matter of the extra cull to which the Foreign Secretary referred, and to which he put a figure of between 20,000 and 45,000—or, as the Deputy Prime Minister described it this morning on the "Today" programme, a "handful" of cattle. The Foreign Secretary tried to explain that this was not an extra cull at all, because the cows were going to be killed anyway.

Perhaps the House will allow me a reminiscence. I once took an English companion to the scene of the battle of Flodden, and waxed woeful over the number of members of the Scottish nobility who had died in that battle. My English companion, who was obviously losing patience with my tale of woe, broke in to say, "Well, they would all be dead now anyway." The Foreign Secretary seems to be following the same logic.

The fact is that the Government have no commitment to cull cows aged over 30 months. As the Foreign Secretary rightly said, they have a commitment not to allow cows aged over 30 months to enter the food chain. They have now conceded that cows born in 1989 will be culled before the farmers necessarily conclude that they have reached the end of their working lives. If the Foreign Secretary is really confident that all those cows are at the end of their working lives anyway, he should try explaining to the House why the National Farmers Union is so concerned about the fact that cows on many farms which are not regarded as being at the end of their working lives will have to be culled earlier.

There is also the awkward matter of what the Government said at the time when they embarked on the beef war. On 21 May, the Minister for Agriculture, Fisheries and Food said:

"I have seen no evidence to justify going beyond the proposal that we have advanced."—[*Official Report*, 12 May 1996; Vol.278, c.113.]

Yesterday, the Minister said that it was quite untrue that the Government were contemplating an extra cull.

I must tell the Foreign Secretary that there may be a case for the additional culls that are proposed. That is a matter for the House to resolve when it debates the Statutory Instrument which will, of course, be required, although this is not actually an extra cull. But as this Foreign Office debate is focusing on the negotiation of a package, let us at least not pretend that the Government have not shifted their position. Let us at least treat the House as adults and admit that there has been a climb-down, or possibly a climb up. Originally, the Government were willing to cull 40,000. That rose to 80,000 and it is now, according to the Foreign Secretary, about 125,000. That may have been necessary to reach agreement, but let us not pretend that it was not a shift in the Government's position.

I advise the Foreign Secretary not to pretend that the Commission's framework is what the Government wanted. We know that it is not, because it opens by criticising the Government and expressing

"considerable misgiving about the effectiveness of past actions taken by the UK in relation to BSE."

It is not the first time that a Foreign Secretary has come to the House and claimed success in his negotiating policy, having secured a document that criticises the effectiveness of his own Government.

We also know that this is not the document that the Government wanted, because we have a copy of the draft framework that the Government were arguing for only last week. There are three major gulfs between the Commission document and the Government paper. The first is that the Government paper sets out at great length the link between the steps that we can take to tackle BSE and the action that the Commission can take to phase out the ban on British beef. There is sheet after sheet on that—five pages in the annexe. Britain's action is in the left-hand column and the Commission's action is in the right-hand column, but none of that is in the Commission document.

Mr. Rifkind: I am surprised that the right hon. Gentleman clearly has not read the Commission's paper, page 3 of which is about the procedure for lifting the ban. It says:

"A working paper must be presented by the UK, elaborating the specific criteria and indicators as exemplified in the UK framework document",

which the right hon. Gentleman quotes. Page 1 of the Commission paper says:

"The Standing Veterinary Committee has examined the UK framework document . . . giving many of the principles a favourable reaction",

so the right hon. Gentleman could at least do the House the courtesy of reading the document before commenting on it.

Mr. Cook: I have read the document repeatedly. As the Foreign Secretary says, it states that the committee has given

"many of the principles a favourable reaction"—

not the five pages of the annexe. The Commission has covered itself by rolling together what is in the annexe into a single paragraph, and by rolling into a separate paragraph what action it might take in lifting the ban. There is no explicit link or parallel there.

Mr. Rifkind: The right hon. Gentleman must read the document a fourth time if he has read it three times, because he has not understood it. It states clearly the procedure for lifting the ban and says explicitly what the first step is:

"A working paper must be presented by the UK, elaborating the specific criteria and indicators exemplified in the UK framework document."

That is precisely the link that the right hon. Gentleman says does not exist.

Mr. Cook: As the Foreign Secretary says, the document states:

"as exemplified in the UK framework document."

If he regards that as the binding link, I would not go to him for legal advice, even though he may be a Queen's Counsel.

As the Foreign Secretary has turned to the page on procedure, let us deal with his comments. He said that I was wrong in saying that this matter had to go before five committees. *[Interruption.]* I am sorry if I misunderstood him. Obviously I was right in saying that it had to go before five committees. Is that what he is saying?

Mr. Rifkind: The right hon. Gentleman can check the record. I said explicitly that all these committees bar one

were merely advisory committees. They could not block or decide anything. They merely advise the Commission. Only the Standing Veterinary Committee takes a decision.

Mr. Cook: The paper says that the UK working paper "will be submitted"—

Mr. Rifkind: For consultation.

Mr. Cook: Indeed. I intend to read it all, if the Foreign Secretary will relax and let me do so. The paper states:

"This working paper will be submitted for consultation to the Scientific Veterinary Committee, the newly created Multi-disciplinary Scientific Committee and, where appropriate, to other relevant Scientific Committees. At the same time, it will be discussed by the Standing Veterinary Committee.

In the light of these discussions the Commission will take a decision".

Is the Foreign Secretary saying that if, after those discussions, the committees say, "This is not sufficient", and if the Committee expresses the view that the indicators or criteria are not adequate, the Commission will take a favourable decision? Does any Back-Bench Conservative Member believe that that will happen?

Mr. Rifkind: The right hon. Gentleman must not get into a bogus lather about these matters. He knows that the Commissioners are not scientists. He would be the first to criticise Ministers or the Commission if they took scientific decisions without consulting scientific advisers. That is what they are required to do and that is what we insisted on, because if decisions are not based on scientific advice, the only alternative is to base them on political considerations, which is exactly what we are trying to get away from.

Mr. Cook: The Foreign Secretary's intervention was revealing. He said that the Commissioners are not scientists—which we accept entirely—that they will take advice from scientific committees, and that these are the scientific committees. Having listened to that, it is unlikely that the Commission will then say, if the scientific advice is negative, that it will go ahead with the decision.

The next stage is that the Commission will present its draft decision to the Standing Veterinary Committee. As the hon. Member for Gainsborough and Horncastle (Mr. Leigh) rightly reminded the Foreign Secretary, the Committee refused to lift the ban on derivatives—it divided on it. That is how we got into the dispute and into the non-co-operation policy in the first place.

It is not entirely honest of the Foreign Secretary to say to the House that this will be a matter simply for scientific and not political judgment. The next paragraph says:

"Fortnightly reports by the UK . . . and monthly reports by the Commission to the Council and Parliament will continue as long as necessary and are an integral part of this procedure."

If we assume that the Council is going merely to note the reports with which it feels unhappiest, the Foreign Secretary is not being frank with the House about the nature of the discussions that he has had in the past month.

There is another gulf that the Foreign Secretary cannot wriggle out of. In the document that he submitted last week, the Government made considerable play of the importance of exports to third countries. The Government proposed that exports to third countries that were not authorised to re-export beef to the European Union should recommence immediately. The Government also proposed that exports to other third countries should recommence subject only to safeguards on re-exports to the European Union, not subject to anything that we were going to do to tackle BSE. The Foreign Secretary cannot deny that that is knocked firmly on the head by the Commission, which dismisses the proposal in one line. It says:

"Exports to third countries will be permitted in parallel to phased exports to other Member States".

In other words, until we fulfil all the steps set out by the Commission, and until all the committees give their scientific advice, there will be no exports to third countries.

When he was asked yesterday when exports to third countries could recommence, the Chancellor of the Duchy of Lancaster, with the characteristic honesty that has undermined his interventions in this affair, said:

"I am not trying to avoid it. I just don't know the answer".

Perhaps the Foreign Secretary will give us the answer.

Mr. Rifkind: On exports to third countries, the matter will no doubt be discussed this weekend in Florence. Yesterday, my right hon. and learned Friend the Attorney-General put to the European Court of Justice the UK case—which was extremely well received—with regard to this part of the ban. We are likely to have a decision within the next week or 10 days on whether there should be an interim decision by the court which could lift that part of the ban immediately. Obviously, we cannot be certain until we hear that judgment, but the Attorney-General believes that he had a good hearing on the inequity of that aspect of the ban. We will wish to see the outcome of that hearing and take that into account.

Mr. Cook: I commend the Foreign Secretary on his confidence in the European Court of Justice. I presume that he will now defend it against the criticism that it frequently receives from Conservative Back Benchers. In case hon. Members did not notice it, may I point out that they are being asked to accept the framework agreement without any commitment on exports to third countries, and on the assumption that the European Court will ride to the rescue, which many Conservative Members will find uncomfortable.

Apart from the gulf between the papers of last week and this week, the Foreign Secretary is unable to answer the question that I repeatedly asked him: when will the phased lifting of the beef ban be completed? He said that it was never his intention to have a timetable. On 27 May, the right hon. and learned Gentleman said that he was seeking an agreed strategy to provide for the lifting of the rest of the ban and that the question of a timetable would obviously be part of those discussions—so presumably he discussed a timetable with our partners in the European Union. What did they say?

Mr. Leigh *rose—*

Mr. Cook: I will just finish with the Foreign Secretary.

What did our European partners say when the right hon. and learned Gentleman raised the timetable? Are we to infer from his inability to offer any timetable that he does not wish to share with us the answer that he received?

[Mr. Cook]

Farmers need to know when they can export beef again—will it be this year, next year or the year after? It must be dawning on Conservative Members, including the hon. Member for Gainsborough and Horncastle, that they will be fighting the next general election with most of the beef ban still in place.

Mr. Rifkind: The right hon. Gentleman quoted from the British document that was put to the Commission, in which we made no suggestion of determining calendar dates now, as to when various parts of the ban should be lifted. Picking an arbitrary date of 31 July or 2 August would be nonsense. The Commission's document as well as our own reflects that the approach should be to agree the conditions that must be satisfied for the lifting of each phase of the ban, and for the UK to initiate that process when it can demonstrate that those conditions have been met. Then the ban will be lifted.

Mr. Cook: The Foreign Secretary confirms the extent to which the Government are shifting their position. The Minister of Agriculture told the House:

"I made it clear that, in order to be acceptable to us, any Council conclusions must include either agreement to lift the ban forthwith, or a procedure and timetable to that end."—[*Official Report*, 3 April 1996; Vol. 275, c. 407.]

I ask not for a calendar date but to be told in which year the ban will be lifted—or to extend the point, in which century.

Mr. Leigh: There is no use the right hon. Gentleman answering a question from my right hon. and learned Friend with another question. How can the UK insist in Florence this weekend on any date for the phased lifting of the ban when we have no idea whether the conditions will have been met by that time?

Mr. Cook: I do not know where the hon. Gentleman has been for the past 17 years, or for the past 10 years of the BSE crisis, but a Conservative Government have been in charge all that time. Ten years after BSE appeared in the herd, the Government still cannot say when the conditions for eradicating BSE will be in place. That is why the Commission started its statement by criticising the effectiveness of the UK measures.

The Foreign Secretary asked whether I believe that the non-co-operation policy should continue beyond Florence. I recognise that the job of Foreign Secretary may occasionally involve telling the House with weary resignation, "This is the best deal that I can get, it's the best deal you're going to get, and you'd better take it." There is nothing dishonourable about doing that. I suspect that the Foreign Secretary ought to be saying that to the House.

However, he cannot get away with pretending that this deal is the one that he wanted. Still less can he get away with pretending that the deal is a triumph for the policy of non-co-operation. I am rather more impressed by the results of the freelance policy of non-co-operation pursued by the hon. Members for Harrow, East (Mr. Dykes) and for Hendon, North (Sir J. Gorst)—who at least succeeded in getting the ban on their hospital lifted. Possibly the Foreign Secretary should have copied their framework strategy.

The Foreign Secretary has been able to secure an agreement because the Government have at last come up with a plan to eradicate BSE from the herd. The right hon. and learned Gentleman carried around that document in his briefcase to all the chancelleries of Europe—an onerous task, and it would be churlish not to congratulate him on the energy that he expended on it. However, why did the Government wait three months after the ban before the Foreign Secretary took that action?

Instead, the Government announced to the House three months ago the possible link between BSE and Creutzfeldt-Jacob disease. There was no warning to Brussels of the thunderbolt coming out of the sky, no plans for the extra measures necessary to tackle BSE or contain the inevitable blow to consumer confidence, and apparently no foreign strategy to contain the entirely predictable reaction of nations that import British beef. If the Government had not made those elementary errors, we might have got the deal that the Foreign Secretary is commending to the House today without three months' delay and the need to disrupt the business of the European Union.

The Foreign Secretary was good enough to refer to our support for the policy of non-co-operation, although not with the generosity appropriate to my attempt to develop a bipartisan line. We argued that that policy should not be applied in a mindless, routine way as a blanket ban, but that there should be sensible exemptions. We said that Britain should not block measures that we wanted more than our partners, or those that affected third countries that are not even members of the EU or parties to the dispute.

The Government blocked both types of measures. They blocked a measure to cut red tape although Britain had proposed it. The Government blocked tougher powers of inspection against fraud although Britain had lobbied for them. I discovered at the weekend that the Government also blocked a letter to Iran about Salman Rushdie, although the only beneficiary would be a resident of Britain and of nowhere else.

One consequence of the non-co-operation policy that the Euro-sceptics could not possibly have anticipated is that it has focused on how many sensible things Europe does and how often they are helpful to Britain. The Government also blocked measures that are more important to the inhabitants of third countries outside Europe than to any resident of Europe. Most spectacularly, the Government blocked a declaration condemning the detention of pro-democracy activists in Burma. I cannot conceive what possible leverage the Foreign Secretary could imagine he was obtaining in respect of the beef ban by offering comfort to the repressive military regime in charge in Burma.

It is now possible to draw up a score sheet on the beef crisis. On the one hand, we have the three-page offer from the Commission that falls far short of the offer that the Government were seeking only last week. On the other hand, we have the casualties. The Government have sacrificed their credibility by blocking measures for which they have long lobbied in Brussels. The Government have left the rest of the world perplexed, having negotiated agreements with

Britain's support only to find them blocked by Britain. Most perversely of all for Back Benchers, the Government have left other EU member states more determined than ever before to cut the areas in which the veto applies. The

Government's position at the forthcoming intergovernmental conference is to oppose any shift from the use of the veto in European Union decision-making. Their policy of non-co-operation has sharply undermined the credibility with which Britain can argue for that at the IGC.

Another consequence of the Government's behaviour of the past month is potentially damaging to our long-term interests.

Mr. Jacques Arnold (Gravesham): Will the right hon. Gentleman give way?

Hon. Members: He has only just come into the Chamber.

Mr. Cook: I am tempted to rely on the Speaker's ruling that an hon. Member who is not present for the start of a debate is not allowed to participate half-way through. However, the hon. Gentleman has only a few months left in which to intervene in the House, so I shall not deny him this opportunity.

Mr. Arnold: The right hon. Gentleman is rubbishing the policy of non-co-operation. Was it not the leader of the Labour party who said that he supported precisely that policy?

Mr. Cook: I really should have known better than to let the hon. Gentleman intervene. We have been dealing with this issue for the past 45 minutes, and our position was made perfectly plain at the outset—that we were not going to undermine the Government's activities. We have made very sensible criticisms as to how they should carry out their policy, but the entire thrust of my speech—which I invite the hon. Gentleman to read tomorrow when he gets *Hansard*—is to point out that the tatty deal that the Government have secured can in no way be represented as a triumph for that policy.

Mr. Arnold: The right hon. Gentleman did not answer my question.

Mr. Cook: The hon. Gentleman never asks a question that is worthy of answer, to be perfectly frank.

In his remarks, the Foreign Secretary stressed that Britain's future lies in Europe, and ended by praising the achievements of the European Union. If that is his position, the Foreign Secretary must take account of the wave of jingoism and offensive hostility to our European partners that has been released by the Government's activities over the past month, particularly from those newspapers that told us that the Government had declared war in Europe and that told us—presumably with some spinning—that the Foreign Secretary was presiding over a war Cabinet.

The problem is that wars require an enemy. Inevitably those newspapers that announced that we are at war started to write about the other countries of Europe as our enemies. *The Sun* offered helpful advice to its readers on how best to insult German tourists. Last week, the Foreign Secretary made a speech in which he declared that the Government are not anti-European. I welcome that statement, although I am bound to say that I find it revealing that the Foreign Secretary should feel obliged to have to announce that. I also find it revealing that broadcasting authorities should regard the announcement as sufficiently newsworthy to include in their bulletins.

If the Government are not anti-European, perhaps the Foreign Secretary should tell the Secretary of State for Education and Employment, who—of all people—said it was unbelievable that the BBC had adopted Beethoven's "Ode to Joy" as a theme, because it was a German tune. Perhaps he should also tell the chairman of the Tory party, who—in a pithy statement of his cultural tastes—said that he would have preferred the BBC to choose a "bit of British music". Perhaps the Foreign Secretary should also tell the editor of *The Sun*.

The Foreign Secretary wrote an article on the beef war for *The Sun*, which was carried under a cartoon of a German U-boat sinking British ships. In the line immediately above the photograph of the Foreign Secretary, the German U-boat commander says:

"Mein Gott, it's good to be torpedoing British ships again!"

The Foreign Secretary will be aware that I wrote to him to invite him to join me in a joint appeal against that type of offensive xenophobia. He will know that he refused. There is no point in assuring our partners that the Government are not anti-European if they see that that is the type of company that he keeps. It is a short-sighted diplomacy that says one thing to our partners and then sends out a different signal to the editor of *The Sun*, because the other members of the European Union can see through that.

Mr. Rifkind: I seem to remember that the Leader of the Opposition had an article in his name published in *The Sun* recently. Will the right hon. Gentleman dissociate himself from that?

Mr. Cook: No, not in the slightest. But I must say that my right hon. Friend the Leader of the Opposition has dissociated himself from that cartoon and the like. Will the Foreign Secretary now dissociate himself from what *The Sun* has said?

Mr. Rifkind: I have no difficulty whatsoever in condemning unreservedly the xenophobic nonsense that appears in the tabloid newspapers. But the idea that the Leader of the Opposition can have articles published in *The Sun* and that I am not allowed to do so without being associated with other headlines in that newspaper is one of the more absurd propositions made by the right hon. Gentleman.

Mr. Cook: The Foreign Secretary cannot wriggle out that way. The reason why *The Sun* ran that type of cartoon and others like it is that the right hon. and learned Gentleman and the Government led them—through the spinning on this beef war—to talk about it as a war, to talk about a war Cabinet and to regard the other countries of Europe as our enemies. The Foreign Secretary knows perfectly well that the reason why he did not agree to make that joint declaration against xenophobia is that he did not want to offend the editor of *The Sun*.

Mr. David Winnick (Walsall, North): Is my right hon. Friend at all surprised at the Tories' indifference to what has been printed in *The Sun*, bearing in mind the disgraceful speech by the Secretary of State for Defence

[Mr. David Winnick]

at the most recent Tory party conference? Should we not also bear in mind when considering this offensive, anti-German hatred that the first victims of the Nazis were Germans? We should always remember that fact when people try to start with their anti-German propaganda.

Mr. Cook: I agree with my hon. Friend. Euro-sceptics who argue that we should withdraw from Europe because Germany is too dominant inside Europe should reflect on exactly how dominant Germany would be inside Europe if Britain was not a part of it.

Mr. Hugh Dykes (Harrow, East): As we have a free press and a free democracy, obviously we should not go over the top on such matters. However, bearing in mind that some hon. Members of all parties, including Labour Members, have been researching and comparing the use of words in Nazi newspapers in the early 1930s, when they were Jew-baiting, and bearing in mind what *The Sun* said in its attacks on Germans, does the right hon. Gentleman feel that there might be—I put it no higher—a case for the Attorney-General to consider prosecutions against *The Sun* for incitement to racial hatred?

Mr. Cook: I am not legally qualified to express a view on whether such a case could be brought on prima facie grounds. I am, however, politically qualified to know that that type of damaging xenophobia and jingoism deeply undermines Britain's political future—which is inside Europe and in co-operation with Germany and the other European states, not in confrontation with them.

Mr. Jenkin: I join the right hon. Gentleman in condemning that type of xenophobia. But as he continues to advocate more qualified majority voting, will he reflect on the fact that that he is advocating a policy that is likely to give rise to more frustration, more headlines and more misuse of language of that type? We want nations in co-operation, and not to be coerced.

Mr. Cook: The hon. Gentleman—if I understood him rightly—accuses me of hypocrisy. But there is no worse hypocrisy than pretending that the decisions of the European Union—in which the Foreign Secretary participates and in which the Government often take an initiating part—can be characterised by that cartoon and those like it. That is the greatest hypocrisy of all.

Sir Peter Tapsell *rose—*

Mr. Cook: I must make progress, if the hon. Gentleman will forgive me. I have been generous in giving way.

If anyone doubts the harm that is done to Britain's interests by that type of jingoism and offensive hostility, they should listen to the chorus of dismay from business leaders, including the retiring chairman of the Confederation of British Industry, who asked whether, among all this xenophobia, some people had actually noticed that the last war was over. The reality is that millions of jobs depend on exports to the European Union. Withdrawal, as the CBI warned, would leave us with exports that were subject to "regulation without representation".

Hundreds of thousands of jobs in Britain are dependent on inward investment, which comes here only because we have access to Europe—the largest market in the world. Last week, yet another senior business man in the CBI reported that his Japanese company has called several times from Tokyo to ask about Britain's commitment to Europe. The doubts spread by Conservative Members about our commitment to Europe are potentially deeply damaging to the jobs in those companies.

We now have the opportunity to turn the page and to start a new chapter in our relations with Europe. It looks as if we are at the closing stages of the beef war; it will not need the skills of Richard Holbrooke or Henry Kissinger to bridge the outstanding points of difference before the weekend. The Foreign Secretary and his Ministers are quite up to that task—*[Interruption.]* I am giving the Foreign Secretary the benefit of the doubt for once. He should accept it in the spirit in which it is offered.

It is important that we resolve this dispute, but it is equally important to draw a line under this episode and look to the future. Britain must have a fresh start in Europe, and I do not believe for one minute that the Government are now capable of offering that fresh start. First, the other leaders of Europe will not find it credible when a Government who have pursued confrontation for the past month turn up next week asking for co-operation. Secondly, I see no sign that the Tory Back Benchers will allow them to replace an approach of conflict with an approach based on co-operation.

As I have turned on my television set over the past month, I have never seen the hon. Members for Billericay (Mrs. Gorman) or for Stafford (Mr. Cash) looking more fulfilled than when they were at war with Europe. Living in peace with Europe will be the problem for them. The Foreign Secretary's problem is that it is impossible for him to offer a fresh start for Britain in Europe, because too many of his party want a fresh start out of Europe. If in dark moments, when the lights are out, the Foreign Secretary thinks that he has problems with his existing Back Benchers, he should look over his shoulder at the candidates who have been selected for the plum seats in the next election.

The Prime Minister's speech is always an accurate weather vane as to which way the latest wind is blowing in the Tory party. In the speech to which the Foreign Secretary referred yesterday, the Prime Minister said:

> "I have consistently said that we will not accept the pressure to develop Europe as a single train, with all the carriages moving at the same speed."

In claiming consistency for that, the Prime Minister is guilty of a touch of amnesia. Four years ago, after presiding over the Birmingham summit, the Prime Minister reported on a discussion, saying that there would be

> "no fast track, no slow track, no one left behind, that was a consistent theme."

Four years ago, no one was to be left behind. Now, Britain can be left behind. What has changed in those four years is not Europe but the Tory party, under a leader who, instead of resisting that change, is drifting with it.

It is the Government's duty to tell the country and the Conservative party about the world as it really is. Tory Members have totally abdicated that duty. *[Interruption.]* I am talking about those on the Government Front Bench.

I exclude the hon. Member for South Derbyshire (Mrs. Currie) from my strictures, although I do not know if it will do her any good with her colleagues. *[Interruption.]* If any hon. Members feel that it would be helpful, I would be happy to give them an exclusion policy to be included in their next electoral address.

There is only one way in which the Government's abdication of duty can be fittingly punished and that is by being forced to abdicate from their office of government. Last week, one third of Tory Members—perhaps one third of those present today—voted for a referendum on Europe. There is only one referendum that would offer Britain a real fresh start in Europe, and it is called a general election. I can assure Tory Members that there is no other referendum for which their constituents hunger half as much.

A general election could sweep out of office this historic anachronism masquerading as a Government, with their embarrassing world view dating from the last century, and replace them with a Government who understand that Britain's future is in Europe and who would be prepared to work in co-operation, not confrontation. That is the fresh start in Europe that Britain needs, that is the fresh start that only a change of Government can deliver.

6.2 pm

Sir Edward Heath (Old Bexley and Sidcup): As I abandoned the struggle for power in this Chamber some time ago and as I want to make a helpful contribution to the debate, perhaps I might say a few things that the House will feel are constructive, although it may not like all of them. I also abandoned the screaming between the two Front Benches—in fact, I never had it. We witnessed a great deal of that this afternoon between the Prime Minister and the Leader of the Opposition.

I was rather sad to hear the Prime Minister reproducing, not for the first time, the chant that Harold Wilson had against me of lying on my back exposing my belly to the Europeans. That statement lost him a great deal of respect among those who were concerned about our international relations. I think that three times from the Prime Minister is probably enough in modern circumstances.

The Foreign Secretary emphasised the importance of the meeting in Florence and I agree with him entirely. He also mentioned one or two subjects that are likely to come up. There was the question of various economic matters, which must not be rushed. We must take our time over them.

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis) *indicated assent.*

Sir Edward Heath: I see the Minister nodding vigorously.

There is complete condemnation of Britain's approach to these matters. Our approach is entirely unacceptable to other members of the European Union who have, for the past 40 years or so, gone ahead with great leaps, after a fixed time, and reached their conclusions.

I realised the difference acutely when, 10 days ago, I was returning from Lille on the cross-channel train. We roared across the fields of France at between 175 and 180 mph. We came through the tunnel and then roared through the fields of Kent at between 35 and 40 mph. I consoled myself by saying, "Of course, we are going to have a fast link," but then I reminded myself that we decided that eight years ago and so far it has not started. That is one reason why the other member states are so suspicious of us. They do not believe that we want to make a success of our membership of the European Union.

The Foreign Secretary mentioned employment, which is vital. However, I hope that the Government will not spend all their time on the social chapter saying that their view is the answer to everything. It is not. British firms with factories, institutions and services inside other members of the Union are observing the full social chapter with great success. They are not complaining about it.

We had our own arrangements from 1909 onwards when Churchill introduced them as Minister of Labour. I celebrated their 50th anniversary. They contributed greatly to social harmony and did not prevent our economic development or our prosperity; yet those arrangements were abandoned three years ago, and that is claimed to be the secret of our success. It is nothing of the sort. The Foreign Secretary said that we have to compete with the products of the far east. If we are to do that by that method, we will have to go down to the level of the wages in the far east. *[Interruption.]* That is the logical conclusion. There is no other conclusion. The real conclusion should be that we have to persuade our industrialists to carry on with greater technical efficiency so that they can be competitive while paying their men properly.

I see examples round the country where people have been sacked and kids have been taken on. One knows full well that, when those kids reach the age of 20, they will be sacked and more kids will be taken on. That is not the sort of society for which Conservatives have always worked. I hope that there will not be lectures to the other European Governments about what they should do about the social chapter.

We now come to the main question. I think that the conference is of the utmost importance. I suggest to the Prime Minister that his top priority must be to re-create confidence in this country, not only in the European Union but in the rest of the world. That is his job now. Confidence has been lost over this episode. I have a list of 35 different countries, not just those in the European Union, which will not have anything to do with British beef. The Americans have not touched it since 1988. What was the reason for that? They did not believe that we had taken the measures necessary to prevent the disease from occurring. Canada will not take British beef and nor will Australia. New Zealand has taken it on and off, but Japan will not take it and nor will Singapore. The list goes on and on.

What the Prime Minister has to do—it is a formidable task—is to restore confidence in our country. To look at this from a local point of view, the Prime Minister has also to restore the confidence of the people of this country. All the polls show that it is not the European Union or the outsiders who are being blamed for the beef problem, it is the Government. The task is to restore confidence through the action being taken.

We should remind ourselves how this problem occurred—it was on 20 March, exactly three months ago, when my right hon. Friend the Secretary of State for Health announced to all the media that it was now thought

[Sir Edward Heath]

that there was a danger of a connection between the animal disease and the human disease. That statement was given enormous prominence throughout the world. It is one reason why confidence must be restored.

What happened next? On 25 March, my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food said that a large number of animals—up to 4.5 million—would have to be culled. That went around the world and everybody said it was a real crisis. However, in the following week others in the Government said that there was nothing to be afraid of, which produced the reaction, "What are those people doing, then? They are trying to cover up everything—or perhaps they don't realise there is a problem and so are not doing anything to deal with it positively." That is the background.

Like other hon. Members, I do not believe that the blockade policy pursued by the Government has had any effect other than bad. People everywhere cannot understand why we are blocking the very initiatives that we have been trying to bring about ourselves. They say, "If you are going to do it, surely you should be a bit more subtle than that." The British people do not understand it, either.

We have heard a great deal from my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh)—still my friend, I am told—about the necessity to depend purely on scientific advice. We heard from him this afternoon about what the farmers are saying, what the people involved in agricultural machinery are saying, what everybody concerned with agriculture is saying. That is not science, that is politics—understandable politics, because their livelihoods and the future of their children are affected.

What about the political feeling in the other countries in the Union? The demand for beef in Germany has dropped by 40 per cent., in France by 37 per cent., and likewise in the other countries of the Union. That is political, yet we are told that the only answer must be scientific. It just does not add up. What we must do—what I hope my right hon. Friend the Prime Minister will do—is try to understand the jam in which the political leaders of the other countries in the Union find themselves. We cannot get away with simply saying, "We will ask the scientists and that will put an end to it all." It will not.

It is not all bad; there is some good. We heard from my right hon. and learned Friend the Foreign Secretary that he and his colleagues—and, I think, the Prime Minister—now have complete and absolute trust in the Commission and the President of the Commission. *[Interruption.]* It is a welcome development—*[Interruption.]* Yes, we are delighted, absolutely delighted. What is more, the Government are now so enthusiastic about the European Court of Justice that they are putting the whole matter before it with complete confidence. I congratulate the Government on their intellectual appreciation of the machinery of the European Union.

My right hon. Friend the Prime Minister must make a settlement that will restore confidence in this country. He need not worry about the Euro-sceptics—he should forget about them—because they will have to accept any settlement that he makes if the vast majority of hon. Members, the observers and the Union itself says, "This is right; now you are dealing with the situation and producing the necessary answers."

I also suggest to my right hon. Friend the Prime Minister that he stop reading newspapers—this is a good opportunity, as he is out of the country—because they have descended to a sordid level hitherto unknown in Britain. They are squalid. Of course, they are largely owned by foreigners who have no interest in our welfare. They want only to make money and to break up the European Union if they can. Let us all give up reading newspapers. Stanley Baldwin never read newspapers, and he was Prime Minister for eight or more years. He overcame every difficulty.

Mr. Henry Bellingham (North–West Norfolk): A great European.

Sir Edward Heath: Yes, Baldwin was a great European. He talked about the River Rhine in a dramatic speech.

I want to spend a few minutes dealing with the wider issues of Europe. My right hon. Friend the Prime Minister must restore confidence in those areas as well. Every ambassador in London knows—as we know and as the press is already reporting—about people in meetings in the wealthier part of Westminster, all discussing how they can get out of the European Union. Everybody knows about that. The only question is, will they be successful? We also know that many of them think that, if we lost the election, that would be to their advantage, as they would then capture the party and make it another anti-European party. That will not happen. We will make sure that it does not happen.

That attitude is weakening this country abroad, which means that it is also weakening investment coming into Britain. Overseas companies say, "If that is going to happen, what long-term future is there? Why should be continue putting investment into Britain in the way we have done for so long?" That is an immense danger.

We have to consider the European Union from the double point of view—political and economic. Its first purpose was political—it always has been and it always will be—and any attempts, as suggested in the White Paper, to turn it into a European free trade area are bound to fail. We do not want it, the other countries will not have it and, if necessary, the other 14 will go off on their own saying, "Right, you look after yourselves."

They are of that mind at this moment because they are so angry about the way in which they think the British are treating them. That is especially true of the French. President Chirac has a terrible job trying to handle this awful problem where France has suddenly found that all the stuff that was vetoed here was promptly exported by British businesses to France, where it was used without anyone knowing about it. That is a horrible situation for President Chirac.

My right hon. and learned Friend the Foreign Secretary quoted somebody who had described what she thought the purposes of the EU should be. Those purposes were clearly set out when I signed the treaty that took this country into the Community. They are governed by the fact—which I cited first in a speech opening the negotiations in 1961 and finished with in the debates in

the House in October 1972—that we sought an ever closer union. People who now say or write, "We never knew anything about that," are only displaying their ignorance. That fact was constantly emphasised throughout that period. Some hon. Members who were not even born then have the nerve to come here and say, "We never knew anything about that." *[Interruption.]* I do not dispute that one, but others should be old enough to remember everything that was said at the time. An ever closer union remains the purpose of the European Union.

People say, "Let's get out," but what future is there for this country outside the European Union? What future is there for us politically, internationally or for defence—leaving aside trade and everything else? What future is there in trade? We will not be able to influence the Union. We will have no influence at all.

Mr. Andrew Rowe (Mid–Kent): My right hon. Friend is underestimating our capacity to stand alone on defence matters. We shall actually have both wings of the European fighter aircraft.

Sir Edward Heath: I see; how ingenious.

We must look at the modern world instead of retreating back into orgies of nation states, which is now fashionable in some quarters. In a modern world, with the size of the five major powers, we would have absolutely no influence if we were outside the European Union.

Our task is to use our influence inside the Union. We shall not have influence if we insult our European partners, as was done by two members of the Cabinet at party conference. We shall not influence them by blocking everything or using similar tactics. We shall not influence them by refusing to make constructive proposals or by trying all the time to limit what the Union can do. There is no future for us there. The Prime Minister was absolutely right at the beginning when he said that Britain must be at the heart of Europe, but one cannot be at the heart of Europe if one spends all one's time blocking its arteries. That just does not produce the answer.

Sir Jim Lester (Broxtowe): The Prime Minister has just said that he wants us to be the grit inside the oyster of Europe. One of the good things about grit inside oysters is that it eventually turns into a pearl.

Sir Edward Heath: Yes. I have never found a pearl, but I am told that that is true.

I hope that the Prime Minister will recognise the enormous job he now has in Florence. I hope that he will ignore all the nasty things going on and most of what has been said today—except this speech. I hope that he will aim at restoring confidence in our country and, in that way, in our party.

6.20 pm

Mr. Peter Shore (Bethnal Green and Stepney): I will certainly not follow the latter part of the remarks by the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) because he erected an Aunt Sally to attack. He has taken on those who want to withdraw totally from the European connection out of hostility towards Europe itself. I suggest that that is a very small part of opinion in this country and that it does not represent the main thrust of those who, like myself, are Euro-realists and who have a different view of the future of Europe from the one that the right hon. Gentleman has always espoused.

One of the right hon. Gentleman's remarks, however, was a very useful contribution to the debate; he may be surprised that I agree with him on this matter. He was surely right to remind the House of the immediate occasion for the great worry that afflicted not only this country but Europe and the world generally about British beef. Very properly, he turned back to the statements made on 20 March. They were clumsy, poor statements which relied wholly on some badly expressed scientific views. There was no attempt to put the matter into the context and understanding that only a politician is able to give.

There was a tremendous scare following the statements by the Secretary of State for Health and the Minister of Agriculture, who did not help either. The Secretary of State for Health told people for the first time that scientists could no longer deny that there was a possible connection between CJD and BSE. What on earth did the Government expect would happen immediately after that?

Beef is bound to dominate this debate, as it will dominate the Florence summit. It is a pity really, because, although I do not deny the immediate relevance and great importance of the beef issue, there are other major matters—I suspect in the long term much more serious matters—to be taken up in Europe relating to the intergovernmental conference and the unfinished business of the Maastricht treaty, as the right hon. Member for Old Bexley and Sidcup rightly reminded us. It would be a great shame if those matters were not addressed. I hope to say something about them later, because it would be a great mistake if we allowed them to be crowded out.

I will now make my contribution to the beef debate. Like everyone in the House, I hope that there will be agreement in Florence tomorrow on the phased lifting of the European Union ban on British beef. BSE and the export ban are a huge disaster for British farming, and those problems must be removed at the earliest opportunity. But if agreement is reached tomorrow—I am sorry that the Foreign Secretary is not now with us—the Government will have no cause to congratulate themselves. Agreement will not be due to the petulant policy of non-co-operation and vetoing Council business announced by the Prime Minister on 21 May. It will be due, if anything, to the truly remarkable concessions that the Government have been prepared to make to win European acceptance.

As my hon. Friend the Member for Livingston (Mr. Cook), the shadow Foreign Secretary, pointed out, in a few short weeks, the Government have been moved from their original offer to cull 42,000 cattle, conditional on the lifting of the ban, to an unconditional offer of a cull of 80,000 cattle and now to the acceptance of a slaughter programme involving no fewer than 160,000 cattle. It is no good the Foreign Secretary trying to spirit away those figures on the ground that cows are, after all, mortal creatures who eventually die from natural causes.

Furthermore, each stage of the relaxation in the Commission's programme will need to be separately agreed by the Commission and its Standing Veterinary Committee. At all stages of processing, our industry will be invigilated by Commission inspectors. All this despite the Government's insistence, which I accept, that British

[Mr. Peter Shore]

beef is now safe, in the judgment of our medical and scientific experts, provided only that the health regulations are scrupulously enforced.

Clearly, the European Union has imposed its will on us; I take no pleasure in saying that. However, in this case it would not be right or honest to put the main blame on the European Community. I say that for two reasons. First, I do not forget—who can?—the clumsy, badly presented and ill-thought-out statements of 20 March, to which I have already referred. They were the trigger to the whole series of unhappy events that has followed. The announcements, which were made without any attempt to assess the degree of risk, that a link between BSE and CJD could no longer be ruled out, had an immediate and immense impact on our own people, who cut their consumption of beef by 50 per cent. If there was panic here, one can hardly be surprised that there was panic abroad.

Secondly, it would be wrong to argue that the initial imposition of the ban was due to any special malignancy on the part of our continental neighbours and other hon. Members have referred to this point already. The United States, New Zealand, Hong Kong and Canada are all well disposed towards this country, yet they have found it right to impose a similar ban on British beef.

Following their statements on 20 March, the Government have now found it difficult to restore the confidence that was destroyed, not surprisingly. Beef consumption here has now recovered substantially, but the beef crisis has had two additional effects on public opinion in Britain which need to be addressed. The first, which I deplore, has been an outpouring of frustrated hostility, whipped up by much of the tabloid press, against Germany in particular and the European Community in general. It has been a pretty squalid performance by a large part of the British press.

The second consequence, which I welcome, has been a new alertness in the public—almost an education—about what is involved in our membership of the European Union, which is an ever-increasing dominance of the Brussels authorities.

What left many people thunderstruck by the response from the Commission and from European countries was not the alarmed reactions of the Governments of Germany, France, Italy and others on public health grounds about our beef exports, or even the unwelcome decision of the European Commission, backed by the Agriculture Council, to ban our exports to all European countries. What shocked British opinion was the European decision to ban our exports worldwide, and the realisation that European institutions had the power to make such decisions and that the elected Government and Parliament of Britain were obliged to obey them, with recourse only to the European Court of Justice. It alerted British opinion as never before to the massive transfers of power that have already taken place from Britain to Europe and the greater transfers of power envisaged in the Maastricht treaty.

Our people are massively opposed to membership of a European federal state. That is the main argument. They have come to realise just how major a step towards that federal goal would be taken were we to adopt a single European currency and to subject ourselves to an European central bank.

The latest survey of public opinion in Britain on the single currency was the Harris poll published in *The Independent* yesterday. In reply to the question:

"Should there be a single European currency with key decisions on interest rates and monetary policy decided by a new European Central Bank?"

78 per cent. of respondents said no and only 18 per cent. said yes. It is equally interesting that 70 per cent. of the Germans polled and 55 per cent. of the French also said no to a single currency.

The distance between the classe politique in European countries and the opinions and wishes of their people has never been wider than on the issue of the single European currency and final stages of economic and monetary union. However, it is not only the federal and constitutional issues involved that should disturb people here and elsewhere in Europe; it is the baneful economic consequences on unemployment that a single currency and an European central bank would involve.

One of the documents listed in the usual clutch of documents that always attends such general debates is the Community guidelines on economic policies—a document that is published regularly under article 103(2) of the Maastricht treaty. Europe is now an area of disgracefully high unemployment. Nearly 20 million people—more than 11 per cent. of the labour force—are out of work.

The most interesting and disturbing part of the document is the section dealing with economic forecasts for 1996 and 1997. Those who might hope and expect some amelioration of unemployment in Europe will get no encouragement from the document. It reads as follows:

"Given the anticipated weak expansion of economic activity in early 1996, employment trends are expected to remain weak in the months ahead . . . In Germany and Austria, employment is expected to fall considerably."

If that prediction holds true, 1996 will be the fifth consecutive year of job losses in Germany. The document continues:

"In Belgium, Denmark, France and Portugal employment is now expected to stagnate or fall this year."

That is not a very happy outlook.

What advice does the Commission offer the European nation states—the European Union? Incredibly, its principal recommendation calls for "sound public finances". By that it means further cuts in public expenditure in member states and further reductions in their borrowing requirements. In short, it recommends measures that must certainly increase unemployment in the European Union.

Why has the Commission made recommendations against all common sense and instinct, at a time when Governments should be thinking of maintaining public expenditure and Government borrowing, if not increasing it? At such a time, why has the European Commission made a recommendation above all for sound public finances—in order to achieve the convergence guidelines laid down in the Maastricht treaty to enable Europe to move towards a single currency in 1998.

Last weekend, Bonn saw its biggest demonstration since the second world war against planned German Government policy. We all remember vividly the widespread disruption in Paris and other French cities just before Christmas, when President Chirac announced a similar programme of retrenchment and contraction in France. Those are the policies of the madhouse.

Of course the Commission will table another package of so-called job creation measures at Florence, using the regular technique that has been employed during the past two or three years, first by Mr. Delors in his so-called White Paper and by others. They will be tiny measures of a wholly trans-European nature that might engage an insignificant fraction of the unemployed populations of Europe in those great European projects, but it is basically a policy of subterfuge and camouflage to disguise the truth—that the central impact of Commission and European policy should be deflation in order to achieve a single currency.

What would happen if we achieved a single currency? We must all have seen references to the proposal by Dr. Waigel, the German Finance Minister, that, once a single currency had been achieved, there should be a further discipline—not that we should be allowed to borrow 3 per cent. of GDP, but that it should be reduced to 1 per cent. of GDP in the overriding search for price stability.

We have plenty of price stability in Europe. Inflation is virtually non-existent in most European countries. That is not the problem. Inflation was yesterday's problem. Today, the problem is deflation. We should be taking the lead—as I hope the Government will—in trying to get our European neighbours and partners to co-operate in policies designed to stimulate our economies in a sensible and responsible way in the pursuit of the greater prosperity and the higher employment of all our peoples.

6.38 pm

Sir Peter Hordern (Horsham): So far, the debate has been almost entirely confined to the beef crisis. That is no great surprise, because it has been the greatest shock that has befallen the United Kingdom this year and I am quite sure that it ought to be taken seriously.

What has come out perhaps worst of all are the atavistic tendencies of papers such as *The Daily Telegraph* and *The Times*—both, incidentally, under foreign ownership—and of course *The Sun*, and the way in which they have regarded the affair as a war against our European partners. That has been a most disgraceful performance, and I greatly regret it if any of my hon. Friends or any Opposition Members take the view that progress can be achieved by being bloody to the Europeans on any long-term basis.

I accepted that a policy of non-co-operation was necessary, but I did so with great sadness, because I could see that the European leaders were not concentrating sufficiently on the proposals that we had brought before them. Happily, however, it now seems that progress can be made at Florence, and I very much hope that that will be the case.

The lesson, especially for those who think that we can play our part outside the European Union, is that, in the first place, the United States, Canada and most other countries have refused to take our beef for many years. That was nothing whatever to do with the European Union. In order to get the thing straight and to recover the situation, we appealed to that much maligned institution, the European Court of Justice, and it was the European Commission that managed to save the situation with regard to tallow and those other substances.

It is worth remembering that, if we were outside the European Union, we would not have been able to persuade any country to lift the ban on our beef—certainly not any country in the EU. As is so often the case, the importance of our membership of the EU is emphasised by what has happened during the beef crisis.

It is not hard to criticise the institutions of the European Union. They can all be at fault, as can any human institution. It is not hard to criticise the direction in which the EU is going sometimes. But it is essential that we always remember that we are members of some 20 years' standing, and that our trade and business is now knitted in to the EU. Europe is where we do the largest proportion of our trade, and it brings us substantial benefits.

The single market is not perfect; of course there is room for improvement. But can anybody believe that we would secure such improvement if we were outside the European Union, bashing against the walls, rather than as a full committed member?

There are some who say that we would do better to forget our trade with the EU and concentrate instead on our trade with the far east. I do not deny that our trade with the far east is of great promise and potential, and I see no reason why we should not develop it as much as possible, but I cannot see why that should in any way detract from the importance of our trade within the EU. In fact, it supports that trade, because there is also no question but that this country attracts enormous inward investment precisely because we are a member of the EU. We would be less likely to attract that inward investment if we were outside it.

To claim, as some do, that we would nevertheless be able to function perfectly well in some sort of free trade area, and that the EU would be happy to grant us that status, seems to me to fly in the face of reality. After all, we would then be in the position of a supplicant, not that of a full member of the EU, negotiating constantly for improvements.

Of course the single market stands in need of improvement. In my opinion we need to extend it to the eastern European countries. We need to broaden its scope, extend its borders, and remove some of the restrictive practices. The House will recall that, about nine months ago, British Airways had a problem with landing at Orly airport. Does anybody believe that the French would have taken the smallest notice of our position if we had been outside the European Union? It was only because we were a member that Air France was made to alter its policy on landing rights. That seems to me to be a practical argument.

I know that some people use arguments that rest on sovereignty—especially, as the right hon. Member for Bethnal Green and Stepney (Mr. Shore) has just said, those about the single currency. Those arguments need to be taken seriously, but, as the House knows, we have secured an opt-out from the single currency, and will not be bound by it whatever may happen.

We have now reached the point where there would be a referendum if the Cabinet—and, I suggest, Parliament too, because it is inconceivable that a referendum would be held unless Parliament had first given its view—came to a decision on a single currency, after consultation on the subject. So it can hardly be said that the Government are hell bent on a single currency. I can tell some of my hon. Friends, as well as some Opposition Members such as the right hon. Member for Bethnal Green and Stepney, that there is no prospect of any hell bent progress towards a single currency.

[Sir Peter Hordern]

However, it is the question of sovereignty that so alarms some of my hon. Friends, for all sorts of good and no doubt traditional historic reasons.

Mr. Nigel Spearing (Newham, South): Surely the issue is not just a matter of sovereignty in the broad sense, but of legislative authority for domestic purposes. Does not the right hon. Gentleman agree that, had the arrangements for Europe stopped at the treaty of Rome, or perhaps even at the Single European Act, there would not be those difficulties for the Conservative party? What some Conservative Members, as well as other people, are worried about is exactly what the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) talked about—the obligation to move towards an ever closer union. For some of us that means a union with a unitary state, and the virtual elimination of the national option in the end.

Sir Peter Hordern: So far as I am aware, the movement towards an ever closer union was part of the preamble to the treaty of Rome, so the House knew what it was doing when it signed up to that, and we must accept the consequences of having done so.

The other important point about sovereignty is the fact that we have been happy to share our sovereignty as a member of NATO for many years. The idea that we could defend ourselves entirely alone, without being a member of NATO, is ridiculous.

Of course, we have had the sovereign right to devalue our currency for a significant time—and a fat lot of good it has done us. Because of that sovereign right, we have seen our currency greatly devalued. When I first entered the House, there were 12 deutschmarks to the pound; I cannot remember the relative values of all the other currencies. We have seen an incessant fall in the value of the pound against the currencies of our major competitors.

All Governments depend on the ability to borrow money, and as a result of that devaluation there is no market prepared to lend money to this country other than at a higher rate of interest than that obtainable for stronger currencies, because the lenders know that our currency is likely to depreciate rather than to appreciate. Our sovereign right to devalue has meant in effect that we have had consistently higher interest rates than our competitor countries. All that has imposed a certain charge on industry and business.

There is something else that I must mention in connection with the single currency. As I shall go on to explain, I do not think that it would be practical, and for that reason I do not favour it. But are some people really saying that we should have no regard to the strength of sterling, despite our historic experience of being connected to the gold standard for 300 years, and also of being tied to the United States dollar for 25 years after the war, through the Bretton Woods agreement? Nobody accused Winston Churchill of surrendering our sovereignty in those years; it would have been absurd to do so.

We in the House must recognise the fact that it is quite likely that there will be a strong European currency among the core countries within the European Union, whether we like it or not. We must therefore concern ourselves with how that will affect our business and trade. At the very least, the euro will be a formidable competitor for sterling, because it is bound to circulate freely within the countries. Some 40 per cent. of our trade is with Germany, France and the Netherlands, and it is likely that business will be contracted and settled in the currency.

I do not know how long it will take, but the euro will act first as a common currency in this country. After a long period, we may well find that it is preferred to sterling, partly because of pressure upon sterling and partly because it is likely that the currency will have lower interest rates than sterling if the criteria of the Maastricht treaty are abided by.

Whether we like it or not, it is likely that there will be a strong euro used by a core of strong countries. No matter how many referendums we have, the issue will be decided by consumer preference. Who can tell what will happen? Some people believe that the euro will never be used in this country, but I am not so sure. France, Germany and the Benelux countries will decide to introduce such a currency. We may think that that is not in their economic interests, but there is a strong political will for such a currency in those countries. We may not like it, but that political will has been there for many years. It is unlikely to desist just because we tell the countries that it is not in their economic interests to continue.

France and Germany are no less sovereign countries than the UK. If their Governments, Parliaments and people decide for political reasons that they want a single currency, there is—whatever treaties may say—not much that we or anybody else can do about it. We must look at reality and at what will happen in the future, and that makes it all the more necessary that we remain a full member of the EU. We must influence events as best we can in the form of a Europe of sovereign nations that recognises all the time the direction in which the most powerful nations wish to go.

I am not in favour of an all-powerful European Parliament, as it would be a great mistake for democracy ever to depart too far from its natural roots. So far ahead as one can see, these roots lie in national Parliaments rather than the European Parliament. In my view, the sovereign test of a sovereign Parliament is its power to tax and spend, and that power must remain with national Parliaments and must not be ceded to the EU or the European Parliament.

In the long run, neither Governments nor Parliaments can affect the livelihoods and welfare of the people of Europe as much as the movements of capital and technology. As a full member of the EU, we must see to it that those movements proceed in the most efficient way within the enormous single market. After all—we have learnt our lessons on this—markets dictate interest rates. We must play our full part in what is now a loose confederation of nations within the EU which may, in due course, become something closer. It is no good us retiring to our tent in a sulk. There is a strong core of European countries determined to draw ever closer, and we must recognise that. I wish my right hon. and hon. Friends every success in the negotiations that lie before them in Florence, and we should negotiate in the fullest sense as a full member of the European Union.

6.53 pm

Mr. Charles Kennedy (Ross, Cromarty and Skye): I very much welcome the tone and the constructive contribution to the debate of the right hon. Member for

Horsham (Sir P. Hordern). Those of us who are aficionados of these European debates have notched up something of a first tonight, in that the first two speeches from Conservative Back Benchers have been positively pro-European and constructive in tone and approach. That is welcome on an all-party basis, because if a criticism can be made of those of us in the pro-European camp, it is that, in recent years, we have been frankly too complacent in allowing the critics and those who wish to deconstruct the European Union too much time and space to make mischief and thoroughly to misrepresent what is going on.

The Father of the House, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), gave some friendly advice to the Prime Minister, advising him not to read the newspapers. If one looks at the verdict of the newspapers on what is on offer ahead of the weekend summit, one will see that the Prime Minister might be tempted to take the advice of his distinguished predecessor. The Government, who prepared the way so well for the Scott report recently, have not done a good job in advance briefing on the likely outcome to the beef fiasco, and they have persuaded no one.

Prime Minister's Question Time today was a classic example of the weakness of the case that the Government have advanced as some kind of victory. Not one Conservative Back Bencher asked a question on that issue. They were more intent on talking about the Leader of the Opposition's recent excursion to Bonn than about the apparent victory that the Government have secured as a result of their non-co-operation policy.

That attitude has been reflected in the press. Let us be fair and take a number of newspapers that are normally, if not completely loyal to the Conservative party, more to the right of centre in their editorial stance than to the left. The *Daily Mail* said:

"John Major has sounded the retreat in the beef battle with Europe."

The verdict of *The Daily Telegraph* was:

"Surrender by Britain on beef ban".

The *Financial Times* was rather more generous in its editorial today and described the proposals as "tough but fair", but added that the Prime Minister

"should abandon his silly policy of disrupting EU procedures and move the BSE problem from politics into the realm of veterinary science where it belongs".

That was perhaps one of the kinder remarks made about the Government.

The *Evening Standard*—a paper that normally takes a robust, Conservative and right-wing view of the world—began its editorial today by saying:

"Mr. John Major's beef war with Europe has always been ludicrous. Since it was founded upon a wanton deceit—that the mad cow crisis is somehow Europe's fault, rather than the consequence of a catastrophic failure of government regulation—it can only end in one way, with a British government climbdown".

A fairly unanimous cross-media consensus has developed, and it is a fair reflection of the sorry outcome to the entire affair.

The shadow Foreign Secretary, the right hon. Member for Livingston (Mr. Cook), told me a few moments ago that he could not be in the Chamber at this stage of the evening, and I accept that. But I want to make a straightforward criticism of Labour's approach, as it should not be allowed to get off scot-free for its activities during the past two or three weeks. Labour Front Benchers have tried to run with the hounds and the hare on this issue. It seems to me that one could either back the Government or not—the Liberal Democrats did not, and we have been consistent in our opposition to the entire non-co-operation approach. But Labour has sent out confusing and conflicting smoke signals to appease more than one audience, and it has not come out with any great credit.

In the run-up to Florence, the potential deal on the table seems to depend on who blinks first, although neither the Foreign Secretary nor the Prime Minister referred to that aspect this afternoon. We can have progress of the type that is on offer if we agree in advance to lift non-co-operation. The Government's position has been that we will certainly not lift non-co-operation until we have a satisfactory deal in place.

I suspect that the one-hour time difference between here and Florence will provide a suitable diplomatic stand-off that will allow a fudge to take place, and that non-co-operation will be lifted miraculously at much the same time as a deal is concluded. If that is the case, let us be clear that what has been agreed and accepted now by the Government is a good way short of the objectives that they set out on 21 and 22 May.

Let us never forget what the Press Association reported Downing street as having said on the record the day after the Prime Minister made his opening statement in the House. Downing street has never sought to contradict it. It said:

"Nothing short of a full timetable for the phased lifting of the entire ban will be sufficient."

It is clear from listening to the Foreign Secretary and the Prime Minister this afternoon that what is on offer here is not a full timetable for the phased lifting of the entire ban.

The Government now adduce arguments as to why that may not be deliverable or desirable. One of those arguments, with which I have considerable sympathy, is that, rather than following a rigid timetable that pays no attention to the veterinary or scientific evidence, it is better to set targets, meet them and then progress beyond that. But the fact of the matter is that that ain't what they said on day one. It may be what they are saying now, but it is a retreat from their opening position, and it should be seen as such.

The second aspect, which has already been touched on, is that a greater slaughter is now envisaged than previously. My right hon. Friend the Member for Yeovil (Mr. Ashdown) handed me a fax earlier in the debate from the National Farmers Union south-west regional advisory board, which met today and discussed the Government's proposals for a greater selective slaughter. Its position is probably typical of NFU opinion throughout the United Kingdom. It said:

"We do not accept the principle of a selective cull, as it would add nothing to public safety, would involve the slaughter of a disproportionately large number of cattle which would never have developed BSE, and would cause great distress to the many farmers and their families who would lose a significant proportion of their herds."

It went on to detail five conditions for its acquiescence in a selective cull.

The point is surely that the Government have not only had to back-track—that is one thing—but, in back-tracking, have stored up problems for the future in Europe. The

[Mr. Charles Kennedy]

European consumer is hardly likely to believe any Government when they say that veterinary or scientific opinion requires X, Y or Z in years to come. We have rather undercut that principle by saying, "We know that this is not necessary, but we are going to do it anyway." That is hardly the way to send a signal of confidence to consumers. It may be necessary to break the logjam at Florence, but we should be under no illusion but that we might be storing up problems for ourselves in years to come.

A third aspect of the potential deal before us is the missed opportunity caused by what we have vetoed en route to the juncture at which we now find ourselves. We have used the veto more than 70 times in the past two or three weeks. We have blocked measures that would have countered terrorism, fraud, drug smuggling and corruption—all things that were high on the British list of desires. We have blocked various economic measures. One was a £10 billion scheme designed to help put 8 million unemployed people back to work. On social policy, we have vetoed an anti-racism directive. We have blocked practical help for travellers who need emergency passports. We have blocked various laudable aims to provide international aid. The damage to a set of schemes and objectives to which we adhere and aspire, as well as the diplomatic damage, has made the price not at all one worth paying.

Earlier today I was in Bonn, where I had the opportunity to meet the Minister of State's opposite number—the European Union Minister in the German Administration, Werner Hoyer—and I asked him straight, "Do you think that the tactics that the British Government have pursued in the past two or three weeks have brought forward the achievement of any of the aims that they set themselves—the earlier breakthrough in having the derivatives ban partially lifted or the deal that is now on the table?" I wished to know from the Minister's opposite number, whom he knows well, with whom he personally gets on well and has a good relationship, whether in his view the non-co-operation policy had advanced the British cause one iota. The Minister replied, "Absolutely not." He went on to describe the Government's approach as "disastrous". That was the view of the Minister's opposite number, a member of the Free Democratic party, but serving within Chancellor Kohl's coalition Administration.

In his speech yesterday on the attitude of our partners, when I was relieved to hear him describe other European countries as our partners, the Prime Minister came out with a splendid analysis of the attitude of other member states, of which the German attitude that I encountered this morning was only too typical. The Prime Minister said yesterday:

"It was the unwillingness of our partners to enter discussions and reach agreements in this way which led us to suspend normal dealings."

He went on to acknowledge:

"I understand their difficulties with their hostile public opinion. We've often faced that difficulty ourselves."

Well, my goodness me. His audience must have been greatly taken by surprise at the frank admission from the British Prime Minister that the Government have occasionally faced hostile public opinion. He continued:

"But there is no sensible alternative—for them or for us—to reaching conclusions based on evidence and science."

That goes to the heart of the matter. Suspicion took root at European level because the Minister of Agriculture, Fisheries and Food in particular handled the matter in an utterly ham-fisted way at the outset. It seemed that Britain was more concerned about getting the ban lifted than about eradicating BSE. That was the political poison in the system, which did for us in the past few weeks.

So we now have some ironies as we look at what will be the likely conclusion to all this. First, at intergovernmental conference level, Britain is pushing to rein in the powers of the European Commission and scale down the competencies and powers of the European Court of Justice. Yet, as the Prime Minister pointed out in his speech, which two sets of institutions at European level have been of most value to us? Why, the European Commission and the European Court of Justice. The irony of that is not lost on those who listen to the arguments advanced by the Minister and his colleagues in the context of the IGC.

Secondly, we should remember that the Commission paper expressed

"considerable misgiving about the effectiveness of past actions taken by the UK".

We should not overlook the conclusion in the paper that

"more of the British monitoring and control will now have to be submitted for consultation and approval at Brussels level."

It is a high irony that the Euro-sceptics, particularly among the Conservatives, who have been so full-throated and vocal in their gung-ho support for the Government, have helped to engender an outcome that has handed more power to Brussels. Little wonder that, with two honourable exceptions, they are rather noticeable by their absence from the debate this afternoon.

The third and sad irony is the damage that has been done to our diplomatic and political standing within the EU, and therefore to our longer-term national interest. The conclusion from this sad and sorry episode for the Government and the Conservative party is that there is no point in trying to appease their sceptics in the hope of suing for peace within their party or at European level. It will not work.

For example, a few weeks ago the House approved the Government's White Paper, which set out their objectives for the IGC. Yet in the few weeks since then, almost a third of parliamentary Tory party, on separate occasions, has voted for two ten-minute Bills—one that was euphemistically described as being about the reform of the European Court of Justice and the other for a referendum—both of which would blow apart the carefully constructed compromises in the White Paper and the subsequent Cabinet compromise over the party's attitude to the eventual referendum.

The Government have fed the insatiable appetite of the Euro-sceptics, and we are beginning to discover, as they become more emboldened, the real terminus of their argument. It is not reform of the ECJ, the reining-in of the Commission or a curb on the powers of the Parliament: it is withdrawal. That is what the Euro-sceptics want, and that is the logical conclusion to which they would lead this country, by unstitching Maastricht and withdrawing the competencies of the ECJ.

I welcome the Confederation of British Industry to the debate on Europe. The CBI, and in particular Mr. Niall Fitzgerald, was right to say that loose talk at European level costs British jobs. It does, and we should be clear about that as the debate unfolds.

I have not yet mentioned proportional representation and voting reform for European elections in debates on Europe. I hope that the Minister will consider that issue in the context of the IGC. My colleague in the European Parliament, Graham Watson, has persistently questioned successive presidencies of the European Union about their attitude. I also wish to pay tribute to the Europewide European Movement, which last week published a paper on the issue, which was written by Mr. Andrew Duff, the director of the Federal Trust.

I shall not go into the merits of the different systems, but it is clear that the case for this country's European elections to be based on the same principle of proportionality as those in the rest of the European Union, including Northern Ireland, is overwhelming. By electing our Euro-seats in England, Scotland and Wales under the first-past-the-post system, we are exporting our domestic political distortions to the Brussels Parliament. That should be of concern to people across the political spectrum because of its negative effect.

I hope that, if the beef crisis ends—at least in the immediate diplomatic sense, because it will not end in the longer-term agricultural sense—the Government will learn the error and folly of their ways of the past few weeks. The Government cannot appease their Back Benchers, whose one objective is the ultimate disengagement of this country from the rest of Europe. They want to railroad the entire momentum of the European Union. The Government should take a more robust and constructive stance and, if they are not prepared to do so, they should make way for an Administration who would.

Several hon. Members *rose—*

Madam Deputy Speaker (Dame Janet Fookes): Order. Before I call the next hon. Member to speak, I remind the House that speeches will be limited to 10 minutes from now on.

7.12 pm

Mr. Tim Renton (Mid–Sussex): I shall disappoint the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) because my speech will be the third consecutive speech from a Conservative Back Bencher in favour of Europe and of our remaining at the heart of Europe. I have no doubt that that fact, despite the ten-minute Bills and the vocal noises made by the Euro-sceptics to whom the hon. Gentleman referred, reflects the true opinion of the majority of Conservative Members.

My right hon. and learned Friend the Foreign Secretary has left on his plane for Florence, and I am sure that he goes with all our good wishes for a solution to the beef crisis in the IGC that starts tomorrow morning. In the minutes allotted to me, I shall make only one comment about the beef crisis, which is that I feel deeply sorry for all my right hon. Friends who have been involved in trying to solve it. It is a classic case, in which both scientists and politicians are involved. Scientists do not know enough about politics and politicians do not know enough about science. The world public distrust both.

I stress the word "world". We have got used to the concept of the globalisation of interest rates and the fact that what happens in Tokyo tonight will affect London tomorrow morning and New York tomorrow afternoon. The beef crisis has taught us about the globalisation, or world worry about health problems. Thanks to CNN, Sky and BBC Worldwide, from the moment that the Secretary of State for Health spoke in the House three months ago, fewer Russians went to McDonald's in Moscow and Japanese housewives switched from beef back to traditional diets of fish. The origin of the beef did not matter.

In the sad beef affair, one headline in one of the tabloids made me laugh. The headline was in the *Evening Standard* early in the crisis and it said simply "Britain cuts off continent". What a marvellous, out-of-date, totally antediluvian thought. It is impossible now, of course, for Britain to cut itself off from the continent. As Russia found in eastern Europe, walls and barriers no longer work. I shall spend the next few minutes on that theme.

In recent months, I have met business men and politicians from France, Sweden, Germany and Italy. I have noticed that every one of them expects economic and monetary union to happen. Without exception, they look forward to it and they are not worried about the effects on their national Parliament or on national sovereignty. The likely scenario for the next three years—from now to the millennium—is an unchangeable process towards a single currency.

The single currency will start in 1999 and—I am even more positive about this than my right hon. Friend the Member for Horsham (Sir P. Hordern)—when it starts, Benelux, France, Germany, Austria, Ireland, Spain and Portugal will all join and Italy will be in the wings waiting. From the moment that that happens, the relations between those in the single currency and those outside it are bound to be somewhat strained. For that reason, people such as Mr. Lamfalussy of the European Monetary Institute are now talking about a second exchange rate mechanism or stability pacts to govern the relations between those in and out of economic and monetary union.

I believe also that we shall have a referendum on the single currency in 1998, which will turn into a referendum on the principle of our membership of the European Union. If the result of the vote is no to joining EMU, which will be assumed to be binding on us for 10 to 20 years—as the Norwegian no was—our Euro-partners will lose patience with us, and they will cease trying to accommodate us.

The net result will be that, whatever the official treaties say, the directives that are important to us, such as the investment services directive, will start to be tweaked to our disadvantage. Those at the heart of the European Union and EMU, using phrases such as, "provided that it is in the long-term interest of the European Union" or, "subject to the public interest" will find ways to use those directives to our disadvantage. Those ways will probably be like the Poitiers solution, which was, as the House will remember, the French way of allowing Japanese videos

[Mr. Tim Renton]

into their country. They sent all the videos to Poitiers, which has no customs officials, so the videos languished there in a warehouse for a long time.

The disadvantages will grow and the effects on us as an international exporter will become increasingly severe. Sterling long-term interest rates will be subject to devaluation and fluctuation and will be 2 per cent. higher than Euro-interest rates. My right hon. Friend the Member for Horsham made that point earlier and he will know, as I do, that French long-term interest rates are now already lower than British long-term interest rates, simply because it is expected that the franc will join the euro.

The non-social costs and the non-productive costs for manufacturing industry in the United Kingdom will be about 3 to 4 per cent. higher than those for comparable industry in the economic and monetary union. Those figures were given to me just yesterday by a leading business man with factories throughout the European Union, who was deeply worried that companies such as his would, in a few years' time, be centring their activities on countries that they know are, and will remain, at the heart of Europe. That is something to which those who do not believe in our membership of the European Union—the Euro-sceptics—will have to face up. At that stage, the withdrawal of Britain from the European Union could become a possibility. That would be disastrous for investment, employment and economic growth in the United Kingdom.

Meanwhile, as my right hon. and learned Friend the Foreign Secretary said, our partners in the European Union are going ahead and preparing the modalities for making the single currency happen—a report on that will be presented to the IGC. They believe that the euro will allow maximisation of advantages in the European Union. Although, as it has been put to me, we now have the free movement of people and services, there still remains the barrier of exchange rates, which is costly. Within EMU, there will be better control of non-productive costs and Europe will be more competitive in world markets.

The link between the European single market and monetary union is a logical consequence of the single market. With the free circulation of capital that we and our European partners now insist upon, monetary policies cannot remain independent of each other. That reasoning lies at the heart of the adoption of Maastricht treaty. The single market is not compatible with monetary instability, and it is to avoid monetary instability that monetary union will come into place. As we have seen in recent years, exchange rate depreciation by some inevitably leads to protectionist measures by others.

Therefore, the challenge for those on both sides of the House who believe in Europe is now to consider the possibility of EMU with an open mind and to believe in an even more successful and complete single market, in which we in Britain can prosper to an even greater extent than we do at present.

I shall end by reminding the House of the words of John Donne. He said:

"No man is an *Island*, entire of it self; every man is a piece of the *Continent*, a part of the *main*; if a *clod* be washed away by the *sea*, *Europe* is the less".

We should not approach the future of the European Union, and economic and monetary union within it, with pessimism or despair; we should not be driven back into insularity and nationalism. We should approach the future of the EU with vision, hope and passion, believing that that is where our economic success lies.

7.22 pm

Mr. Giles Radice (North Durham): The right hon. Member for Mid–Sussex (Mr. Renton) will not be surprised to learn that I very much agreed with what he said. However, I do not want to follow him on this occasion, but wish to say some words about the beef crisis and what we have learnt from it.

I, like other hon. Members, hope that the Government will be able to take away from Florence a framework for taking the measures necessary to ensure the safety of British beef, to restore consumer confidence across Europe and, eventually, to remove the ban on British beef. I entirely understand and sympathise with the position of my right hon. and hon. Friends on the policy of non-co-operation. During the crisis, they did not wish to be accused of undermining the Government's position, as they certainly would have been had they adopted the policy suggested by the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy). There is an argument for saying that the policy helped to concentrate minds—I suspect that it concentrated the minds of British Ministers as much as the minds of the continentals.

The Government's handling of the beef crisis, especially the policy of non-co-operation, could do lasting damage to our relations with our European partners. As hon. Members have reminded us, it is a British problem and not a predominantly European problem. There have been 150,000 cases of BSE in this country and, as I understand it, there have been about 400 cases in all the other member states combined, which illustrates that it is a British problem. Given that fact, given the single market and given the impact on consumers across Europe and on the European beef industry, it is not surprising that other countries feel entitled to hold a view on what we are doing to eradicate BSE. That fact must be clear to all hon. Members.

I fear that, as the Commission said, the Government did too little, too late to deal with the problem of BSE. As my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) said, the Government mishandled the announcement of the news that BSE might be linked to CJD. The first that the Europeans heard of it was when it was announced to the House by the Secretary of State for Health, so it is not surprising that they reacted as they did.

If the framework is agreed at Florence, will it be because of the non-co-operation policy? That is what the Foreign Secretary claims, but I am sceptical. Curiously enough, there has been some impact on our own policy. As has already been said, we have now produced a policy to eradicate BSE that we have explained to our partners. Most important, the Foreign Secretary, the Minister of Agriculture and others have been visiting the European capitals in the past month in the way they should have been doing in the previous two months. That is why we are now heading towards a solution. Those visits have been much more important than the non-co-operation policy.

As some hon. Members have said, the irony is that we have been relying on the much-hated Commission to pull irons out of the fire. It has been the European Court of

Justice to which we have appealed when we have been in trouble. It is the qualified majority vote in the Council of Ministers on which we shall rely when we want to win our case. Some countries may vote against us, but we shall need a majority. It will be European compensation that will help our farmers. For those reasons, the framework of the European Union is helping us to solve the crisis in a way that would not happen if we were dealing with the 14 different nations individually.

Of course, the policy comes at a cost. I understand the position of the Labour Front-Bench team, but there has been a cost. That cost has involved the 73 measures that have been vetoed in the Council of Ministers. Those measures include many policies dear to many hon. Members: anti-fraud measures; cutting red tape in Europe, which hon. Members say is so important; and agreement on the Europol drugs unit and action against terrorists. The list of measures that we have vetoed looks pretty ludicrous when one starts to examine it.

The cost to us is also that we are now isolated. As I travel round the capitals of Europe, I cannot remember a time when the United Kingdom's reputation has been so low. I sometimes feel ashamed of our position and of being a Briton in these circumstances. The Prime Minister talks about flexibility on the European issue and flexibility inside the European Union, but the problem is that the others are thinking of inserting a flexible clause into the treaty that they will use to go ahead without us. That is the great problem and the danger—the French and Germans have already been talking about it. It is a reaction to us and to the fact that we are seen as negative and carping. There is a major problem in terms of our long-term relationship with the EU, and the question is whether we have damaged it even further by what has happened with beef.

One good thing, however, has come out of the crisis. Hon. Members have rightly talked about the appalling way in which the press, particularly the tabloid press, has behaved; but more important is the fact that many of the Euro-sceptics have shown their true colours and admitted that coming out of the EU is on their agenda. Some hon. Members will shake their heads. The right hon. Member for Kingston upon Thames (Mr. Lamont) and the hon. Members for Southend, East (Sir T. Taylor) and for Thanet, North (Mr. Gale) are honest, but others called for such things as repatriating many policies to Westminster, reasserting the primacy of British law in all cases, eliminating or emasculating the Court of Justice, abolishing direct elections to the European Parliament, opting out of the British fisheries policies. Those policies are not compatible with membership of the EU.

At least the Euro-sceptics have shown their true colours during this crisis. Indeed, one or two of them said privately to me that they hoped that the beef crisis would enable them to develop their true policy of leaving the EU. It is interesting that they are not in the Chamber this evening. One or two are present, but not many, which is unusual. I think that they are right to hang their heads in shame. They have, however, done us all a service: they have made clear their position and awakened the rest of us to the dangers of what is happening. I welcome what the chairman of the Confederation of British Industry, Mr. Fitzgerald, said about how dangerous to British interest is all the loose talk about leaving the EU.

I welcome the debate. It is about not just the single currency but British membership. I am certain that the supporters of British membership of the EU, which is so much in our national interest, will win that debate.

7.32 pm

Sir Peter Tapsell (East Lindsey): The hon. Member for North Durham (Mr. Radice) chided us because some of my hon. Friends who are Euro-sceptics are not here in sufficient number. The reason for that, of course, is that they are supporting a great British national institution called Ascot. They have left me behind as their representative.

I shall start in the same way as the right hon. Member for Bethnal Green and Stepney (Mr. Shore) by briefly summarising my personal attitude—as a Euro-sceptic who voted against every stage of the European Communities (Amendment) Act 1993—towards the European Union. Contrary to what the hon. Member for North Durham said, I do not wish Britain to leave the EU, and few of my hon. Friends who share my Euro-sceptic views have that wish. I want Britain to remain within the EU, but as an independent sovereign nation state governed by Ministers answerable to a Westminster Parliament, whose decisions cannot be overridden by any European institution or court.

In so far as we have already been pushed from that position, I wish to see the key abdicated powers repatriated to this Parliament and our courts.

Mr. Robin Cook: Will the hon. Gentleman give way?

Sir Peter Tapsell: I would be delighted to give way, but I cannot because of the ten-minute rule. That is why I so disapprove of these ten-minute rule debates. I would like to speak for an hour.

If the federalists here, such as the hon. Member for North Durham, and those overseas say that my position is incompatible with the treaty of Rome as it has been developed by subsequent legislation and practice, let them try to drive Britain out of the EU. So far as I know—*[Interruption.]* I hope that my hon. Friend the Member for Harrow, East (Mr. Dykes) is not going to snigger throughout my speech. We all know his views. Perhaps he will allow me to put mine.

So far as I know, there is no legal machinery by which a parliamentary democracy can be expelled or suspended from membership of the EU. If some other states want to tear up the existing treaties and start again with a new European political and monetary union, as has been suggested by one or two hon. Members today, a Union from which Britain would be excluded, let them try, and let us use our best endeavours to frustrate them. I certainly have no secret agenda in mind to try to bring Britain out of the EU, and I shall fight tooth and nail in this Parliament and the next, if I am elected to it, to see that we are not driven out by the federalists. If anybody has a secret agenda, it may be them.

Talk about British isolation in all this is greatly exaggerated. How many Frenchmen would be happy for long in a German-dominated EU in which there was no British counter-balance? For France, culturally and politically, it would be a form of national suicide. They know that. Of course Britain could survive and thrive outside the EU. I do not have time to develop the detail

[Sir Peter Tapsell]

of that argument, but it is worth bearing it in mind that only 9 per cent. of the total profits of British business as a whole is earned in the EU, which means that 91 per cent. is earned outside it. It would be much better for Britain and far better for Europe that we should be in that union of nation states, which our Prime Minister has often described as his aim, as recently as yesterday, and which De Gaulle defined as a "Europe des Patries". There is overwhelming support for that concept among the British people, but for no other form of European Union.

The French language and intellect lends itself to penetrating political statements. Lytton Strachey wrote that, between the collapse of the Roman empire and the start of the industrial revolution, only three men became the intellectual masters of Europe—Bernard of Clairvaux, Erasmus and Voltaire. Voltaire argued that the British political classes were the only ones in Europe capable of understanding the feelings of the masses. That is still true today. It is probably truer today than at any time since 1789.

As the Harris poll, quoted by the right hon. Member for Bethnal Green and Stepney, in yesterday's edition of *The Independent* makes clear, despite the fact that the classe politique in continental Europe is so committed to the idea of a single currency, the Germans oppose it by 70 per cent. to 29 per cent. and the French by 55 per cent. to 43 per cent. In Britain, there is a huge 4:1 majority against joining a single currency. The Euro-sceptics, of course, represent that 4:1 majority in this country.

Another great Frenchman, Poincaré—

Sir Geoffrey Johnson Smith (Wealden): Who?

Sir Peter Tapsell: If my hon. Friend has not heard of Poincaré, he had better start studying European history, as he is so keen on Europe.

Poincaré summarised the situation for his own time and for ours when he said:

"The trouble with the Germans is that there are 30 million too many of them."

The existence of the iron curtain and the menacing threat of Russian communism masked that reality for 45 years after the second world war. But with the reunification of Germany, that ethnic, geographic and historic fact has again inevitably moved back centre stage, as it did for Voltaire and Poincaré—who, for the benefit of my right hon. Friend the Member for Wealden (Sir G. Johnson Smith), whom I greatly congratulate on his well-deserved honour, was the French Prime Minister and leader after the Versailles treaty. I am sorry that my Lincolnshire French accent is not as good as my hon. Friend's Kentish accent.

Chancellor Kohl is a good man, but he is also a good German. He is about to unveil a statue of Bismarck, whom he greatly admires—as I would if I were German. Kohl does not believe in blood and iron, but he does believe in the international aims of Bismarckism. Bismarck wanted Germany to enjoy in peace what it had won by war; Kohl wants Germany to enjoy in peace what it lost by war. They have the same ambition for Germany to be the senior partner in the European business, as my friends in central Europe all tell me when I visit them on my business travels.

After 1871, Bismarckism worked well until the Germans, or the Kaiser, "dropped the pilot". One day, Germany—or God—will drop Kohl. He, good man that he is, is fearful of the deluge that may come after him. He, if not my hon. Friend the Member for Harrow, East, is unsure of German moderation in the future. The whole European debate now really centres on the choice of the umbrella most suitable to keep us dry against that possible future deluge.

Chancellor Kohl argues quite openly that German moderation, and European peace and prosperity, can be assured in the coming century only by the inextricable involvement of German political institutions and German business interests with those of adjoining European countries, and most particularly with France, in order to avoid, especially, a fourth terrible Franco-German war. *[Interruption.]* If Chancellor Kohl talks openly about those matters, as he does, there is no reason for my hon. Friend the Member for Harrow, East to go on sniggering at that particular point in my speech.

Madam Deputy Speaker (Dame Janet Fookes): Order. I am afraid that the 10 minutes are up.

7.42 pm

Mr. David Winnick (Walsall, North): The House may be relieved to learn that I do not intend to refight the last two world wars, although I am sure that Chancellor Kohl will be pleased to learn that the hon. Member for East Lindsey (Sir P. Tapsell) described him as a good German.

To a large extent—understandably—the debate has been dominated by the beef issue. I want, however, to concentrate on some aspects of our relationships with the European Union. There has been a good deal of media comment in the past few months that the number of Labour critics of Maastricht exceeds the number of Conservative critics, and that may have led to a growing feeling that there are more anti-Europeans—if that is the right description—among Labour Members than among Conservatives. It is confusing and misleading, however, to lump together all Labour critics of Maastricht as anti-EU.

I personally have considerable reservations about moves towards too much further integration. I have said that on other occasions, and no doubt I shall express my views in future debates, but a number of my hon. Friends who voted against Maastricht on every occasion are by no means of the same opinion. Indeed, some of those who went into the No Lobby to vote against Maastricht would describe themselves as federalists, going much further. My hon. Friend the Member for North-East Derbyshire (Mr. Barnes) is one of them. It is nonsense to say that Labour critics of Maastricht are all in the anti-European camp.

Although, as I have said, I am critical of substantial moves towards more European integration that certainly would not have the support of the British electorate—all the indications at this stage are that they would not—I have nothing in common with some of the Tory critics of the European Union. I am not necessarily referring to the hon. Member for East Lindsey, or to the hon. Member for Holland with Boston (Sir R. Body), who I believe wishes to speak and for whom I have considerable respect, when I listen to some of the Tory critics of Maastricht and the European Union, I see in them all that I dislike in politics. I see in them and their supporters little Englanders,

backward-looking petty nationalists with an intense dislike of foreigners—although no doubt they will tell us that they go abroad for their holidays.

I know that my views are very different indeed from those of the people I have just described. Those Tory critics are the strongest opponents of the social chapter, viewing it as though it were the plague. I am in favour of the social chapter, and I hope that one of the first actions of a Labour Government will be to see that it is implemented in Britain.

They are also the strongest opponents of a minimum wage. I am not necessarily saying that Conservative Euro-enthusiasts are all in favour of it—I do not know—but certainly the Tory critics of the European Union seem to be the most determined opponents of any form of minimum wage, and time and again show indifference to poverty and deprivation both in Britain and abroad. Since I entered politics so many years ago, I have always been suspicious of people who wrap themselves in the Union Jack and give the impression that they are super-patriotic, while repeatedly showing indifference to those in greater social need.

As I said in an intervention on my right hon. Friend the Member for Livingston (Mr. Cook), I thought that the speech made by the Secretary of State for Defence at the Tory party conference was vulgar and deeply offensive. It reinforced my feeling that I do not agree with Tory critics of the EU on so many issues. My immediate reaction was shame: I was ashamed that a Tory Cabinet Minister could make such a speech and be applauded at the Tory party conference—and the Prime Minister was on the platform, more or less nodding in agreement. I did not think that that time would ever come. Can we imagine a Labour Minister making such a speech? Even when we had a different policy on the European Union, which some of my hon. Friends disliked intensely—it was very different from our current policy—I do not remember any such vulgar or offensive speech about foreigners at the Labour party conference. I think that my hon. Friends will agree.

One of the ironies about Maastricht and the European Union is that, while Labour critics of Maastricht protested at the convergence criteria on public spending and related matters, on issues discussed earlier so eloquently by my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore)—that was one of the main reasons why we went into the No Lobby—the Tory critics held the diametrically opposite view on public spending. They are the most ardent and enthusiastic advocates of public spending cuts.

I recently asked the Library what was Britain's current budget deficit. It amounts to 6 per cent. As we know, the Maastricht treaty lays down a figure of 3 per cent. The Library informs me that, to meet the criterion for Government borrowing set out so firmly in the treaty, a cut of some £20 billion would be necessary. As my right hon. Friend the Member for Bethnal Green and Stepney said earlier, that would undoubtedly mean substantial cuts in public expenditure.

I find it difficult to understand why the Governments responsible for Maastricht should have placed such dogmatic emphasis on figures that will mean not dealing with poverty and social deprivation in member states, including Britain. Why did they not include criteria about moves towards full employment and about tackling mass unemployment? The latest figures have been much quoted, but the Library figures reveal that official unemployment in EU member states is more than 18 million. Does what has happened in Europe demonstrate how careful we must be about mass unemployment and the ugly political creatures who thrive on such misery, poverty and deprivation? Some of those movements have been emerging in Europe. We need policies that are different from those laid down in the Maastricht treaty. That is why I have been so critical of it.

When anti-German feeling was referred to, and my right hon. Friend the Member for Livingston (Mr. Cook) quoted those disgusting articles, I thought not only of the German victims of Nazism, but of what happened last Saturday. Were they not Germans? As my right hon. Friend the Member for Bethnal Green and Stepney said, they were protesting against what I am speaking about, and against the policies in the Maastricht treaty that the German Government want to implement.

The treaty's criteria to cut public spending and all the rest of it are a direct incitement to the Government, who use them as an excuse—not that they necessarily need one. When they want to cut public spending, they say, "We must do so; it is part of the Maastricht treaty and of achieving convergence," even though they do not intend at the moment to go into the European monetary union. Those negative views are not necessarily shared by all the most Euro-enthusiastic hon. Members, but they deeply worry me.

I want a Europe where unemployment is being dealt with. I do not want to see the misery of more than 18 million people out of work—the official figure, but there are probably more. That is why we must give much further consideration to the matter, although not to our EU membership. I voted against that in 1975, but I accept that we are in and that we will remain in. I want, however, different policies to aid people in Europe, and I shall continue to campaign with my hon. Friends on those lines.

7.52 pm

Sir Geoffrey Johnson Smith (Wealden): I am pleased to follow the hon. Member for Walsall, North (Mr. Winnick), because he shows why the public become confused about the messages that are sent out by the parties and by colleagues. In this debate about our involvement in Europe, we must recognise that, since we first became heavily involved with the single market and the Maastricht treaty, the public have become more doubtful in some areas. People think that the country is becoming more involved in what they believe is likely to lead to a super-federal state.

We need to consider the matter in perspective. My hon. Friend the Member for East Lindsey (Sir P. Tapsell) referred to Mr. Kohl. In his recent speech in Louvain, he said:

> "The question of war and peace in the 21st century really hinges on the progress of European integration."

The stupid nationalist and xenophobic press and other hon. Members interpreted that to mean that we had either to accept Mr. Kohl's views about Europe or have a war and be left out.

I took another view of it. Mr. Kohl was not threatening us with war or a federal European state. As one of the same generation who experienced world war two, I can

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say that his speech contained no threat. It echoed Winston Churchill's speech, just after the war, at Zurich, where he said:

"We must build a kind of United States of Europe".

He and Mr. Kohl called on us to put behind us our old enmities, not just to end the Franco-German rivalry, but to build a new Europe that would make war between European nations impossible, and that would help to build security and stability in the whole of Europe. The generation who suffered the bloodbath of the 1914-18 war welcomed those noble aspirations, as I do now, and we should not lose sight of that.

The Chancellor's insistence, however, on a federal solution—I use a British context to this—cuts across the grain of much of the British experience of pragmatism and our aspirations and interpretations of Parliament's role. To me and the Government, the national Parliament remains the central focus of democratic legitimacy. That view is contained in the Government's White Paper.

The danger to Europe is that, in our efforts to build the bridge of unity, we will replicate the federal institutions that were adopted in the United States. If we move too quickly, as the United States did—after 80 years, it broke out into civil war—we will retard rather than progress the purpose that we seek to promote in Europe. The founding fathers of that great country experienced that difficulty, and we are hung up on it ourselves. We all know that, unless we handle it carefully, one country after another will, either by force of economic circumstances or reluctantly, be dragged into a super-state. They will resent the encroaching burden of bureaucracy and view it with suspicion, as do Norway and Denmark.

If we put the matter to a vote in a public referendum, the enthusiasm that is generated by the majority of hon. Members will not be replicated. Enlargement has important implications if we are to fulfil the dream of a stronger, more stable and secure Europe. To enlarge Europe is the first priority of the intergovernmental conference. We must realise that that will not come about by strengthening, through corporate economic solutions, supranational institutions or the erosion of national identity. On the contrary, we need more flexible institutions that can accommodate those countries, so that we do not impose extra social costs on them. We need measures that not only reduce bureaucratic burdens and improve the competitiveness of countries that we hope will join the European Union, but increase prosperity.

Another important priority faces us. We must consider carefully the discussions that will precede the introduction of the single currency. Important and controversial points give genuine grounds for indecision. There is no strong message from either Front-Bench team. My party and the Government say that, if we think it is appropriate, we will have a referendum. The Labour party has yet to make such a commitment.

Recently, the Confederation of British Industry has at least shown greater confidence—certainly the members representing larger companies have—in the value of having a single market and currency. That is refuted by the Institute of Directors. Some trade unions are in favour of a single currency; some are doubtful. Some hon. Members—it would be interesting to know how many—are unequivocally in favour of such a move. It is no wonder, therefore, that the public are worried about the direction in which we are going.

What worries me above all is the tone in which our debates on these issues are held. The trouble is that too much of it is expressed in nationalistic and negative terms, which frequently betray a lack of confidence in our ability to persuade our people. We have to work towards a compromise and a solution with our European friends. Membership of the EU represented acceptance—especially with the introduction of the single market by the then Prime Minister, Mrs. Thatcher—of the creation of supranational institutions.

We must reject proposals that would seriously diminish our national sovereignty; but if we are to make progress, we must accept that economic, political and technological developments make it spurious to pretend that national sovereignty has the substance that it once had. Such developments make it impossible for some nations to have an independent currency or even to survive without joining other nations to protect their economic and financial base. That concept involves not only political and economic matters, but defence arrangements.

Relying on the old concept of national independence runs against the grain of greater unity, just as asking the public to accept a federal solution will restrain the development, strength and stability that can come from greater economic and political co-operation.

The attitude that prevails among many hon. Members on both sides of the House, and outside, makes it more difficult to convey the right message to the public. There are those of us in the House who do not have hang-ups about federation—and there are hon. Members who are warmly disposed to Europe who do.

8.1 pm

Mr. Stuart Randall (Kingston upon Hull, West): The relationship between the UK and the rest of the European Union faces a serious crisis, and there is a desperate need for confidence building. I hope and pray that the Florence summit will result in the relationship between our country and other EU member states being rebuilt. Serious national interests are at stake. Britain's future lies firmly in the European Union. The case for that is massive; yet the UK's behaviour for so long places in jeopardy its future interests. I regret—I do not say this in any partisan way—that the Prime Minister cannot deliver the confidence that business interests and the public require.

I was pleased by the speech of my right hon. Friend the Leader of the Opposition in Bonn on Tuesday, which contained a ray of hope. The position that he adopted was refreshing and in contrast to views expressed in the House and by the Government. My right hon. Friend promised a fresh start in the relationship between Britain and the rest of the EU. If only we can do that, if we win the next general election. My right hon. Friend said at that well attended meeting in Bonn that he wanted Britain to walk tall at the centre of the Community. It was encouraging to hear such remarks, which I interpreted as our leader saying that there will be no two-speed Europe for us, with Britain in the slow lane.

I am thinking of our nation, not in party political terms, when I express the belief that two contrasting positions will be in evidence at the next general election. Labour will be in favour of a constructive relationship with the

European Union, whereas—and I do not relish this—the Tories will remain catastrophically divided, isolated and continuing as a force for obstruction with our EU partners. Some speeches made this evening depressed me.

Mr. Dykes: Only one.

Mr. Randall: That is a fair intervention.

A constructive relationship between this country and the EU will lead to a single currency—that is as inevitable as night follows day. Some opinion polls on the single market are confusing and conflicting, but it is regarded by business interests that generate this county's wealth and fund its social policy as a terrific success. It has brought a huge increase in trade levels and great opportunities for business enterprise. The single market is also popular with young people, who are leading us by the nose. It is wonderful the way young people react. The Arthur Andersen study clearly showed huge interest in the single market.

I do not have time to make the case for a single currency, but it is like having a cart without a horse. The single market and a single currency go hand in hand. The attractions to business of currency stability and lower transaction costs are irresistible. Many valid points have been made about the deflationary effect of a single currency and the consequences that inadequate convergence could have for employment. We must ensure that the transition works and does not damage public perception of the EU.

If we believe in the concept of European co-operation, there must be more majority voting on policy where currently we have the veto. Majority voting is a more efficient and democratic way of conducting the governance of Europe. If we develop greater co-operation over foreign policy, which is pillar 2 or 3, the European Union's size and economic strength could make it much more influential. The common agricultural policy must also be reformed.

My right hon. Friend the Leader of the Opposition said in Bonn:

> "I have no doubt at all that Britain's future lies in the European Union and at the centre of its events, not on the sidelines . . . It is demeaning to my country to be reduced to the margins of influence, dragged along querulously behind the vision and drive of others."

I found that very encouraging.

So much has been said about the beef crisis, and I have so little time. It is now quite a political matter, and I believe that Conservative Members have a lot to answer for in the way in which it has been handled. In March we heard the health statement, but there was no preparation for it. We lost time, and there was no co-operation. We sustained much damage to our industry and to our reputation. I do not think that there will be a solution by the time of the next general election or that all the phases will have been gone through. Conservative Members will have a lot to answer for.

I should like to make a few practical and down-to-earth comments about the European Parliament. Not enough is said about the European Parliament, although it is regarded as suspect by many people. The Maastricht treaty contained the new idea of co-decision making. We should give the European Parliament a bit of credit for once and realise that the partnership between the Council of Ministers and the European Parliament has worked extremely well. The partnership gives ordinary people an opportunity to have contact with Members of the European Parliament, who are a part of the decision-making process. In democratic terms, that is good and very encouraging. The European Parliament has the power to block and it has various other powers.

I am afraid that I am out of time. I shall finish by saying that, based on what has happened so far, I believe that there is a very good case for giving the European Parliament budgetary powers and for extending those to compulsory expenditure, so that it can do something to improve the efficiency and budgeting of the common agricultural policy.

8.11 pm

Mr. Tim Rathbone (Lewes): I hope that I shall be forgiven if I do not follow the hon. Member for Kingston upon Hull, West (Mr. Randall), except to say that I have greater trust in our Prime Minister to bring back something from Florence than the hon. Gentleman seems to have, as expressed in his speech. I greatly enjoyed the speech of my hon. Friend the Member for East Lindsey (Sir P. Tapsell). It drew to my memory that wartime warning of "careless talk costs lives". That warning was used when we were fighting the Germans, and I believe that it may apply to his words.

We must fact the fact that the beef crisis has long been a calamity of indeterminate scientific analysis over natural good sense, but one hopes that the end is now in sight. I join some Opposition Members in doubting the beneficial effects of the non-co-operation policy. Perhaps it has had some influence, but I rather doubt that it has had much. The non-co-operation policy worries me especially as it affects spheres of British interest such as Europol, which is a part of a marvellous British initiative. We seem to think that that can be dismissed in using non-co-operation as a hammer.

I should like to make a point that I do not believe is always admitted by the Government: the European Commission remains the instrument for clearing up the BSE problem. The Commission lifted the ban on beef by-products, and it remains the instrument to sort out warring interests and political differences between nations. I remind the House of the Commission's crucial efforts to win the battle over the general agreement on tariffs and trade, which was led by Britain's very able Commissioner, Sir Leon Brittan.

Too often, criticism of the European Union—of what it has achieved and will achieve—hangs on criticisms of its institutions. Too often those who put the greatest faith in institutional values are those who criticise the European Union the loudest. That applies to some of my hon. Friends, the Euro-sceptics. That has been the case particularly with the European Court of Justice, which is the primary European Union institution to apply the rules, to identify those who break them and now—very much under British influence—to apply sanctions to miscreants.

We should welcome the existence of that instrument to ensure that agreements are applied properly and enforced fairly throughout the Union. We have argued for it, and Britain obtained agreement at Maastricht to give it greater powers to apply fines. Rather than arguing that the European Court's powers should be undercut, we should continually remind people that Britain always wants to play by the rules and wants others to do so, too. The

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European Court is charged with ensuring that that is done, and it is doing it ever more effectively, as year follows year.

The advantages of a single market of 340 or so million people are self-evident, with ever freer movement of people, goods, services and capital. To work properly, the single market must have common rules—not intrusive rules, which they do not have to be and should not be—that are properly enforced and evenly applied. That is the function of the European Court.

I agree with Ministers that we should maintain pressure to improve the workings of the European Court of Justice, as we are working to improve the workings of the Council of Europe's European Court of Human Rights. But let us beware of arguments advocating political control for such bodies, as that would mean politics overriding the rule of law, which is as inappropriate in an international context as it is in the British context. Sooner or later, such control would also run contrary to Britain's interests, both commercially and politically. That is not to say that there are no shared political interests between Britain and our partners in Europe—of course there are.

The European Union is not only a free trade area. As my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) pointed out, it never has been and never will be only a free trade area. For any nation aspiring to influence and leadership in the world—as Britain does and, I hope, always will—a position outside the European Union would prove untenable, even while enjoying the free market advantage of being within the European Economic Area. Britain left a free trade area to join a political community which gains its momentum by embracing free trade. That is the way round. Other nations have followed, and still others are knocking on the door. Europe's prosperity and even its security depend on a continuing drive towards an enlarged European Union. In that, Britain must continue to give a lead.

Just as British influence in Europe over the years is now being felt among our European partners, is it not peculiar that so many voices in Parliament and elsewhere—including in the media, as other hon. Members have pointed out—preach Europhobia? Those voices show such lack of confidence in Britain's ability successfully to negotiate or make deals within the European Union, which runs in the face of history and our achievements in Europe and elsewhere, where we have negotiated and won the argument so successfully.

We must continue to take pride in our roots and our track record and to draw strength and confidence from them. To withdraw under the hypothetical threat that others may set rules or establish an unreliable agenda hardly advances the British cause. The Euro-sceptical view would deny us any influence on events as they unfurl now or in the future. That would be to abdicate our future and to deny our rights of influence rather than to protect them. Rather, I believe that we should work closely with our European partners and with other countries to protect and embrace our mutual best interests, influencing for the better the character and structure of the partnerships with countries in the European Union and elsewhere to which we are committed.

We must continue to argue for evolution within the European Union which aligns with British interests and with our agenda, to include deregulation and openness. We must continually point out that the centralism inherent in too much of the thinking in Europe must lead to more rather than fewer meddling approaches from Brussels.

The speech of one Opposition Member injected a political accent, and I should like to follow that for a moment. I believe that the true Conservative vision for Europe, as deployed by the Prime Minister, is right for Britain. That is a Europe committed to free trade, market solutions and flexible labour markets. It is a Europe of nations, but not of bureaucracy; it is a Europe enlarged, but not rigid. The rest of the European Union needs Britain's Conservative voice to put that case, which in recent years has gained more and more support from other European member states. That voice has to be heard and responded to positively. We must employ persuasion, not perpetual brinkmanship. In an uncertain world, there is strength in working closer together, and there will be benefits for everyone in Britain if we succeed.

The Labour and Liberal Democrat vision of Europe is too often a negative one. It spells a weak Britain in an inward-looking European super-state where jobs are destroyed and enterprise is crushed. The Conservative vision is a positive one. It is a strong Britain in a strong, outgoing Europe with jobs and prosperity as our priorities. That is the way to build on the economic success of the European Community and to help consolidate peace in our continent. I believe that that is the importance of this and any other debate on the European Union—and may we have more of them.

8.21 pm

Mr. Tom Cox (Tooting): I want to comment on an issue that has not yet been mentioned—the application for membership of the European Union made by the Republic of Cyprus. That country has long historic links with the United Kingdom and we are one of the guarantor powers. I should declare my interest as chairman of the Commonwealth parliamentary Cyprus group. Whenever I talk about Cyprus, I mention two commitments, as do other hon. Members on both sides of the House who are involved with Cyprus. We believe in the total sovereignty of the Republic of Cyprus and we believe in the rights and the security of Cypriots, be they Greek or Turkish Cypriots.

I do not think that anyone would dispute that Cyprus, with its traditions and democracy, is part of Europe. That is why many hon. Members fully support its application for membership. Discussion on its application took place some years ago. In January 1992, the European Parliament agreed to establish a Cyprus joint parliamentary committee. At a meeting of that committee in November 1994, a recommendation was sent to the European Parliament, the Council of the European Union and the European Commission that enlargement of the EU should involve Cyprus and Malta. At a meeting in Nicosia in April 1995, that same committee adopted a recommendation which stressed:

"an unsuccessful outcome to the talks held under the auspices of the United Nations Secretary-General for a solution to the Cyprus problem should in no way constitute an obstacle to Cyprus's membership of the European Union."

It is because of that commitment that I wish to take part in the debate.

What concerns me and many other hon. Members is that we are increasingly hearing that the application of Cyprus will depend on whether there has been a

settlement to the long-running tragedy that has existed there since the invasion by Turkey in 1974. Such a condition was never mentioned or sought to be imposed before and many of us wonder why a change is taking place. I and many other hon. Members were concerned that, at a recent meeting of the friends of Cyprus group—the chairman of that group is Lord Bethell from the other place—comments such as that were made by the Foreign Secretary.

I and many other hon. Members want a settlement to the long-running tragedy in Cyprus. I suggest that people read the report of the Secretary-General of the United Nations. He will leave no one in any doubt about who he blames for the lack of a settlement to that long-running tragedy. It is certainly not the Republic of Cyprus or its Government.

For several years there has been a close relationship between Cyprus and the European Economic Community. Report after report has praised the impressive record of Cyprus' economy and stressed its eligibility to become a member of the Community. Over the years, the Government of Cyprus have set up some 20 committees, in co-operation with the European Parliament, to look at specific issues that would face Cyprus as it becomes more involved in the European Community. Those committees have covered company law, free movement of capital, foreign and security policy, taxation, the environment, industrial policy, enterprise policy and many other matters.

In June 1994, at its meeting in Corfu, the European Council discussed Cyprus and said:

"An essential stage of Cyprus' preparation for accession can now be regarded as completed."

That statement was confirmed by the European Community at its meeting in Essen in December 1994.

That is the background to what has happened in recent years to Cyprus's application for membership of the European Union. Many hon. Members are concerned that conditions are beginning to be imposed and that one of the countries seeking to impose them, is, sadly, Britain and the British Government. The application for membership of the European Union should be based solely on the criteria for membership and on no other issue.

President Clerides of the Republic of Cyprus has repeatedly asked the Turkish Cypriots to work with him to form the basis of the application that the Republic of Cyprus is now seeking to see pursued after the IGC. Sadly, we know that the economy of northern Cyprus is in a deplorable condition. Thousands of Turkish Cypriots are leaving northern Cyprus because they are depressed and see no future for themselves or their families. There is no doubt that membership of the EU would benefit the whole of that country and its people.

I hope that this evening we will have a clear statement from the Minister and from the Opposition Front-Bench spokesperson that under no circumstances will Turkey have any veto on Cyprus's application. Turkey seems to think that it will have a right of veto, and it should be told clearly by one of the guarantor powers for the island of Cyprus that it will have none. I hope that we will hear that loud and clear from both Front Benches.

The recent history of Cyprus has been one of tragedy. All of us who are involved with Cyprus want a settlement for the benefit of the republic and of the people who live there. Many of us believe that the future for the island of Cyprus is via its membership of the European Union, which will bring stability, security and, without doubt, prosperity to that country. I hope that Cyprus's application will be supported by all parties represented in the House, and that, when it is tabled, the British Parliament will be at the forefront in supporting it.

8.30 pm

Sir Richard Body (Holland with Boston): I agree with the hon. Member for Tooting (Mr. Cox) that Cyprus belongs to Europe and should be in the European Union—but so should some 24 other countries that equally belong to Europe. Some of our Euro-enthusiasts have argued today for a single currency. They told us that we cannot repatriate the common agricultural policy or anything else. I put to them one simple point—how can we bring in Cyprus and the other 24 countries that belong to Europe, just as much as we do, if we try to enforce single policies on no fewer than 40 countries?

The newspapers were rather maligned in the earlier part of our debate, but they made one forecast that has proved to be correct—that the Euro-enthusiasts on the Conservative Benches would be out in full force in this debate to repudiate the Euro-sceptics. They have indeed turned out—every one of them—and made the case for little Europe. They think of Europe as just 15 countries. *[Interruption.]* Oh, yes. They argue for a single currency and all the policies that may just work, but only just, for 15 countries, but could never work for 40 if we want to bring into Europe countries such as Ukraine and Russia, which belong to Europe just as much as we do. It is unthinkable. I fear that even my hon. Friend the Member for Lewes (Mr. Rathbone), with whom I try to agree on these occasions, is a little European. His Europe is but a mere part of our continent.

Hon. Members have spoken of the massive case for our membership of Europe and cited economic facts. I draw their attention to the first full cost-benefit analysis of our membership of the European Union. After 20 years, it is right that some objective study should be made. The study was sponsored by a number of industrialists and reported in last week's *European Business Review.*

The survey's conclusion is that, although there are advantages to our membership, it is fairly evenly balanced or, indeed, slightly adverse so far—but it says that, if we embark upon the social chapter and a single currency, it will be categorically adverse. I commend to the House someone who contributed to that report, Noriko Hama—who is the chief economist at the Mitusishi Institute and probably advises more Japanese investors in this country than anyone else—who said that, in or out, this will always be the best country in Europe for Japanese and other foreigners to invest in.

She gave some powerful arguments for that view—not just the obvious one that we speak the English language, just as all Japanese business men do—including the fact that we take a much less chauvinistic attitude towards the Japanese when they want to invest and set up factories in this country; that we are not so regulated; and that we are much more welcoming than other countries. I commend to hon. Members what she said and also the other conclusions in that important report, which is the first detailed, sophisticated study of the economic advantages and disadvantages of our membership of the EU.

[Sir Richard Body]

The hon. Member for Walsall, North (Mr. Winnick) spoke passionately about unemployment. It is outrageous that 18 million—and rising—people are out of work. Some people say that the number will be 20 million quite soon. Yet around the world unemployment is going down. It is going down in Britain. In parts of western Europe that are outside the European Union there is no unemployment problem. For example, in Switzerland and Norway, unemployment is non-existent. We must ask ourselves whether the European Union is trailing its feet over an employment policy while other countries throughout the world are getting over the problem of unemployment and not suffering to the same degree.

Economists say that there is a distinct correlation between the size of a market or an integrated economy and the size of the problems—the larger the market, the larger the problems. They say that in a large single market the mega-corporations tend to be the biggest investors and the most powerful elements and that they prefer to invest in capital projects rather than in what economists call labour, but what we call people. If that is true, it is an indictment of the way in which any large single economy works. Several hon. Members became quite lyrical on the subject, but I hope that they will consider some of the arguments being advanced by some of our foremost economists in both the academic and business worlds.

It is rather notable that an educational charity has been seeking an economist of some distinction to argue the economic merits of our continued membership of the European Union and a single currency, but has so far failed to recruit anyone willing to undertake that task. We must put to one side, or at least moderate, the euphoria that has been generated so eloquently and forcefully over the years by many of my right hon. and hon. Friends that it is now catching on among Opposition Members.

Some of my hon. Friends are rather patronising to us Euro-sceptics. None of us likes being patronised; I certainly do not. More than 40 years ago, way back in 1955, I signed the first early-day motion on what we call Europe. It was signed by just a few hon. Members and it urged the Government of the time to be at Messina and play their part in drafting what became the treaty of Rome. I well remember what the then Patronage Secretary, who now sits this side of the Gangway, had to say to us about that EDM. We were just a tiny band and we were rather federalist-minded. I fear that they are now all dead, or certainly retired, as I am the only survivor in the House.

I hope that my hon. Friends do not become too patronising towards those of us who have been arguing about Europe for so long—in my case, originally arguing in favour of membership. The world is moving on—if I may say so and make a very banal point—and so is Europe. We are not talking of the Europe of the 1960s or the 1970s. We must now look forward to a Europe in which all 40 countries may play a part. That is why I hope that, at Florence, we shall take some steps to make the Community a more flexible, looser arrangement so that those countries, which are just as European as we are, may be allowed to play a part.

8.39 pm

Mr. Nigel Spearing (Newham, South): The hon. Member for Holland with Boston (Sir R. Body) shares with his right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) the classic ability of Members of Parliament to make a good speech without notes. Unfortunately, I cannot follow them to that extent, but I share with them, having been around before, during and after the war, a passionate belief in European internationalism as a means of preventing successive disasters such as those that we had experienced.

Where I disagree with the right hon. Member for Old Bexley and Sidcup is on the means he has chosen. He and his generation saw to it that Europe was saved from disaster. We owe a debt to those who went to war as well as to those who died. However, I believe that the right hon. Gentleman, whom I shall mention at length this evening, has chosen the wrong vehicle—provably so. I mentioned to him that I intended to make these remarks. He has to go to his constituency this evening, and I understand that, of course.

The test case is the fisheries. We are to have a cut of approximately 40 per cent. in our fishing ability; that is part of the European Community's responsibility. During the debates of 19 December last, the right hon. Member for Old Bexley and Sidcup was attacked by Conservative Members for having given away the fishermen's rights. The right hon. Gentleman said:

"There is no truth whatever in that statement. The principle was laid down by Act of Parliament, as were all principles. However, the policies to be followed were not laid down, and there was no common fisheries policy at that time—nor was one being discussed."

He was referring to the period 1971-72.

I believe that the right hon. Gentleman is sincere in his desires, but I fear that, as with all of us, his memory is sometimes not as accurate as it might be. The principle, of course, was not laid down by Act of Parliament; it was laid down in successive regulations and existing treaties of the European Community. They laid down fisheries as a common resource. Indeed, our relationship to that fisheries policy was published only after the great vote on the White Paper, when article 103 of the revised treaty laid down the arrangements. They were not known at the time of the big vote on the principle. In any case, as I shall show, those arrangements were not included in an Act of Parliament.

The right hon. Gentleman said last December:

"there was no common fisheries policy at that time—nor was one being discussed."—[*Official Report*, 19 December 1995; Vol. 268, c. 1360.]

However, in July 1971, before the accession treaty, the right hon. Gentleman's Government published a White Paper. Paragraph 152, headed "Fisheries", said:

"we do not consider the common fisheries policy, decided upon at the time our negotiations began, to be appropriate to the needs and circumstances of an enlarged Community".

So it must have been a policy. The White Paper then said:

"further discussions will be held in the near future. The Government are determined to secure arrangements which will be fair throughout the enlarged Community and will satisfactorily safeguard the interests of British fishermen."

Why were the existing arrangements unsatisfactory? The reason was that a regulation laid down the principle of a common resource, although that may not have been within the terms of the treaty, and arrangements for the common resource would be decided by qualified majority voting. We know of the difficulties that that brings.

If the right hon. Member for Old Bexley and Sidcup were here, I would tell him that there was very much a common policy. What he said then, alas, was not carried out. Safeguards were not inserted in the arrangements, although at a Conservative party conference earlier, the Government said that they would be.

On 19 December 1995, the right hon. Gentleman said:

"My actions were not secretive; I have a record in my own papers. The principle was published, and it was open for debate in the House."

It was published only after the right hon. Gentleman had signed the treaty. On the matter of open debate in the House, the right hon. Gentleman said:

"We debated our proposed entry into the Community day after day in both Houses of Parliament."—[*Official Report*, 19 December 1995; Vol. 268, c. 1361.]

There were statements about the fisheries, but there was no debate.

It is extraordinary that the discussions on the European Communities Act 1972 did not feature any debate on fisheries. The relevant amendment was ruled out of order on 22 June 1972. The then Chairman of the Committee, in an unprecedented remark, ruled it out of order, saying:

"It is depressing but nevertheless true."—[*Official Report*, 22 June 1972; Vol. 839, c. 737.]

My right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) had said that, unless we debated the amendment, we would not debate fisheries at all. I fear, therefore, that the right hon. Member for Old Bexley and Sidcup was also inaccurate in that respect.

On 19 December 1995, the right hon. Gentleman said:

"Therefore, it is a lie to say that we were secretive and held back information from the House."—[*Official Report*, 19 December 1995; Vol. 268, c. 1361.]

Unfortunately, I again challenge that statement as not being strictly correct—indeed, I believe that it is incorrect by a long way. When the fishing arrangements were finally agreed by Lord Rippon, he made statements in the House that suggested that any arrangement that had been made, as it had been, for a 10-year temporary arrangement for the fisheries provided that, when it finished on 31 December 1982, it would be subject to wide and unanimous agreement.

In the House of Lords, Lady Tweedsmuir twice said that that was the case. I do not have time to read the quotation because of the 10-minute rule, but it is stated clearly. That was untrue, because, in the treaty and in the other documents, it was clear that fisheries arrangements would be subject to qualified majority voting. That was pointed out by the late Lord Jay on 20 January 1972, when he said:

"The Chancellor has misrepresented the facts to this House and to the fishing industry. In saying categorically in the other place on 14th. December that we have a veto, the noble Lady was guilty of a direct falsehood."—[*Official Report*, 20 January 1972; Vol. 829, c. 731.]

I believe that I have demonstrated by those brief quotations that the right hon. Gentleman's memory in that respect was inaccurate.

The Norwegian press published, during the period of the negotiations, a letter from the right hon. Gentleman to Mr. Bratteli, the Norwegian Prime Minister, saying:

"It is very important for us that we present this question in a manner that will appear satisfactory to our fishing interests."

Unfortunately, Mr. Bratteli still went ahead and as a result, his Fisheries Minister resigned. That had a big effect on the subsequent referendum in Norway.

I have summarised the situation accurately, I believe. The right hon. Gentleman will no doubt read what I have said and look at the documents that I shall send to him. I have respect for the right hon. Gentleman, for being of a generation who made discussion of these matters possible and who made it possible for us to be here in freedom, but I believe that he has chosen the wrong vehicle. The fact that the fisheries arrangements had to happen to get us into the EC, the fact that we now have friction in our fisheries arrangements, the fact that there is a crisis in the industry and the fact that there are fish wars show that the machinery is not working.

I believe that the treaties are not the right vehicle for us to achieve what we all want—a peaceful, prosperous and equitable Europe of all nations, as the hon. Member for Holland with Boston said, in the next few years and in the centuries to come. I ask the right hon. Member for Old Bexley and Sidcup to admit that he has chosen the wrong vehicle to attain those ends.

8.48 pm

Mr. Ray Whitney (Wycombe): The European fisheries policies have always been perfectly clear. If the common fisheries policy did not exist, it would have to be invented. The propensity of fishermen to over-fish, the need for conservation and the fact that fish do not take account of international territorial waters mean that we need international collaboration, and that is what the common fisheries policy should and does offer. That does not mean that it should not be changed, but the basis of its existence must be accepted, even by the hon. Member for Newham, South (Mr. Spearing).

Our debates on Europe tend to be setpieces between accustomed actors, among whom I include myself and the hon. Member for Newham, South. We go through the regular routine of the "pros" and the "antis" and we hear the views of both sides. My hon. Friend the Member for Holland with Boston (Sir R. Body) has almost put himself in the anti-European category, according to my definition of it. I heard what he said about a Europe of 40, but that is not what we are talking about. We are talking about a working community. There are also the much-discussed Euro-sceptics.

I am delighted that the balance of the debate, which has continued for nearly four hours, is so strongly in favour of those who take a constructive and positive approach to Europe. Those in the other camp—as we well know, and has been demonstrated again this evening, they are on both sides of the Chamber—fall into two categories: the clear anti-Europeans and the Euro-sceptics. The anti-Europeans are few in number, but they have two qualities that they can pray in aid: first, their consistency, as most of them have been consistently opposed to Britain's membership of the European Community for 20 or 30 years; and secondly, their honesty, as they say what they believe. That is in sad distinction to many Euro-sceptics, who share the view that they wish Britain to be out of the European Union, but shy away from actually saying so. Instead, they resort to the use of the word "sceptics".

Sceptical means doubtful or unconvinced, but Euro-sceptics are not in the least doubtful. Most are convinced that we should be out of the union, but they

[Mr. Ray Whitney]

simply do not dare say so. They know that even now, despite the barrage of anti-European propaganda to which the public have been subjected, the great majority of the electorate is where it was at the time of the 1975 referendum—a 2:1 majority in favour of Britain remaining in Europe.

I welcome my hon. Friend the Member for North Tayside (Mr. Walker), who has joined us for the first time today. If he listens quietly, perhaps he will learn something for a change. It is nice to have him here, even at this late hour.

Even if we take Euro-scepticism at face value, what a negative position it is. What on earth does it mean? We are all sceptical about a great many things, but surely it is the duty of politicians to support or advocate a policy. We are well accustomed to negativism or scepticism in the media, and we rightly complain about it, but we seek from politicians the positive advocacy of a policy. What are Euro-sceptics positive about? Instead, they exaggerate and magnify every silly grumble—and some not so silly—about the European Union. We hear a great deal about square tomatoes, straight bananas and silly rules about slaughterhouses. We hear diatribes about the great spectre of the hegemony of Germany that will attempt to dominate and control us and use every manoeuvre to achieve what it failed to achieve in two world wars. We are told that 13 other ancient European nations are voluntarily rolling over or being hoodwinked to accept German domination. That is total myth, and they know it.

Another myth is that we thought that we were only joining a free trade area. My right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) and my hon. Friend the Member for Lewes (Mr. Rathbone) have touched on that. It was always perfectly clear that it would be more than a free trade area.

When the Common Market started in 1958, for all those historical, geographical and cultural reasons, Britain did not join at Messina. I was interested to hear what my right hon. Friend the Member for Old Bexley and Sidcup said about his views on Messina at the time. It was a great missed opportunity of our political forebears. Instead, we said, "Let us form a free trade area." Within two years, we realised that that was not adequate, and by July 1961, Britain, under a Conservative Government, was applying to join the European Community because we knew exactly what was at stake and that that was what was needed.

All the extra benefits of the European Community have always been perfectly clear, as has the background of the failure of the European Free Trade Area. Baroness Thatcher has been quoted, in what she said about the European Community in 1975. Nine years later, in June 1984, she addressed the memorandum to her fellow Heads of Government that called for

"a series of new policies to promote the economic, social and political growth"

of the European Community. She stressed that it must be the objective

"to aim beyond the common commercial policy through political co-operation towards a common approach to external affairs"

and to strengthen European defence co-operation. So any serious politician who claims that he thought that we were only joining a free trade area has many questions to answer.

The benefits of the membership of the European Union are manifold. Although we need to develop the common foreign and security policy and make it more effective, it certainly exists. The environmental benefits, international trade, our effectiveness in the Uruguay round of the general agreement on tariffs and trade negotiation and the World Trade Organisation have been mentioned, as have the benefits of the internal market.

In order to use those great benefits properly, we need supranational organisations such as the European Court of Justice. The point has been made, so I shall not dwell on it, but we cannot simply repatriate British laws and have no supranational laws, because we benefit from them. We are great advocates of the single market, and to make that single market work properly, we certainly need a European Court of Justice. It is subject to amendment, as is the European Parliament, but those supranational institutions are absolutely necessary. Those who advocate the so-called withdrawal from or change in those institutions know that it is completely unrealistic. It is another means of disguising their own basic objective, which is that Britain should withdraw from the union.

The White Paper on the IGC, which I believe is a commendable document that tries to stitch our party together, puts that clearly:

"We must be realistic therefore about the sort of changes we can hope to achieve at the IGC, just as we are clear about the sort of changes we will not accept. If we were to press ideas which stand no chance of general acceptance, some others would seek to impose an integrationist agenda which would be equally unacceptable from our point of view."

That is precisely what too many hon. Members, including some of my hon. Friends, are trying to do. They know clearly that what they advocate would lead to Britain's departure. All those claims about repatriation, and about seeking to change the fundamental essentials of the treaties of Rome and of Maastricht would break up the European Union, greatly to the detriment of Britain and of our British national interests.

It is encouraging that tonight the strong weight of argument has been against the anti-Europeans and the Euro-sceptics. I am afraid that that campaign will have to continue, because the time for turning the other cheek and trying to patch things up is over. As my right hon. Friend the Prime Minister said yesterday, we can gain tremendous benefits from being part of Europe, and Britain's place—

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order.

8.58 pm

Mr. Mike Gapes (Ilford, South): Earlier today, I intervened during the Foreign Secretary's speech, and I was a bit surprised that when he responded to me, he did not point out the fact that

"All member states had imposed or announced bans"

on this country's beef

"before the Union acted"

collectively.

Those are not my words, but those of David Williamson, the Secretary-General of the European Commission, in an article that appeared in the *Financial Times* on 10 June. I hope that Ministers will read that

article, which says a lot of sensible things about the damage the non-co-operation policy is doing to our country and to Europe as a whole.

Unfortunately, I do not have time to go into detail about the beef crisis, but it is worth pointing out that none of the 21 countries that imposed a ban on our beef before the European Union action will make any financial contribution to the British farmers affected by their ban, whereas the European Union is providing financial support. No doubt that means that, in the *Daily Express* and the *Daily Mail*—owned by the people who were referred to by the former Prime Minister, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath)—the European Union will be denounced for doing so.

I intend to concentrate on economic and monetary union. The Confederation of British Industry has produced a little leaflet as part of its "Business in Europe" campaign, which includes the following important statement:

"Even if the UK does not join, it is in the UK's interests that EMU is a success."

The House of Lords European Communities Committee has published in the past few days a report entitled "An EMU of 'Ins' and 'Outs'", which says:

"We are convinced that it is prudent for the United Kingdom to plan on the basis that EMU will go ahead, whether or not the United Kingdom eventually joins."

Perhaps that is why the Chancellor of the Exchequer has quietly persuaded his fellow Finance Ministers to drop the requirement for two years' membership of the ERM before a country can join EMU. He is keeping his options open. I am not sure whether the rest of the Cabinet are entirely satisfied or happy with that, but at least the Government seem to be preparing the ground.

EMU is not a problem for our Government alone. If and when it takes place, it will happen because there is now a momentum behind it. The markets have already made the adjustments. In the financial institutions, it is assumed that there will be a European single currency within the next few years. There may be some slippage of a few months in the implementation date, but we should not hold our breath. It is clear that EMU will happen at some point, and as a country we are sleepwalking away from the real questions.

The debate today has been of an infinitely better quality than some of the European debates in the House. I congratulate the Conservatives who have come along and made their voices heard in favour of European co-operation for a change. Sometimes it has been a bit sad, and we have got the impression that there is no one but rabid xenophobes on the Government Benches.

Mrs. Edwina Currie (South Derbyshire): It is not for want of trying.

Mr. Gapes: I exempt the hon. Lady, who always attends European debates.

I have a serious point to make about where we are going. Clearly the single currency will be centred on the deutschmark. There is already a deutschmark zone. If we choose to stay out of that, it will probably be at the cost of our having to meet the convergency criteria anyway, so as to be competitive in international markets. I was in Oslo recently, and the Norwegians are meeting the single market criteria more rigorously than most member states of the EU, even though they voted to stay out. They are doing so because they recognise that their economy depends on getting into the European market. If we do not face up to this problem in the next few years, we could face some harsh decisions.

Our country is now at a watershed, and we must stop the uncertainty. We must recognise that we have to make some decisive choices soon. I have been against referendums, and I tended to the view of Clement Attlee that they were the devices of demagogues and dictators. But we must make decisive choices, and we need a general election soon that gives a clear choice to the people of this country. We will do ourselves enormous damage if we spend another year of incessant agonising about our future and do not face up to the fundamental economic and political problems of a wider Europe, such as enlargement. This country must stop looking inwards and start looking to the wider world.

9.5 pm

Mrs. Edwina Currie (South Derbyshire): I am hoping for two helpful announcements following the Florence summit: first, that the framework document on BSE will be adopted and implemented, as other hon. Members have said today; and, secondly, that the non-co-operation strategy will be abandoned and consigned to the dustbin of history where it belongs. The two elements are linked by the Government, and the latter strategy has been regarded as the cause of the former.

Earlier today, a triumph was claimed by the Government, and who am I to argue with that? I merely put on record a point that I made to the Foreign Secretary when he came to speak to the Conservative group for Europe, of which I am chairman, on 12 June in the House. In my view, had we adopted the framework approach from the start, we would have arrived at much the same point by now without the non-co-operation process. If negotiation, scientific evidence and everything else that we have called in aid are as strong and important as we believe them to be, the obduracy and bad manners of the non-co-operation process would not have been necessary.

Some things are very obvious from the position paper of the Commission, entitled "The Protection of Human and Animal Health". It is very clear, for example, that the European Union holds the whip hand in this. The document states:

"Fortnightly reports by the UK and inspections and monthly reports by the Commission to the Council and Parliament"—

not this Parliament, but the European Parliament—

"will continue as long as necessary and are an integral part of this procedure".

The document adds:

"The Commission will subsequently fix the date when exports can effectively resume following a successful outcome of a Community inspection".

My goodness—that puts us in our place.

It has also become obvious that we cannot manage without the EU. These countries are our customers. The hon. Member for Ilford, South (Mr. Gapes) said that the countries banned our exports before the EU did so, and he is quite right. However, it was worse than that. Our customers banned our exports. The day after the announcement by the Secretary of State for Health—I am glad that he made it in the House—the markets in Derbyshire and Staffordshire closed. My constituents, and my beef farmers in particular, had a lucrative trade with Italy, but they have been unable to export anything—not a single gramme or ounce—since.

[Mrs. Edwina Currie]

These countries are our customers, but they are also our regulators—there can be no argument about that any more. They are also our competitors and, close as we are, they are our companions in every aspect of business. What is also beyond peradventure is that enormous and long-lasting damage has been done to the European beef industry—probably more than to our own. Therefore, we are all very much in this together.

My anxieties have been aroused by much of the debate during the past three months or so. Hon. Members have talked about the damage done to this country's reputation abroad, but I should like to mention how the clumsy handling of this and previous rows has damaged public opinion in this country. When the Prime Minister took office, a Gallup poll in *The Daily Telegraph* in November 1990 asked a regular question:

"Generally speaking, do you think British membership of the European Union is a good thing, a bad thing or neither good nor bad?"

In November 1990, 56 per cent. said that it was a good thing and 13 per cent. said that it was a bad thing—in other words, about 4:1. Of course, the British are among the few nations who can say that something is a bad thing, but want to stay in it. Nevertheless, at that stage the European Union was very popular. That was the result of a highly successful decade of pro-European activity, culminating in the creation of the single market.

Where are we now? In the same poll in *The Daily Telegraph* on 10 April 1996, 34 per cent. of respondents said that it was a good thing, 34 per cent. that it was a bad thing and 32 per cent. did not know. So we now have a confused and divided nation. That, I suspect, reflects a confused and divided House, and in particular a confused and divided Administration.

Our Front-Bench speakers repeatedly raise fears about things that do not exist and probably are not going to exist. We constantly hear—it is in the White Paper—that the Government are totally against a super-state and a federal Europe. Those phrases were bandied around by our Ministers long before Sir James Goldsmith appeared on the scene and started using such language.

My right hon. and hon. Friends are raising an Aunt Sally which has no basis in fact. The result is to make the British people fearful not of how the European Union will be in future but of how it is now. We know that the United Kingdom as a trading nation has gained enormously from how the European Union is now. The Government have been making a rod for their own back. That makes it harder to accept change when it inevitably comes. It also makes it harder to accept the implementation of changes agreed many years ago such as the fisheries policy. It just makes life very much harder.

All the surveys show that the British people want more information—information that they can trust, refer to, discuss, debate and evaluate. That should come from the Government. It should not come from anyone else. It should come clearly from the Government, who ought to take on board as a duty their responsibility to educate the nation.

The same report in *The Daily Telegraph* referred to an effort by Gestetner to discover the attitudes of Britain's school children. It discovered that

"sophistication about Europe among Britain's young is not high . . . 39 per cent. thought Europe included the USA and Australia."

The provision of information ought also to be the European Commission's job, but it is extremely hesitant about information campaigns. It has decided not to spend information money in this country, although it spends it in other countries. So the voluntary movements will have to do it. The hon. Member for North Durham (Mr. Radice) is the chairman of the European Movement. I am a vice-chairman, and other vice-chairmen have been in the Chamber tonight. We will have to do it. We will have to take on Goldsmith. We will do it, but it is a disgrace that it is being left to the voluntary movements. It ought to be the responsibility of the Government.

I have a feeling that the Government think that anti-European or Euro-sceptic policies will be popular with the electorate when the election comes. This is the Redwood theory. It is sadly mistaken. It may go down well in Wokingham, but it does not make voters' eyes light up in the industrial midlands, where large numbers of marginal seats are to be found—seats such as mine. Why? Because the European Union means jobs, that is why, and my young working voters know it. At no time since the war have the British electorate voted into power an anti-European party. The Labour party knows that, which is why, with its most cynical approach to politics, it is now moving in that direction.

More significantly, it is in the Government's interest and the country's interest that we should adopt a much more positive approach in future. I hope, therefore, that we will return in our dealings with the European Union to consent and courtesy as quickly as possible.

9.13 pm

Mr. Barry Sheerman (Huddersfield): In a Chamber in which we extol the virtues of education and maturity, when someone like myself speaks as a pro-European who 20 years ago campaigned against Europe—as did my right hon. Friend the Leader of the Opposition—it is regarded not as a sign of education and growing maturity but as some dark secret that one should try to bury. I was unashamedly naive about Europe and I have, I think, matured and become confident of the benefits that membership of Europe gives to us as a nation and to the people whom I represent.

I listened to the speech of the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) and I agree that the original concept of the treaty of Rome was right. Europe should grow closer and closer over the years into a greater unity. We should be unashamed about that, especially as most of us come into politics because, above all, we want peace. We can prioritise the economy, which is very important—the hon. Member for South Derbyshire (Mrs. Currie) spoke about jobs—but we want peace and prosperity and that is why we have built Europe as a bulwark against another war such as the one in 1914-18 and the last war.

We want a peaceful and a prosperous Europe that offers cultural diversity. We should speak out about the good aspects of Europe, and I am glad that we have had a positive debate today. So many of the voices that have been heard in our country in the past two years have been strident, Euro-sceptic voices.

I do not blame the Euro-sceptics. They have an opinion and they have the right to express that opinion, but the Government have been pushed into nervous timidity about Europe. That is the real problem, but I think that they are

coming to their senses. I knew they would come to their senses on the day that the CBI spoke out with a clarion message. As someone involved with manufacturing industry, I have gone round and spoken to the chairmen of companies and they have asked quietly—they are more positive now—what the Government's problem is and why they have changed their mind about being at the heart of Europe. That is a consistent point of view and an important one.

I wish to shed a little light into the lives of all those who believe in Europe. Some of the more sophisticated polls show that the new, younger generation, especially those who are well educated, are positive about Europe. We have a wonderful network in Europe in the ERASMUS exchange programme. Young students from across Europe come here to be educated, and our students go abroad. There is a marvellous feeling among the new generation, who are better at languages than we were and better at conversing with their opposite numbers. That is making Europe a reality and is one ingredient that will stop us ever going back to an anti-European position.

Another problem with the issue of Europe is that too often people think that one has to be pro-Europe and unquestioning or anti-Europe. I want to be both. I am pro-European, but there are some ghastly problems with Europe. For example, the common agricultural policy is a disgrace. It must be changed, but we must be in Europe to change it. We cannot change it if we do not participate.

I take the traditional view about a healthy democracy. I do not know of any healthy democracy that does not have a legislature that checks the executive effectively. That has worked in this country and in the great democracies of the world. An effective legislature is the key ingredient, together with an independent judiciary, for a healthy democracy. We do not have that in Europe, because it is far too heavily driven by the executive. The Council of Ministers has too much power—as, in some ways, does the Commission, but that can be put right.

As a Front Bencher shadowing various Ministers in the past 12 years, I have seen the facility with which a Minister would leave the House of Commons, get into his chauffeured car, drive to the City airport or Heathrow, fly to Brussels, and meet his opposite numbers, with a simultaneous translation and another staff provided. The executive has wonderful access to Europe. The Minister shakes his head, but if we want to deepen our European experience and to make the people we represent more confident about Europe, we must start taking it seriously ourselves.

That means that we must talk to our opposite numbers in Germany, France, Spain and Italy. We must have the ability to meet them and talk to them on issues in which we are interested such as energy, the environment or industrial policy. The best way to overcome prejudice is to meet the people that one tends to hold prejudices about. We, the 15 domestic legislatures, have to take steps to make common cause, which is what politicians do best. Politicians are good at gossiping, plotting and planning, and we must start doing that across the 15 domestic parliaments.

The Front-Bench teams have been very good and have allowed Back Benchers to squeeze in extra time, so I shall not detain the House for too much longer.

If we are to start making common cause, we must have access—not the miserable one trip to Brussels a year. We must have a method of communication, a regular page on the Internet and a regular journal or newsletter for hon. Members and for those other legislatures that are still steam driven. We must also demand a meeting place—a central location—perhaps in Brussels, with meeting rooms and simultaneous translation, where we can do the thing that politicians do best: check an executive which, if not controlled, will get out of hand.

I promised myself that I would say nothing about the beef crisis, but I have been tempted by the latter remarks of the hon. Member for South Derbyshire. I was sitting in the House talking to the chairman of a major chemical company three months ago when the crisis broke. When we all thought that it was a quiet week, two Cabinet Ministers rushed into the Chamber to make a statement—indeed, the hands of the Secretary of State for Health were shaking on his papers. The message went round the world that there was a crisis. The senior industrialist said to me, "When we get to a certain level in my business, we are sent on a crisis management course. You are told that, if you do not handle a crisis in 10 minutes or 10 hours, it will get out of hand." The beef crisis got out of hand.

I was with the German ambassador in Paris two weeks ago, when he asked me in a pained way, "What have you done? You have single-handedly undermined one of the most important industries in Europe." If the crisis was in the pharmaceutical, chemical or steel industry, it would look different, but it happened to involve farming and beef. It was this Administration who got things so wrong and forgot that we live in a global village. The image of the Secretary of State at the Dispatch Box was instantly transmitted around the globe, and everything that followed was this Administration's responsibility.

I shall end on a better note: this has been an intelligent and constructive debate. We must ensure that the message that prosperity and peace come from a deepening and widening Europe is broadcast not just today. We must continue to give that message, or the eccentric right in this country will take the initiative and take advantage of the current situation.

9.22 pm

Ms Joyce Quin (Gateshead, East): Today's debate has been part of the series of debates that we hold in the House to look at the six-monthly developments in the European Union. Such is the unpredictability of political life that six months ago we did not imagine that we would spend the majority of today's debate discussing a beef crisis. As many hon. Members on both sides of the House have said, it has been a good debate—one of the best of the six-monthly debates that I have experienced during my time in the House, with some excellent contributions from both sides of the House. There have been fewer of the setpieces to which the hon. Member for Wycombe (Mr. Whitney) referred, and, given the unusual circumstances, some unusual contributions.

On the Conservative Benches, as was pointed out by many of my hon. Friends, the debate was not dominated by Euro-sceptics. They have not been entirely absent from the debate. There was the perhaps idiosyncratic speech of the hon. Member for East Lindsey (Sir P. Tapsell), which provoked plenty of reaction on both sides of the House, and the speech of the hon. Member for Holland with Boston (Sir R. Body), who said some things with which I agreed, particularly on the common agricultural policy and the need for its reform if enlargement of the EU is to go ahead, as we all hope.

[Ms Joyce Quin]

None the less, there were some notable Euro-sceptic absences in the debate, including that of the hon. Member for Stafford (Mr. Cash). Perhaps he was so wounded by the comments made about him by the hon. Member for South Derbyshire (Mrs. Currie) in *The Times* today—I shall not quote them in case they are deemed unparliamentary—that he was rendered speechless and unable to attend. I shall leave to my hon. Friends the joy of discovering those quotes in today's newspapers.

Mr. Bellingham: What about the Labour Members who oppose Europe?

Ms Quin: I do not think that the hon. Member for North-West Norfolk (Mr. Bellingham) has been present throughout the debate. He certainly has not heard as many of the speeches as I have, so perhaps he will not make comments from a sedentary position.

The beef ban and the Government's approach to beef have been a dominant theme throughout the debate. Indeed, there were many telling criticisms of the Government's approach to the issue. There is, it seems, a depressing pattern in the Government's approach to European Union issues. They breathe fire and brimstone and then subside without achieving their original goals, and often do so in such a way as to damage our standing with our European partners. Indeed, this is the third time in the past couple of years that the Government have adopted such an approach: they did so in the dispute about qualified majority voting, at the Ioanina conference and at the time of the appointment of the European Commission President, where they stuck out against the appointment of Jean Luc Dehaene and ended up with the appointment of Jacques Santer, who then said that his views on European policies were identical to those of Mr. Dehaene, whom the Government had been so determined to resist.

There has been a catastrophic mishandling and mismanagement of the BSE episode and the beef ban by the Government, beginning with deregulation and the laxity of rules on animal feed, which have caused such problems, leading to the extraordinary events, which have been described by many hon. Members, of 20 March, when the Secretary of State for Health made his statement to the House. The statement was made with a staggering lack of consultation with our European partners and it caused many of the problems that have subsequently haunted the Government. I quite accept the point made by my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore), who said that members of the public were surprised that the EU had the power to impose a worldwide ban, but I find it quite astonishing that the Government did not seem to realise that, or that they did not prepare the ground much more fully with our European partners, given the likely reaction by consumers in other European Union countries.

I found the Foreign Secretary's speech an exercise in the rewriting of immediate history. He seemed to think that we had very short memories indeed and that we would not remember what was said in the House only a month or so ago, but my right hon. Friend the Member for Livingston (Mr. Cook) reminded us in vivid detail what the Government said at the beginning of the process, what they claimed then and what they claim today in the House and outside to the media.

Mr. Paul Flynn (Newport, West): In his speech today, the Foreign Secretary repeatedly made the point that the extra 67,000 cattle that will be slaughtered are not additional, because they will be slaughtered prematurely anyway. But is not that true of all cattle? Otherwise our fields would be filled with small, grey, geriatric cows tottering around on arthritic legs. We do not see that. Is not it true that the additional cows that are being slaughtered are in fact having their productive lives reduced, and that the change of policy is a humiliating climbdown?

Ms Quin: As ever, my hon. Friend makes his point very effectively. The Government are unable to convince the National Farmers Union, and farmers generally, of the accuracy of figures that they say are much less important than they obviously are.

My hon. Friend the Member for North Durham (Mr. Radice) reflected on the many ironies of the situation. There certainly are a great number. Many double standards have been operated throughout this episode. Tory Euro-sceptics who have been keen, indeed gleeful, in their criticism of European Union countries have usually omitted to refer to countries outside the EU that have also banned our beef. The Government must recognise that, even if the ban is lifted, as we all hope, it will be, a massive information campaign will be needed to ensure that other countries, many of which have a traditionally friendly attitude to Britain, accept British beef in the future.

There is also the irony of the Government's appeal to the European Court of Justice, given the many criticisms of the Court that have emanated from Conservative Members, and the schizophrenic approach to it adopted by the White Paper. There is also the irony involving the voting system. The Foreign Secretary spoke of the importance of unanimity, but I heard a radio interview in which the Minister of Agriculture seemed to suggest that, thank goodness—in his view—the matter could be decided through qualified majority voting; otherwise, it would be impossible to make any progress in the direction that the Government wanted.

Then there is the irony referred to by my right hon. Friend the Member for Livingston—the blocking of measures that we in Britain particularly wanted, and from which we stood to benefit greatly. I endorse what my right hon. Friend said about the unfairness of penalising countries by blocking decisions even when those countries were third countries, not party to the dispute. I think that blocking aid to Russia, or to third-world countries, comes firmly into that category.

The Government now have a massive bridge-building exercise to undertake, and a great deal of reassurance to give many people who have been greatly worried and put out by their strategy. They certainly have many bridges to build with British industry. Many firms and industries have been extremely worried for a long time by the Government's approach to the whole European Union question. That has been confirmed by quotations, given in the House, from representatives of the Confederation of British Industry.

I know from my conversations with representatives of industries belonging to, for example, the Chemical Industries Association, how concerned they are that

continuing Government criticisms of the EU may jeopardise their position in the single market. Indeed, the Chancellor of the Exchequer is on record as saying that he is very worried about the pronouncements of many of his hon. Friends and their possible effect on inward investment. If the hon. Member for South Derbyshire were here, I am sure that she would endorse his comment, given that, like me, she comes from an area that has benefited greatly from such investment.

We need to build bridges with our European Union partners, and we hope that that can achieved if the Government adopt a much more constructive attitude to the issues to be considered by the Council of Ministers over the next few months. Presumably that will give the Government an opportunity to reverse the blocking of important measures that we have seen over the past few weeks.

The Government have a duty to reassure some of the countries that are applying for EU membership, which have been worried about the implications of the Government's policy, believing that, if it went on too long, it might jeopardise their applications and their relationship with the EU. My hon. Friend the Member for Tooting (Mr. Cox) mentioned the application of Cyprus, and, as he knows, in previous debates, we have strongly supported his line.

I warmly welcome the many powerful expressions of concern in the debate about the far too frequent xenophobic rantings during this episode, especially in the tabloid press. My hon. Friend the Member for Walsall, North (Mr. Winnick), my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) and many others spoke powerfully about that. It is a credit to the British people that they have not been whipped up into a xenophobic frenzy. The warm welcome given to many visitors from EU and other countries during the Euro 96 tournament has been good to see.

One of the measures that the Government blocked was a declaration against racism and xenophobia. If there is a settlement in Florence, will the Minister of State assure me that the Government will join our European partners and support that declaration?

I mentioned that the Foreign Secretary seemed keen to rewrite immediate history, but the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) told us about the rewriting of the history of our previous relations with Europe and the European Community. The Foreign Secretary rightly made the distinction between a free trade area and a single market, but Europe is not just a single market. We did not join just a single market when the British people decided in the 1970s to stay in the EC.

I confess to being old enough to remember the arguments during the referendum campaign and the speeches by people such as Enoch Powell about the danger of the loss of sovereignty in the EC. In many ways, those arguments were like the ones advanced today against the EU, but they show that, in the 1970s, we were joining not just a free trade area, but a deeper body of co-operation, with different aspects, including an important social dimension, which the Government often seem to forget.

I was glad that my hon. Friend the Member for Walsall, North mentioned the social chapter. In recent weeks, there have been some interesting developments on that. I was pleased that the principal employment adviser of the Confederation of British Industry recommended an end to the Government's opt-out from the social chapter. I remind the Minister of State—perhaps he will refer to this—that it is important to read what the social chapter says. Not many people seem to realise that it refers to

"the need to maintain the competitiveness of the Community economy."

It also says that measures should be gradually implemented and that directives should avoid

"administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings."

Why does the Prime Minister never mention that in all his rantings against the social chapter? Is it because, if he did so, his opt-out from the social chapter would clearly be seen as the shabby political manoeuvre it is?

If there is agreement on beef, the Florence summit will allow the discussion of many other matters, some of which have been referred to by my right hon. and hon. Friends. The all-important question of tackling unemployment is on the summit agenda. I hope that the Minister of State will assure us that the Government will back some of the employment initiatives proposed by the European Commission president and by many Governments in their interesting submissions to the summit.

I commend the submission of the Austrian Government, which describes that country's successful experience of a strong currency combined with an active employment policy. I should like the Minister to welcome the submissions of the Irish, Belgian, Netherlands, Luxembourg and Danish Governments—all of whom want complementary action on employment at European level to supplement national action.

The Government's attitude to employment in Europe is staggeringly complacent. From the world prosperity league, to which the Government do not like to refer, it is clear that the UK's record is not good and that it has much to do to catch up with the progress made by other European countries over the past 16 years in employment policies and creation. The current Conservative poster campaign—"Yes it hurt. Yes it worked"—goes down badly with my constituents. For some reason, the Conservatives chose to site that poster, referring to low unemployment, in a ward in my constituency that suffers from high unemployment. A similar poster, referring to the number of people who own their homes, is to be found in another part of my constituency where there is little home ownership. If the Conservatives carry on behaving like that, their campaign will not be terribly successful.

I appreciate that the Minister has been asked many questions, but if he has time, perhaps he will give some explanation for the Government's mysterious position on qualified majority voting and powers for the European Parliament. At times, the Government talk of no increase in QMV, at others about no significant increase. They do the same in relationship to the powers of the European Parliament.

In recent weeks, part of the hidden agenda of the Minister's friends has been revealed, with withdrawal at last mentioned by some of them. Despite the overall pro-European tone of this debate, the former Foreign Secretary, the right hon. Member for Witney (Mr. Hurd)—who is not known for making extravagant statements—has been writing letters to *The Economist* warning that the UK will have to man the ramparts all over again. I wonder whether the Minister agrees.

[Ms Quin]

It will take the Government a long time to restore, if they ever do, Britain's standing in Europe—and the Government do not have that much time left. This country needs a Government who will approach the future challenges of enlargement, CAP reform and so on without being handicapped by the souring of relations that has frequently marked the present Government's record.

My right hon. Friend the Member for Livingston concluded his speech by saying that the UK needs a fresh start. It can have that with a change of Government. That would mean a fresh start in Europe and a much needed fresh start in Britain. It would allow a far more constructive relationship between the UK and Europe which would give the British people a better deal from EU membership and help to create a sound basis for the enlarged and renewed European Union that we all want in future.

9.43 pm

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis): I take the opportunity to reinforce the congratulations expressed by my right hon. and learned Friend the Foreign Secretary to the right hon. Member for Livingston (Mr. Cook). The right hon. Gentleman and I have crossed swords before, but his elevation to the Privy Council is well deserved.

This has been a fascinating and high-quality debate across the Floor of the House. It will be very hard to do justice to all the points raised, so I apologise in advance to hon. Members whose points I do not deal with in my comments.

As my right hon. and learned Friend the Foreign Secretary made clear, the United Kingdom's membership of the European Union is vital to our national interests, to our position in the world, to our nation's economy and—to agree with only one part of the comments made by hon. Member for Huddersfield (Mr. Sheerman)—to the peace of Europe, which is an important part of our national interest. That dominating strategic fact drives our policy in the longer term.

The immediate prospect that I must deal with today, as has been made apparent in the debate, is the crisis of the European handling of BSE. The hon. Member for Ross, Cromarty and Skye (Mr. Kennedy)—I think in a spirit of teasing—told the House about my good relations with my opposite numbers around Europe. I suspect that he was trying to undermine me in some way. Very seriously, however, those who know my origins will realise just how much distaste I have for the extremes of xenophobia about which one hears from time to time. I should like to make that clear.

One of the misfortunes of this exercise has been a growth in xenophobia. That started not with the non-co-operation policy, however, but with the frustration of the British people at the behaviour of the European Union during the course of this exercise. The Union's action in banning British beef exports was inappropriate, precipitate and damaging to the industry—not only in Britain, but across the continent. The non-co-operation policy arises from the repeated refusal of our partners to engage properly in negotiations. We faced the prospect of the ban continuing indefinitely, and it was not in our national interests to allow that to happen.

It is now more than 12 weeks since the start of the ban. In that time my right hon. and learned Friend the Minister of Agriculture, made proposal after proposal to the institutions of the Union, and he demonstrated time and again that there was no basis for the ban. Other Ministers did the same—including myself on a number of occasions—in the political networks in which one must deal. Some of our partners merely refused our proposals. What was worse, some of them refused to offer alternatives or constructive criticism. It was often impossible to get a clear idea of a country's policy. We faced the prospect of endless inaction, while a British industry employing 650,000 people foundered. It would have been irresponsible to let that situation continue. That is not xenophobic or anti-European, but a matter of national interest that a Government must take seriously.

That is why, with regret, we adopted the policy of non-co-operation and blocked EC business. We did not do it lightly. We did it because the behaviour of some member states left us no alternative. We decided that progress would not be possible in the intergovernmental conference or elsewhere until, to quote my right hon. Friend the Prime Minister:

"we have agreement on lifting the ban on beef derivatives and a clear framework in place leading to lifting the wider ban."—[*Official Report*, 21 May 1996; Vol. 278, c. 100.]

Some, particularly in Europe, have asserted that that policy breaks the law. They have suggested that it breaks article 5. It does not. No article of the treaty dictates how nation states should vote. There are, however, articles that make it illegal to impose unilateral bans on importers in the single market, and there are articles that make it illegal to ignore the lifting of the derivatives ban. We are not the ones who have broken the law. Others have threatened to break the law by refusing to lift the ban on beef derivatives, and we shall look to the Commission and, if necessary, the European Court of Justice to see that the rules are applied. Throughout this crisis we have resolutely refused to be drawn down the path of illegality. Many have recommended that, but we have refused. In pursuing a framework for lifting the ban on British beef, we are simply asking the Commission to fulfil its proper duties under the treaties.

What we are doing is not unprecedented. Several of our partners have resorted to tough tactics in the past to secure national interests. Many observers have recalled the French empty-chair policy of 1965-66, one subordinate aim of which was to protect French farmers. In recent years, Spain, Italy and others have used blocking tactics in pursuit of national aims.

Several hon. Members, including my hon. Friend the Member for South Derbyshire (Mrs. Currie), have expressed concern about long-term damage to our standing. I have not been aware, in any of the meetings of the European Union that I have attended, that any of the countries I have mentioned are suffering from their past actions being held against them, and I do not foresee that being a problem for us in the future.

The Prime Minister has made it clear that normal work in the European Union and progress at the IGC will not be possible until we have secured a framework for progressive removal of the ban on British beef exports. There is a growing realisation that the restoration of the beef market is a European interest, not just a British one. After all, German consumers may not be eating British beef, but one of the problems facing that country is that substantial numbers of them are not eating German beef either.

The right hon. Member for Bethnal Green and Stepney (Mr. Shore) often says things in the Chamber with which I agree, but I must correct him on one point. We do not put the action of individual countries down to malignancy in any way, and he should not misunderstand that. We should recognise that many of them have their own internal political problems of different sorts.

As the House knows, the Commission will be putting forward its proposal for Florence. Four weeks ago that was deemed to be impossible, even though we had asked for it a number of times. The framework has been and will be considered by member states. Four weeks ago, that was denied. So, even before Florence, our tactics have precipitated progress in negotiations. We could not have come so far without non-co-operation.

Throughout this, the Labour party has taken its traditional opportunistic line. The Labour leader was at first confused, and then he was tentatively supportive. All the time he was trying to seize some party advantage for a situation in which, in his own words, the "national interest is engaged". For example, our negotiations were not helped by the actions of Labour MEPs who criticised the Government in the European Parliament on a number of occasions. We were not helped by the Labour leader's attack on the Government's handling of the issue when he was in Germany the other day—the very country whose media have been most strident in their criticism of British beef.

I suppose that on this issue the hon. Member for Ross, Cromarty and Skye could be considered a neutral observer. He characterised Labour's policy as running with the hare and hunting with the hounds. I could not have put that better myself.

The right hon. Member for Livingston (Mr. Cook) talked about what represents a success in this. The criterion for success is whether it delivers solutions to the problems faced by the beef industry. The aim is the fastest possible delivery of confidence in British beef, the fastest possible delivery in access to a single market and the fastest possible resolution to the European crisis on beef.

I started with beef because, naturally, it was uppermost in our mind. However, our vigorous defence of the United Kingdom's interest in Europe is not restricted to the policy on beef. That defence will continue in our other discussions in Florence. In our discussions on employment—the hon. Member for Gateshead, East (Ms Quin) raised that issue—the Government will impress on our European partners the need to create the right economic climate for job creation. We will stress the foolishness of increasing the burden of non-wage costs.

Our defence of British interests will continue in our discussions on subsidiarity and deregulation and on cutting the burden of present and future European legislation. It will continue in the IGC, where we will reject proposals to centralise power in Brussels—proposals fuelled solely by misguided ideology. At the IGC we will refuse any extension of the powers on qualified majority voting.

The hon. Members for Gateshead, East and for Walsall, North (Mr. Winnick), the right hon. Member for Bethnal Green and Stepney and my hon. Friend the Member for Lewes (Mr. Rathbone) all raised the issue of employment. That is just about the most important issue that will be addressed in Florence. Employment is Europe's biggest problem and has been its biggest failure. Employment creation is one of the great weaknesses of the European Union.

Since 1960, the number of jobs in the United States has increased by nearly 200 per cent., while in Europe the number of jobs has increased by barely 10 per cent. In the past 20 years, the United States has created 36 million new jobs as against 5 million in the European Union. Every other trading bloc has done better than Europe in that respect.

Mr. Renton: I am listening carefully to my hon. Friend. He should recognise that one reason for higher employment growth in the United States has been its consistently lower interest rates than most European countries. As we move towards greater stability in the single market, possibly through economic and monetary union, we hope for lower interest rates, which will generate lower unemployment.

Mr. Davis: It is a little off my European brief, but as an ex-business man I can tell my right hon. Friend that the primary concern in interest rates is the nominal interest rate. The best method of dealing with that is low inflation, which happens to be a primary policy of this Government—Europe or not.

The UK, uniquely within the EU, has a good record on creating jobs—moreover, jobs in the private, not the public, sector. Since 1979, the UK has created as many jobs in the private sector as have been created in the whole of the rest of the EU. That is the answer to my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath), who offered the thesis that, in order to compete with the far east, we had to offer the wages of the far east. We have demonstrated that that is not the case.

All that is no accident. It comes from an approach based on free trade and competition, reform of inflexible labour market regulations, reduction of non-wage costs, investment in skills and sound macro-economic policies—points all made by my hon. Friend the Member for Lewes in his excellent speech. That is why we opted out of the social chapter and why we continue to believe that our policies are the best for the British people.

That is also one reason why Britain is so successful at attracting overseas investment. Britain accounts for more than 30 per cent. of non-EU investment in the EU. Last year we attracted 22 per cent. of all German overseas investment—we are its number one destination. Despite what the hon. Member for Gateshead, East said, that should not be news to the Labour party. After all, two days ago its leader got the message direct from the president of the German equivalent of the Confederation of British Industry. Mr. Henkel drew attention to the British Government's record—our success in dealing with unemployment, in reducing state interference, in privatisation, in reducing the state share of national income and in the low taxation of profits. Mr. Henkel concluded:

"Great Britain has become the most attractive location for investment in Europe. Although the German market is twice as large as the British, since 1985 foreigners have invested 10 times as much in Britain as in Germany."

The Labour party never believes that fact when it hears it from us, so I hope that its leader will have been more receptive when he heard it from an impartial

[Mr. Davis]

overseas observer—however galling it must be for the Leader of the Opposition to travel abroad only to have to listen to foreigners praising the British Conservative Government's approach.

In Florence, we will reinforce member states' efforts to create a sound, stable macro-economic framework in which business can create jobs. We agree with the emphasis on tackling unemployment in Mr. Santer's confidence pact and President Chirac's memorandum. But we will not agree to an increased role for trade unions, a single European social model or the abolition of the UK's social protocol opt-out. We will not agree to measures that destroy jobs rather than create them—to increased rigidity in the labour market, too much regulation, high non-wage labour costs and the sort of corporate approach which failed this country so badly under the last Labour Government.

I have very little time left, but I promised the right hon. Member for Livingston that I would answer his specific and important questions about Bosnia. First, he referred to the feasibility of free and fair elections. It is vital for the international community that elections are held on 14 September. It is the best hope for making a new start in Bosnia. We expect the Organisation for Security and Co-operation in Europe chairman in office, Swiss Foreign Minister Cotti, shortly to certify that elections can go ahead. That will focus the efforts of all concerned on improving the conditions for free and fair elections.

In particular, we need improvements in freedom of movement, freedom of expression during the election campaign, as the hon. Gentleman said, and freedom of the media. It is not true that only Government candidates will have access to the media during the election campaign. The international community, in the form of the high representative, Carl Bildt, and the OSCE, which is responsible for supervising the elections, has secured an agreement on fair access to prime time television. We shall ensure that all parties stick to the agreement.

The return of refugees has begun: tens of thousands have returned since the end of the war, but it will be a long process. Hundreds of thousands will not have returned by the time of the elections, so we have ensured that there will be ways in which they can all vote. They will vote either where they are registered in the 1991 census, in which case they may vote in absentia, or where they plan to return to, in which case they may go there to vote.

The right hon. Member for Livingston raised the question of Karadzic and Mladic. Obviously, we agree that indicted war criminals must be brought to justice. It is not acceptable that they continue to be free and it is worse if they exercise power and influence—

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

TRIBUNALS OF INQUIRY (EVIDENCE) ACT 1921

Resolved,

That it is expedient that a Tribunal be established for inquiring into a definite matter of urgent public importance, that is to say, the abuse of children in care in the former County Council areas of Gwynedd and Clwyd.—*[Mr. McLoughlin.]*

New Age Travellers (Tayside)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McLoughlin.]*

10 pm

Mr. Bill Walker (North Tayside): I thank Madam Speaker for giving me the opportunity to raise the subject of so-called new age travellers on the Adjournment debate tonight. I say so-called because, in a letter to me—one of many—the writer says:

"There are, of course, no such things as New Age Travellers".

It is a term the press invented. The letter says:

"These people are vagrants.

They have not opted out of society as may be claimed, but choose to 'cherry-pick' the rules in order to select the best ones and observing no duties and responsibilities, nor do they have any respect for anyone but themselves.

They roam in gangs and make nothing but trouble and expense to the mainly law abiding citizens everywhere."

Be that as it may, the so-called new age travellers had a sizeable encampment in my constituency during April and May. They gathered ostensibly to celebrate a Pictish festival at Dunnichen hill near the village of Letham. The event has taken place for several years. In earlier years, Robbie the Pict and his followers had attended for a weekend. The local people enjoyed much of what took place then.

Sadly, this year, the event was an unlicensed rock music festival of around two weeks' duration. At the height of the event, about 2,500 people were involved. By the second weekend, the number had dropped to about 300 travellers, most of whom appeared to be of English origin—odd people, I suggest, to be celebrating a Pictish festival.

The major problem experienced during the event was excessive noise caused by amplified rock music played almost incessantly over several days. It was clearly audible in the village of Letham some two miles away. Not surprisingly, law-abiding, tax-paying constituents complained to me and to Tayside police.

In addition, dogs accompanying the travellers were allowed to run wild, and they caused considerable distress, injury and death to sheep. Some 2,000 pheasant chicks were destroyed. A number of sheep were killed, and several of the travellers' dogs were shot by estate staff.

There were also problems of rubbish and litter, there was damage to walls and fences, and obstruction was caused by the travellers' vehicles, many of which were without road fund licences, MOTs or insurance. There were no sanitary or toilet facilities. About 2,500 people were on the site, and raw sewage drained into the main water supply for the estate's home farm and cottages, and thereafter into Rescobie loch and on to Forfar.

The anti-social and at times abusive stance adopted by the travellers made difficulties for the local farmers and estate staff. It also made police negotiations virtually impossible, and led to a confrontational approach which, was unhelpful in fostering good relations. All that occurred despite a high degree of tolerance exercised by local residents and the Tayside police. It was also apparent that the unlicensed sale of alcohol was taking place on the site, and there were stories about soft drugs being used,

Tayside police confirm that the officers on duty were of the opinion that many of the travellers were obviously under the influence of alcohol or drugs for much of the period.

Following continued complaints, a police operation was undertaken to disable and seize the most prominent sound system being operated on the site. While that was being carried out, the officers came under sustained attack from the travellers, who threw stones and brandished sticks and other implements. Fortunately, no injuries of any consequence were caused, but it is worrying that the travellers had prepared a cache of weaponry in readiness for the police action.

Seizure of the sound equipment and the charging of the operator were dealt with as a common law breach of the peace. In addition, 16 individuals were charged under section 61 of the Criminal Justice and Public Order Act 1994 in respect of the camp at Dunnichen hill and a prior encampment near Forfar.

My concern is for future years. We do not want Dunnichen hill to become the Stonehenge of Scotland. Robbie the Pict and his friends will return next year. We do not want the new age travellers joining them and a repeat of what happened this year.

I am reminded that the Opposition opposed the aggravated trespass clause in the Criminal Justice and Public Order Act being applied to Scotland, yet the police used their powers under that Act in this case and in an earlier case involving the removal of hawkers, when a direction to leave land was made under section 61 and the hawkers agreed to move without further objection.

The police would not have been able to operate without those powers, yet they were opposed by the Opposition. I remind the House of that because, as is so often the case with law and order legislation, the Opposition oppose the introduction of powers and then are delighted when they are used in the interests of law-abiding citizens.

I accept that decisions about the appropriate course of action to take with new age travellers must be made by the chief constable, but I submit that chief constables should be directed to use section 61 as early as possible.

I also agree that affected landowners should request the removal of new age travellers. In the case of Dunnichen, only one of the two landowners made such a request. That hampered police operations, as it placed the police in a difficult position and required an operational judgment based on the level of the nuisance and the disruption. I wish to place on record my thanks for the way in which the police acted, and the fact that they managed to take the necessary action.

I recognise that, in legal terms, the powers under section 61 are adequate, but they can be hampered by practical difficulties. If the travellers refuse to leave, the only option left to the police is to arrest the offenders. Such action will probably lead to confrontation and may leave family groups stranded while the head of the household is detained.

Another problem may arise from a failure to define the extent of land to which a section 61 direction is intended to apply, and on which further trespass is forbidden. Will my right hon. Friend consider issuing guidelines to clarify the position and to assist the police? I understand that, for the police, dealing with new age travellers essentially involves enforcing the law and is a matter of practicality. The number involved and their reluctance to accept regulation of their life-style can make police intervention a matter of considerable difficulty. That is why the Conservative party was determined to put those powers on the statute book.

Consequently, the practice differs considerably from the theory and from the Act. Sections 61 and 62, which give certain powers to the police, may, if exercised, risk causing further problems. I recognise that, but even so I believe that, without those powers, the police could not have acted as they did so effectively at Dunnichen.

Even if we do not use the powers, we cannot accept lawlessness. I make it perfectly clear that my constituents will not accept lawlessness.

We also need a definition of the extent of the land to which a section 61 direction is intended to apply, on which further trespass is forbidden. That is important, because we are trying to deal with a possible repeat next year. If a section 61 direction is intended to apply, will it apply to the whole estate? In Scotland, if we do apply it not to the entire estate, but to the precise site that the travellers occupied this year, they could simply move a couple of fields away, and we would have a problem.

Finally, we must address the ghastly fact that the travellers are to a considerable extent supported in their life style by the social security regime, which pays out benefits irrespective of their place of residence. As those individuals are reluctant to contribute to society or to seek employment, why should the taxpayer subsidise their way of life? Why should the taxpayers in Letham have those people forced upon them? Why should taxpayers have to see that, if those people go to an office to pick up their money and find that it is not there, the police have another incident on their hands?

Faced with such intrusions into their lives, why should my constituents not say to my right hon. Friend, "Thank you for putting those necessary powers on to the statute book, but can you use your persuasive powers to get the Department for Social Security to reconsider how it makes payments to travellers, and perhaps to cease that form of mobile support?"

I, too, say to my right hon. Friend, "Thank you for the powers that you have given the police and the fact that we can move the travellers on." I trust that sections 61 and 62 will mean that they cannot come back, and that we can do what was done at Stonehenge. In plain language, I conclude by saying that we do not want them back. We are happy to have Robbie the Pict, but we do not want the new age travellers.

I have told the hon. Member for Angus, East (Mr. Welsh) whose constituency abuts mine and was affected by the same new age travellers—they went into his constituency and caused considerable trouble—that he can have a couple of minutes to speak before the winding-up speech.

10.12 pm

Mr. Andrew Welsh (Angus, East): The hon. Member for North Tayside (Mr. Walker) has illustrated graphically the problems visited upon Angus by the new age travellers, and I thank him for allowing me to speak briefly in his Adjournment debate, which I much appreciate.

Angus is used to dealing with genuine travelling people, and has installed some excellent travelling people's sites. The village of Letham, which is one of

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Scotland's major beauty spots, is used to Robbie the Pict and the small number of Pictish-related annual events which have taken place over many years with little or no disturbance—indeed, with some enjoyment for local people.

If travelling people leave the area as they find it and arrive in small numbers, there is minimal disturbance, but what happened recently meant that some of the most picturesque and vulnerable areas were swamped with new age travellers, who caused damage to property and livestock, health and sanitation problems, and left a trail of angry people in their wake.

New age travellers driven from England should not look upon Scotland as a soft touch. Those scenes must not be repeated. Action must be taken to prevent a recurrence of such large-scale gatherings and the disturbance that they create for the surrounding communities. That can be done through exclusion orders and all the other available mechanisms.

I support Angus council's tough approach to the problems, and its initiative in calling for a summit meeting to review the situation, which will allow all the authorities involved—Angus council, the police and the Members of Parliament—as well as the individuals directly involved and Letham community council, to meet and plan ahead to ensure that there is a co-ordinated community response to any future recurrence in the Angus area.

I am sure that Angus council will echo the words of the hon. Member for North Tayside—this will happen again. We will have to be ready for it and take all possible steps to protect the local environment and the local community. What happened was unacceptable and we must ensure that we are fully prepared and able to act instantly on behalf of local residents and the wider community in Angus.

I congratulate the hon. Member for North Tayside on choosing this topic for the Adjournment debate. I hope that the problem will be dealt with effectively and efficiently, and that it will not recur.

10.14 pm

The Secretary of State for Scotland (Mr. Michael Forsyth): I congratulate my hon. Friend the Member for North Tayside (Mr. Walker) on securing a debate on this important topic, and I welcome the contribution from the hon. Member for Angus, East (Mr. Welsh). I note that he and his colleague, the hon. Member for Moray (Mrs. Ewing), are the only Opposition Members present for the debate—not a single Labour or Liberal Democrat Member is present.

The fact that we are having this debate tonight is a vindication of the Government's policy of ensuring that the provisions relating to collective trespass applied to Scotland as well as to the rest of the United Kingdom. I must gently point out to the hon. Member for Angus, East that he and his party opposed that vehemently, along with Labour and the Liberal Democrats, when the Criminal Justice and Public Order Act 1994 made its way through this House.

At the time, those provisions were spoken against and voted against by Labour. For the Liberals, the hon. Member for Caithness and Sutherland (Mr. Maclennan) denied that the problems that the Act was designed to address existed in Scotland. Yet we had the pleasure in the Scottish Grand Committee on Monday of the former leader of the Liberals, the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel), calling for action under the Act against new age travellers as a result of local complaints. It is not only within the Labour party that we see leaders finding that they must embrace Conservative policies that they had opposed.

Because we have taken action, even in the face of strong opposition from the Scottish National party and others, the police were able to act decisively in response to such calls. I shall try to deal with the various points that my hon. Friend the Member for North Tayside raised, but it may be helpful if I say something about the background to the situation involving new age travellers in North Tayside.

My information is that, on 26 March 1996, a number of travelling people, including family groups, camped on Lour estate, near Forfar. The landowners requested them to leave the site. When they failed to do so, the group was required to quit by the police. Again there was a failure to comply, and seven people were reported to the procurator fiscal at Forfar for contravention of the trespass provisions in section 61 of the Criminal Justice and Public Order Act 1994.

The group moved off the Lour estate and joined other new age travellers from various parts of the United Kingdom—including, as my hon. Friend said, Northumberland, Cornwall and Lincolnshire—who were camped on Dunnichen hill at Letham near Forfar. The purpose of the gathering was apparently to celebrate the battle of Nechtansmere between the Picts and Northumbrians, which is reputed to have taken place on that site. An unofficial festival was planned for the weekend of 17 to 19 May. Police estimate that, by that weekend, some 300 to 400 new age travellers had camped at the site, with about a further 1,500 people who intended to stay for the weekend.

That annual festival has taken place for more than 11 years and generally passed without serious incident. Local opinion towards the festival over the years has been ambivalent, with many people—particularly shopkeepers—welcoming the activity and the added trade arising from the presence of occasional travellers and weekend visitors. However, it has become clear that, whatever the historical origins of the festival, it now represents a significant incursion on land, and a considerable public order and safety problem.

This year's event was scheduled to take place on the weekend of 17 to 19 May. Following complaints from one of the landowners, a large-scale police operation was mounted to restrict car access to the area. That was successful, and there is little doubt that the torrential rain that fell in the area that weekend and the absence of vehicles, which would have otherwise provided sleeping accommodation and shelter for many of those attending, contributed to the failure of the event.

A number of those gathered for the festival decided to extend their stay, in the knowledge that the following weekend was a bank holiday. During the intervening period, a group of individuals thought not to be directly associated with the new age travellers brought a sound system from Cornwall, including an 8,000 watt amplifier. Throughout the night of Friday 24 May, the police

received numerous complaints from the residents of Letham, as my hon. Friend said, some two miles distant, about the levels of noise coming from the campsite. On the morning of Saturday 25 May, police officers attended the site and took possession of the amplifier in the face of a great deal of hostility. Stones, bricks and bottles were hurled at the police. They have video evidence of the operation, which confirms that.

Over the second weekend, police mounted road blocks at three points to prevent further arrivals at the site. People leaving the site by vehicle were informed that they would not be permitted to return. Over the period of the police operations, 16 people were reported to the procurator fiscal under the illegal trespass provisions of section 61 of the Criminal Justice and Public Order Act 1994. A further 10 were charged with other offences, including police assault and breach of the peace.

At the end of the festival, police allowed one vehicle loaded with petrol cans to leave the site to collect fuel for some of the others. That has been the subject of inaccurate reporting by some sections of the media. I make it perfectly clear, therefore, that the police neither paid for nor provided petrol, as part of some kind of deal to persuade the new age travellers to leave. Nothing could be further from the truth. Tayside police have understandably taken great exception to those allegations, and the local commander has written in the strongest terms to the editor of the newspaper in question, who I hope will apologise.

For the record, a little more than 1 gallon of diesel was supplied by the police to two vehicles that had run out of fuel some distance from the area while travelling towards Perth, to enable them to get to the nearest garage. I would expect the police to extend such assistance to any stranded motorist.

On Tuesday 28 May, the new age travellers began moving off Dunnichen hill. The group subsequently travelled in two directions. One group travelled into the Grampian area, where it later stopped at Gourdon near Inverbervie—to the considerable annoyance of my hon. Friend the Member for North Tayside. The other group, I am led to believe, ultimately settled near Peebles.

The Gourdon group initially settled peacefully, with the police keeping a watchful eye on it. However—I shall ensure that my hon. Friend's remarks are passed on to my right hon. Friend the Secretary of State for Social Security—after they had cashed their DSS benefit cheques, a number of the travellers became, to put it politely, the worse for wear with drink. Two individuals left the site in a vehicle. The police assessed the manner in which the vehicle was being driven as a danger not only to those in the vehicle but to the general public. The vehicle was stopped and one individual was apprehended and, I understand, charged with road traffic offences.

The other occupant of the vehicle returned to the site and alerted associates there. That led to a confrontation with the police, and a number of arrests were made. Police subsequently directed the travellers to quit the site and informed them that if they failed to do so, the trespass provisions of the Criminal Justice and Public Order Act 1994 would be enforced.

I understand that the Gourdon group, consisting of approximately 100 people and 35 vehicles, left the site on Sunday 16 June. Latest reports from the Northern constabulary suggest that they are at present in the Spean bridge area.

The other group, consisting of about 50 people, including women and children, arrived at a site near Peebles on I June. They are camped on private property, and the landowner has written to the chief constable seeking their removal under the 1994 Act. I understand from Lothian and Borders police that the new age travellers do not intend to remain there much longer. They have indicated to police—my right hon. Friend the Secretary of State for Social Security will no doubt note this—that, once they have collected their DSS benefit cheques and repaired their vehicles, they will move on. I believe that that has been accepted by the police and the landowner.

The police have established links with the travellers and have told them that, if they do not move by an agreed date, they fully intend to use the powers available to them under the Criminal Justice and Public Order Act 1994 to eject them. That date will be notified to the travellers in advance, and the police fully expect that they will leave before the deadline. If they do not, they will be effectively moved on. The police believe that relationships with the travellers are such that the use of force will not be required. I am told that the right hon. Member for Tweeddale, Ettrick and Lauderdale has been kept fully informed by the police.

The examples that I have just cited demonstrate that there is a growing problem with mass trespass in Scotland. The Government decided that having the power to deal with trespassers in Scotland was sensible and prudent, as we rightly anticipated that anti-social development. As my hon. Friend the Minister of State, Scottish Office said in the debate on the Criminal Justice and Public Order Act 1994:

"Scotland is not immune to this kind of activity . . . there is every reason to take preventive action".—[*Official Report*, 13 April 1994; Vol. 241, c. 378.]

The Government therefore gave the police new powers to deal with trespassers under the Criminal Justice and Public Order Act 1994. Those powers came into force in November 1994, and they fall into three broad categories.

First, provisions relating to the offence of aggravated trespass provide protection for those engaging in lawful activities, whoever and whatever they may be, from trespassers who intend to behave disruptively. The Act gives the police power to direct trespassers to leave the land if they reasonably believe that the trespassers will seek to disrupt or prevent a lawful activity on that land.

The second group of provisions in the Act is aimed at preventing mass encampment on private land by trespassers. Those powers are triggered only if people invade land with the intention of residing there, refuse to leave that land and then damage it, or destroy property, crops or buildings, or threaten the occupier, a member of his family or agent.

Thirdly, the police can direct persons assembling on land to leave the land when it is believed that a gathering will take place such as to cause serious distress to the inhabitants of the locality by the playing of amplified music during the night.

The events that I have described demonstrate that the police are prepared to use those powers, and that they work. The use of the powers in the 1994 Act is, of course, essentially an operational matter for the police, but I have every confidence that the police will take all necessary steps to respond effectively to any complaints received. I

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understand that the police believe that the powers that they now have are adequate to enable them to deal effectively with such situations.

I believe that the police in Tayside, as well as Grampian and Lothian and Borders, have acted firmly and responsibly in dealing with the incidents that I have described. By using the powers in the 1994 Act, they have been successful in limiting the damage that has been caused to property. Indeed, I understand that one landowner has complimented the police in Tayside on their handling of the situation at Dunnichen hill.

I deplore the behaviour of some of the new age travellers. They are taking advantage of the good will of society in a way that I abhor. They are souring public opinion against the traditional traveller whom the Government have done much to help. But I welcome the firm police action that has been taken, and I have every confidence that that will continue in the future.

The situation is yet another example of a strong law and order policy initially being vilified by the Opposition parties, yet a short time later they are only too willing to urge use of such powers, especially when pressed by their local electorate into doing so. That is what makes us different from Opposition Members. The Government believe in protecting local communities from the damage and nuisance caused by new age travellers and their like. The Opposition's focus is on protecting the imagined rights of a tiny minority, to impinge on communities in a way that Opposition Members would find unacceptable on their own doorstep.

I welcome the opportunity to repeat my pledge that the Government will wage relentless war on all law breakers in every area of life, and will sustain the rights and security of our citizens on every occasion. I hope that my hon. Friend the Member for North Tayside will take every opportunity to convey it to his constituents that, had he not been in the House, supporting the Government, those powers would not have been in place so that action could be taken effectively to protect the interests of his constituents with his support, as has happened in recent weeks.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes past Ten o'clock.

House of Commons

Friday 21 June 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Drugs Strategy

Motion made, and Question proposed, That this House do now adjourn.—[*Mr. Newton.*]

9.34 am

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): I welcome this opportunity to open a full day's debate on the Government's strategy against drugs. It is almost exactly a year ago—on 9 June 1995—when hon. Members last had a chance to assess progress in tackling drug misuse. That debate provided a considerable number of thoughtful and informative contributions and I look forward to a similarly constructive discussion on this occasion.

No one present this morning and no one who is a parent or who has concerns about the dangers facing our young people can fail to reflect on the serious problems of drug misuse—and not just in this country, although they are certainly serious enough here.

I can give some facts by way of illustration. The total street value of seizures of illegal drugs in 1995 was £457 million, 5 per cent. up on the previous year; the number of drug offenders was 87,000, 25 per cent. up; the number of notified addicts was 34,000, 21 per cent. up; and, the number of newly notified addicts was 13,500, an increase of 17 per cent. One study found that 664 drug misusers, before treatment, committed more than 70,000 crimes over a three-month period. The just published 1994 "British Crime Survey" showed that more than four in 10 of 16 to 29-year-olds said that they had taken an illegal drug, although—an important balancing factor—only 14 per cent. had taken one in the previous month.

Surveys regularly show that drugs and drug-related violent crime are high among public concerns at all levels of society and that our young people—in rural areas just as much as in towns and cities—feel consistently pressurised by what is sometimes described as the drug culture. Even though those figures are disturbing, it is important not to respond to them with despair or with a sense that nothing can be done. It remains the case that drug misuse among young people is not, and I stress that word, a routine "rite of passage"—the phrase sometimes used. Less than a quarter of our young people have taken a prohibited drug in the past year and it is still the case that more than half of our youngsters never take an illegal drug.

Cannabis is easily the most dominant drug of misuse, with just 6 per cent. of our young people ever having taken Ecstasy, 3 per cent. cocaine, 1 per cent. heroin and less than 1 per cent. crack. In acknowledging the problem, we must be careful not to exaggerate it and be unnecessarily defeatist. Nevertheless, we face a major challenge in tackling a problem that causes harm, destruction to families and communities and ultimately, and of course most tragically, deaths; there were nearly 2,500 drug-related deaths in England and Wales in 1994.

Mr. Paul Flynn (Newport, West): I apologise for interrupting the right hon. Gentleman at such an early stage, but I am confused by what he is saying. He has used the expression "illegal drugs" about four times and "drugs" eight times. A particular drug is involved in 40 per cent. of all crimes of violence and of abuse—a drug called alcohol. It is important to differentiate between illegal drugs and drugs, but many of us want to talk about the drugs of massive abuse, which are tobacco, alcohol and some medicinal drugs. The Leader of the House should make it clear to which drugs he is referring.

Mr. Newton: I think that I have made it pretty clear that I am talking about drugs in the sense in which the word is conventionally used—I have just listed a number of them—but that is not to dismiss concerns about alcohol problems, for example. I am sure that if the hon. Gentleman catches your eye, Madam Deputy Speaker, he will want to develop further the point that he just implied. The Government have a range of policies designed to address alcohol misuse. Several drug action teams, to which I shall refer later, embrace programmes against alcohol abuse alongside their programmes against drug abuse in the sense in which I am using the term. I do not dismiss concerns about alcohol, but my speech today is focused on drugs in the sense of the chemical substances that I mentioned.

The Government have been pursuing a vigorous response to the problems that I have outlined. I am speaking today because I have the task of chairing the Cabinet Sub-Committee on Drug Misuse and, through it, of overseeing the development of strategies for tackling drugs across the United Kingdom. With the active support of my right hon. Friend the Prime Minister and of my right hon. Friend the Secretary of State for Health, my right hon. Friend the Secretary of State for Education and Employment, my right hon. and learned Friend the Home Secretary, and my right hon. Friend the Paymaster General, who is responsible for Customs and Excise, I have been particularly concerned with developing a strategy for England; "Tackling Drugs Together", which I presented to the House, in the form of a White Paper, in May 1995.

At the core of the strategy is tough law enforcement, accessible treatment and effective education and prevention. All three are important. We aim to make communities safe from drug-related crime; to cut the acceptability and availability of drugs to young people; and to reduce the health risks of drug misuse. Significant resources are available year on year to do that—more than £500 million—and additional resources are being provided as and when necessary, such as an extra £34 million for 1996-97 for new education training projects, publicity, drug treatment services, and treatment and control programmes in the Prison Service.

The strategy's progress is dependent on partnerships at national level and on partnerships between local agencies and their wider communities, especially with the new drug action teams that have been established across England.

[Mr. Newton]

I want therefore to report primarily on the achievements of the first year of the strategy and to look forward to some of the tasks ahead.

First, I should refer to the significant developments in other parts of the UK. Under the leadership of my right hon. Friend the Secretary of State for Scotland, the Scotland Against Drugs campaign was set firmly under way last month. It was set up with all-party support, which I hope all such campaigns enjoy and will continue to enjoy, and is making a substantial impact on public confidence and support north of the border.

My right hon. Friend the Secretary of State for Wales last month established a new drug and alcohol strategy for Wales, with a new unit managing it.

Mr. Flynn: I am sorry to interrupt—I promise that this will be the last time—but the right hon. Gentleman mentioned Wales. In its campaign against drugs, why did the Welsh Office decide a month ago to cut the funding of Alcohol Action Wales, a body that has done tremendous work in co-ordinating the hundreds of people who are working to reduce the problems caused by alcohol abuse? Are not the Government concentrating on illegal drugs and neglecting the harm done by drugs that are legal?

Mr. Newton: That is a rerun of the hon. Gentleman's first intervention. The fact is that the Government take all those problems seriously, but there are different strands, and there are different approaches to tackling problems in different parts of the United Kingdom, as is considered appropriate to the circumstances in each case.

The Minister of State, Northern Ireland Office, my right hon. Friend the Member for Westminster, North (Sir J. Wheeler), is spearheading a partnership strategy in Northern Ireland. In each case, the strategies are being pursued with every effort to secure all-party support. I pay tribute to the approach that the hon. Member for Knowsley, North (Mr. Howarth) has consistently adopted. Our approach is eliciting widespread support across the community.

Such breadth of support is vital to our efforts everywhere, not least in England. That is reflected by the fact that the Prime Minister himself led the event to mark the first anniversary of the drug strategy last month at the Royal National theatre. Many hon. Members have contributed to that support, not least my hon. Friend the Member for Lewes (Mr. Rathbone), who continues to do such an excellent job as chairman of the all-party group on drug misuse. He has not been able to attend the start of the debate, but I know that he hopes to join us later and I hope that he will be able to contribute.

The strategy is increasingly mobilising a wide range of agencies and individuals who have demonstrated their commitment to the partnership against drugs. I especially acknowledge the expert advice that the Government receive from the Advisory Council on the Misuse of Drugs, which only last week produced another excellent report, this time on drug misusers and the prison system, with the self-explanatory title of an "Integrated Approach". The report, which the Government have welcomed, sets out in clear detail how the Prison Service should consider taking forward its responsibilities.

It is only right to acknowledge the tremendous strides that the Prison Service has made over the past year in establishing 22 highly innovative treatment programmes, in implementing mandatory drug testing without any significant difficulties, and in demonstrating to prisoners, their families and the wider public that it is serious about tackling drug misuse. I saw that strikingly confirmed at Wayland prison in Norfolk earlier this year. An imaginative and, I hope, effective treatment programme had been put in place.

I also pay tribute to the many excellent voluntary sector agencies which continue, in a sometimes difficult climate, to deliver quality services at a fair price. I especially commend their involvement at local level in working with those directly at risk of drug misuse.

Mr. Michael Fabricant (Mid–Staffordshire): Does my right hon. Friend acknowledge the valuable help that has been given by the national lottery? Is he aware that Resolve, a national solvent abuse charity based in my constituency, has received a lottery grant of more than £70,000, which will be put to good use?

Mr. Newton: I am glad both to acknowledge my hon. Friend's point about the contribution that national lottery funds are making, not only in this aspect of our national life but in many others, and to note the importance of the solvent abuse problem and the need to tackle it. Many drug action teams have that very much on their agenda.

The private sector has also already demonstrated its potential for working with other agencies on drugs. Iceland plc, for example, inspired a recent Power Rangers competition for young people against drugs; Royal Insurance has sponsored a highly effective theatre group, which made a real impact on some primary school children whom I saw last October at a school in Notting Hill; and earlier this year, British Telecom produced "Sorted", a powerful and influential anti-drugs video that some hon. Members may have seen.

The video was a response to the tragic death of Leah Betts, following her 18th birthday party last November. It is fair to say that that death, which occurred at a hospital in my constituency, has done more than any other single incident to highlight the dangers of that hopelessly inappropriately named drug, Ecstasy. I especially acknowledge, as other hon. Members will want to, the tremendously courageous efforts of Leah's parents, Paul and Janet Betts, in mobilising public awareness about the dangers of Ecstasy and other drugs, and in highlighting the importance of reducing the supply of and demand for such drugs.

Lady Olga Maitland (Sutton and Cheam): In view of the tragic deaths of Leah Betts and many other young people, does my right hon. Friend agree that it is dangerous to encourage the call for the decriminalisation of drugs because it only exacerbates the problem? Drugs are evil and should stay outside the law. Will he make his position on that clear?

Mr. Newton: I shall indeed. The shortest answer that I can give is that I very much agree with my hon. Friend.

Mr. Flynn: I have spoken to the person who carried out the post-mortems on seven people who have died from Ecstasy, and I believe that the Leader of the House has given an extremely misleading account of the cause of death of that tragic young woman and others. I shall refer to that later in the debate, but we should give accurate advice to young people so that further deaths are avoided. The two key factors are overheating and excess water consumption.

Mr. Newton: I am tempted to suggest that it might be more helpful if the hon. Gentleman kept those points for the speech that he will no doubt seek to make later rather than continuing to intervene on mine—not that I mind responding, but it makes it more difficult to develop a series of connected remarks. As it happens, I gave no account of the cause of Leah Betts' death; I merely referred to the unhappy fact that it was undoubtedly related to taking the drug Ecstasy.

Mr. Simon Hughes (Southwark and Bermondsey): The right hon. Gentleman referred to the private sector. Does he agree that one of the most effective private sector contributions of the past year has been the play and film "Trainspotting"? I do not know whether he has seen it, but I believe that there has been no more graphic, dramatic and effective presentation of the disruption, social unease and devastating effects of drugs than that film. If we could get the message across as clearly as that film does, we would have a far less difficult job in drugs education.

Mr. Newton: I have not had the opportunity to see that film. I note the hon. Gentleman's commendation; I have certainly read a great deal about it.

In response to the comments of my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) and others, it is important to recognise that young people can offer a powerful antidote to the complacent assumption that drugs are an inevitable part of growing up. Prompted by an invitation, which I readily accepted, from the hon. Member for Newham, North-West (Mr. Banks), given on the Floor of the House at the time of the White Paper's publication, I visited an excellent youth awareness programme project in Newham. I have also visited a further project at Merton. At the anniversary event led by the Prime Minister, one of YAP's workers, a 17-year-old young man called Danny, presented a compelling case for young people to get credible information about the realities and dangers of drugs. That is the exact point made by the hon. Member for Southwark and Bermondsey (Mr. Hughes).

The hon. Member for Newport, West (Mr. Flynn) will be interested to note that when I went to Merton, I was struck by the strong reaction from young people to a recent "Panorama" programme, which they believed had sent out confused and contradictory messages about the dangers of illegal drugs.

When I have talked to young people, many of whom have unhappily misused drugs, but who are now helping to prevent other young people from doing so, I have met strikingly few who advocate the legalisation or decriminalisation of the drugs that they have experienced. I am happy to make it clear, once again, to my hon. Friend the Member for Sutton and Cheam that we have no intention of legalising or decriminalising any currently illegal drugs.

There is simply no evidence that legalising any drugs, including cannabis, will do anything other than increase their use and the health risks and real harm that such drugs cause our young people. We should pay heed to the remarks of the mayor of Hulst in Holland, who has stated categorically and publicly what damage that country's liberalisation policy has caused in the past 20 years. Those problems are causing concern to a number of Holland's neighbours, as the Under-Secretary of State for the Home Department, my hon. Friend the Member for Bolton, West (Mr. Sackville), made clear in a speech this week.

In the year since we launched "Tackling Drugs Together", we have seen some real progress. In an answer to a parliamentary question from my hon. Friend the Member for Lewes on 13 May, I outlined in considerable detail the achievement of all 49 White Paper tasks that were set for the first year. I do not propose to weary the House by rehearsing the full catalogue of those actions and steps forward, but I want to highlight some of the key developments.

First, in relation to supply reduction, enhanced efforts have been made on the international scene to tighten up the routes for drug trafficking. Only last month, the United Nations drugs control programme, with strong British support, made significant progress on action against Caribbean drug exports. Closer to home, co-operation between the police and Customs and Excise—which is improving all the time—assisted by the work of the National Criminal Intelligence Service, continues to develop, with joint operations and ever closer work together against joint targets and performance indicators. Police efforts to target major drug dealers within our country are complemented by Customs and Excise success in working against major drug trafficking organisations overseas. For example, customs dismantled or significantly disrupted nearly 100 international smuggling organisations during 1995.

Earlier this week, the Association of Chief Police Officers led a national drugs conference that was attended by a wider range of other agencies committed to tackling drugs than ever before. We heard of further innovative schemes and ideas to enhance efforts to reduce the supply of drugs. One excellent example, of which the hon. Member for Knowsley, North is no doubt aware, is that of Merseyside police—clearly at the front line of drug-related crime—which is working closely with the local authority to target drug dealing at nightclubs.

Similar good progress has been made towards reducing the health risks of drug misuse. The free national drugs helpline answered nearly 200,000 calls in the first year of its operation and is improving its service still further. The effectiveness review, undertaken under the auspices of the Department of Health, and on which the Under-Secretary of State for Health, my hon. Friend the Member for Battersea (Mr. Bowis), will comment later, reported on 1 May with the most comprehensive analysis ever of the effectiveness of drug treatment services in this country, and offered practical and effective steps for improving them still further. That task force, under the Rev. Dr. John Polkinghorne's leadership, gained widespread credit for its rigorous and realistic approach. Forty drugs projects were funded centrally last year to develop a range of early intervention services for a wide variety of vulnerable young people.

[Mr. Newton]

To avoid any misunderstanding, I should like to emphasise that enforcement, sometimes known as interdiction, and improved services are important ingredients that go together with something no less important, the need to reduce demand for drugs. Our hopes for a most effective reduction in drug misuse in the longer term clearly lie in that objective. We have also made good progress in that respect. Schools are now taking forward national guidance sent to them last year by the Department for Education and Employment, through better, more consistent drugs education for our young people. They are responding positively to the emphasis in the guidance on developing policies for drug education, and on dealing sensitively but effectively with drug-related incidents.

A national drugs campaign aimed at young people and their parents was launched by the Health Education Authority in February. An important part of that is the provision of clear, straightforward information of the kind set out in the "Parents' Guide to Drugs", which was recently launched. That document was subject to some rather unfair and selective media quotation that gave a distorted impression of its contents, but it provides parents with an important basis of factual information. They need that to help their children resist illegal drugs.

Mr. Simon Hughes: I share the right hon. Gentleman's opinion and commend him for his attempt to get the message across correctly. We must ensure that the media do not distort such a report by dramatising the slightly conciliatory points of view that it might put forward. The more collaboration we can achieve with the media, so that they act responsibly, the more effectively the message will get across to those who need to hear it.

Mr. Newton: I am grateful to the hon. Gentleman for his approach, and I agree with what he says.

In that context, it is especially striking to note the extent to which the police, without in any way neglecting their enforcement tasks, have increasingly viewed their role in education and demand reduction as important. Two of our major forces, the Metropolitan police in London and the Greater Manchester police—with one of whose senior people I spoke about this a few weeks ago—have recently launched strategies geared at helping young people to resist drugs.

Mr. Fabricant: I am curious on one point. Perhaps my right hon. Friend can clarify it for me. Certain ethnic communities in London and elsewhere feel that taking some drugs, particularly marijuana, is part of their tradition. I am a great believer in the saying, "When in Rome, do as the Romans do." Those communities obviously do not think that. Perhaps he can explain the Government and police views on the issue.

Mr. Newton: I am not in a position to give a police view of a particular problem—certainly not off the cuff at the Dispatch Box—but the Government position is that we seek to tackle the misuse of drugs in every part of our society and that our approach is the right one, across the spectrum.

Prevention and education projects throughout the country embrace partnership in an effective and practical way. For example, the Home Office drug prevention initiative has established a parents for prevention project in Birmingham, and in Northumbria a partnership with Proctor and Gamble—again, private sector involvement—has ensured that all 13-year-olds in the region receive consistent messages about drugs at school. Those are examples of practical projects on which we can build.

We are seeking to do that at local level, where action really matters, by establishing drug action teams throughout England—probably the biggest development in the past 12 months. The purpose of those 105 teams is to assess the nature and scale of local drug problems, to identify and implement action in line with the objectives of the overall strategy, and to keep their policies and operations on a coherent and effective footing.

I am hugely encouraged by the teams' progress to date, particularly bearing it in mind that they were established only last September. Since then, every team has submitted to me a comprehensive and detailed action plan setting out their objectives for the next two years, and I have formally agreed them, on the basis of monitoring progress through my central drugs co-ordination unit officials, to whom I pay particular tribute. That small unit has got through an amazing amount of work in a relatively short time. Every team is embarking on significant action to make a real difference in their local communities, in close consultation with groups and individuals who understand the practical problems on the ground.

During last year's debate, there was some concern about whether there would be sufficiently senior representation on the teams from health and local authorities, police, prison and probation services. I have been impressed by those senior people's commitment to work as closely as possible with their local communities, including the voluntary sector and district councils. There has been a particularly good contribution by local authority people leading the teams, including—and in the all-party spirit of this, I am happy to pay tribute to him—Labour councillor Derek Boden, who heads the Bury team. Like many other team leaders, he is showing considerable commitment and determination to achieve results.

Those results are already being seen in areas such as targeting drugs hot spots, increasing security for prison visits, bursaries for pupils to develop peer education packages, information and advice to young people in pubs and nightclubs, training and support for parents and teachers, shared care arrangements with general practitioners, and local council schemes for collecting discarded needles. Those and other activities are set out in a digest of good practice and ideas for drug action teams, a practically oriented document that we published in April.

Last month, I wrote to all Members of Parliament in England to highlight drug action teams' work, informing every Member of how to contact his or her local team. As a result, many colleagues on both sides of the House have made contact with their local teams. I hope that more contacts will take place and that those that have started will be sustained and developed.

It is still early days for drug action teams and I recognise that not all teams have been able to make as much progress as some. I have been impressed by the commitment to practical action, clearly demonstrated, for example, by the Essex team, led by the chief constable, by the leaders of the eight Greater Manchester drug action

teams, whom I met a few weeks ago, and, more recently, by the team that I met in the London borough of Merton. Some teams have found it more difficult to pull together in the limited time, but I am convinced that there is collective determination throughout the country and that the teams can—and in many cases are already beginning to—bring about action that can make a difference.

The momentum needs to be sustained across all aspects of our strategy. Centrally, the Government will seek to play their part in that. Last month, the Prime Minister announced the creation of the post of an international drugs co-ordinator. I am pleased to inform the House that the co-ordinator will be taking up his post next month and will work closely with our principal international partners and with the UK Departments and agencies concerned. One of the key tasks will be to stimulate and to co-ordinate UK action in relation to producer and transit countries, and to ensure that UK international drugs initiatives are followed up and implemented vigorously.

Targeting dealers remains a priority and that is why my right hon. and learned Friend the Home Secretary has announced, as part of the Government's strategy on crime for England and Wales, plans to make sentences for drug dealers' third offences a mandatory minimum of seven years. The proposals are, I believe, widely supported in the House and were referred to this week by my hon. Friend the Under–Secretary of State for the Home Department in his speech to the Association of Chief Police Officers conference.

As for treatment, we are making £6 million of additional money available this year for methadone treatment programmes and services for young people. Guidance will shortly be sent to local authorities and others on practical measures to reduce the scope for drugs entering rave and club premises, and to minimise the dangers that drugs may cause—all in the context that we need to be clear on the central message that the only safe drug is no drug at all. Mobilising the support of parents and businesses in that effort continues to be central to our work.

A new development which, I hope, will give further impetus to much that I have been talking about—including the role of drug action teams, the voluntary sector, parents and businesses—is the establishment, announced by the Prime Minister last month, of a £2 million drugs challenge fund. It is open to all drug action teams in England this year to put forward bids for money, with a substantial commitment, we hope, from local businesses—the private sector. That will be geared towards specific projects that will make a difference to local communities. They include arrest referral schemes, drug education projects and projects to reduce drug-related crime.

Drug action teams will shortly be invited to bid, and I look forward to agreeing a significant number of innovative and practical ideas. The fund will be administered by my officials in the central drugs co-ordination unit, working with colleagues across the Government. The fund was a central Government partnership, in that it was resourced by contributions from no fewer that four Government Departments, with a significant Treasury contribution.

All hon. Members know that drug misuse is such a complex problem that there is no magic wand to wave or soundbite solution. Recognising that, the Government's drugs strategy sets some specific and practical short-term tasks, but that is against the background of a much longer-term determination to eradicate the dealing that causes so much misery, to reduce health risks to victims, drug misusers and their families and, above all, to enable our young people to resist illegal drugs by giving them hard information and compelling facts.

Undoubtedly, that approach, with the continuing cross-party support that I have mentioned several times, will in time make a substantial difference. For the first time in our country, we have the firm structures to do so and the benchmarks to assess progress over time, not least as a result of the excellent work being undertaken by the police, schools, prison, probation and social services inspectorates. The strategy must now engage our communities at large, with the aim of enabling our young people to resist the false lure of drugs and ensuring that they get the best possible chance for a better life.

I commend the strategy to the House. Together with my hon. Friend the Under–Secretary of State for Health, who will reply to the debate, I shall listen carefully to the contributions that hon. Members make to further a cause that I am sure we all hold in common.

10.9 am

Mr. George Howarth (Knowsley, North): This is a welcome and timely debate. We should not only continue to monitor the developments of the Government's strategy, which we have consistently supported, but we should consider developments that have taken place in the 12 months since we last debated the subject—also on a Friday morning—assess the scale of the problem and keep it permanently under review. The Leader of the House was right to discuss those issues so thoughtfully.

The Leader of the House quoted some statistics on drug abuse and associated crime. Although both are often highly organised, a large volume of drug-related crime takes place at a very low level, which is nevertheless intolerable in many local communities. People commit burglaries and various other offences simply to obtain money to sustain their habit. That is a problem for all communities.

The Leader of the House rightly says that this is not an inner-city or urban problem. Many rural communities—towns, market towns and villages—suffer from the problems that beset urban communities in terms of drug abuse and all that goes with it, including crime.

We must be realistic about the extent of drug abuse, but it would be wrong to assume that, because there is a large-scale problem, we are being overwhelmed by it. We should not give in; the consequences would be far too serious.

Drug abuse wrecks young lives. Some lives are even lost as a result; some of the more publicised cases have been mentioned. I identify the Opposition with the remarks by the Leader of the House about the parents of Leah Betts and their great efforts since her tragic death. It is important that people realise that, although her case rightly received much publicity, very many young lives are lost, and many more young lives are wrecked, as a result of drug abuse.

We are right to worry about such highly publicised cases, but we should also worry about the effect on the lives of people who have nothing to do with drug abuse.

[Mr. George Howarth]

I shall hold a surgery in my constituency tonight, and I guarantee that two or three—perhaps one or two more—of the cases will be a problem related to drugs. I am sure that that is the case at other hon. Members' surgeries. It may be a couple living in a block of flats, the communal areas of which are used at night by young people abusing drugs. Problems result. They leave debris behind. Young mothers have spoken to me who are rightly concerned about coming out of their front door in the morning to find, in a communal area, used needles, the debris from heroin abuse, silver paper and so on. Drug abuse has a marked effect on the quality of the lives of innocent people who just happen to live in the area where it is going on.

Similarly, I have received complaints—and taken them up with the police and the local authority—from people who, night after night, have had to endure dealing going on at their gates or across the road in a shopping precinct. When it is drawn to their attention, the police—Merseyside police in my local authority area—respond magnificently, but people are made miserable by having to live cheek by jowl with dealing.

My local authority, Knowsley borough council—not uniquely, as many others do it—has adopted a firm policy, which I support. Anyone who is convicted of drug dealing in a council property is evicted. It is now routine. Whatever difficulties in the local process that might cause, I support the council in that, because it is intolerable for people to live cheek by jowl with drug dealing.

Last summer, a head teacher showed me around a school, not in my constituency but in Liverpool. There was a discreet area at the back of the school, out of view from the main road, which young people were using to abuse drugs at night when the school premises were closed. It was a primary school. Young children were coming into school every morning to find, in the back entrances to their school and around the play area, discarded needles, silver paper and all the horrendous debris that goes with drug abuse. They are the realities of the lives of innocent people who are affected by the problems.

In common with other Members of the House, I have received a copy of a briefing paper by the Standing Conference on Drug Abuse, which makes some interesting points. It welcomes, as we do, the strategy set out in "Tackling Drugs Together", but it draws attention to three areas of concern. I hope the Minister will comment on them.

First, SCODA says that the resources available to tackle the growing drug problem might not be adequate. The Leader of the House mentioned some additional resources, which we would join in welcoming, but there should be continuing evaluation to ensure that all the resources are in the right places so that we may continue to tackle the problem effectively.

Secondly, SCODA argues that the balance of priorities and expenditure between control and enforcement measures and the provision of education, prevention, treatment and care needs more thought. I would welcome any comments that could be made about that, if not this afternoon, in the coming months. That needs further consideration.

Thirdly, SCODA mentions the absence from drug strategies of the contribution that might be made by Government programmes in training, employment and housing. I do not want to make too much of that—I certainly do not want to use it to be overly critical—but obviously there are links between lack of opportunities in the economy, lack of a decent place to live and other social disadvantages, and drug abuse. It is not uniquely the case, but if people do not have much of a stake in life, it is much easier to drift into drug abuse than if they clearly have a stake.

I am not trying to get into a debate about the stakeholder economy, but I am often struck by the difference between my generation, who were teenagers in the 1960s, and the generation who are teenagers today. In those days, people of my generation had props, a stake in life—in my case, an apprenticeship. The expectation was that, if we behaved ourselves and did not get into too much trouble, life would gradually improve each year. That is not always clear in every community today. I do not say that to make a major political point, but there are connections between the extent of people's opportunities and their expectations of a career or even a family—in some cases even the possibility of family life is excluded. All those factors were powerful disincentives that stopped people getting involved in drugs and crime. In many communities those disincentives no longer exist as comprehensively as they did in the 1960s.

The Leader of the House has repeated the argument about legalisation and decriminalisation. I firmly place on record again the fact that we support his argument.

Lady Olga Maitland: I welcome the fact that the hon. Gentleman supports my right hon. Friend on the issue of the decriminalisation of drugs. Will the hon. Gentleman therefore condemn the hon. Member for Birmingham, Ladywood (Ms Short), who has clearly hinted that she favours the decriminalisation of drugs? I say "hint" because I give her some benefit of the doubt, but the truth is that she has said that there should be

"taxing and selling"

of

"cannabis in a separate place than hard drugs".

She said that we should look at that possibility.Will the hon. Gentleman utterly condemn the hon. Lady because it outrageous that a public person should make that statement when so many young lives are at risk?

Mr. Howarth: As I recall, my hon. Friend the Member for Birmingham, Ladywood (Ms Short) argued, and then retracted—[Hon. Members: "Ah!"] The hon. Member for Sutton and Cheam (Lady Olga Maitland) should listen to what I have to say—she has asked me a question. My hon. Friend the Member for Ladywood argued that a royal commission should be established. The Opposition's position, which I have consistently maintained, is that there is no point in establishing a royal commission because that implies that, if it argued in favour of decriminalisation or legalisation, we would be willing to accept it. I can see no circumstances in which the Labour party would accept that, so I see no argument for a royal commission.

As the hon. Member for Sutton and Cheam has chosen to introduce my hon. Friend the Member for Ladywood into the argument, perhaps she will tell me whether she

agrees with the vice-chairman of the Conservative party, the hon. Member for Rutland and Melton (Mr. Duncan), who said in his book, "Saturn's Children":

"Logic suggests that the only completely effective way to ameliorate the"—

drug—

"problem, and especially the crime which results from it, is to bring the industry into the open by legalising the distribution and consumption of all dangerous drugs, or at the very least decriminalising their consumption."

Does the hon. Lady agree with the vice-chairman of the Conservative party?

Hon. Members: He is not the vice-chairman.

Madam Deputy Speaker (Dame Janet Fookes): Order. I think that the House knows my views on seated interventions. It would be appropriate if each hon. Member sought to advance his or her own arguments.

Mr. Howarth: It was not I who chose to introduce the note of discord into the debate, Madam Deputy Speaker. To make it clear: that quote that I gave is contained in a book that the parliamentary private secretary to the chairman of the Conservative party wrote less than two years ago. Does the hon. Lady agree with him or is she willing to condemn him?

Mr. Simon Hughes: Just before we leave what is, I suppose, the inevitable outcome of such a debate—party-political point scoring—may I ask whether the hon. Gentleman accepts that we gain nothing by identifying differences of view within parties on such a subject? There are differences of view within each party represented in the House. He has clearly put the view of the Labour Front Bench, the Government have put their view, and I shall put my party's view. It would be a nonsense society if, when the Front-Bench team of each party put its view, every member of that party had to hold and express the same view. If that were the case, we might as well live in a totalitarian state where democracy and debate were not allowed.

Mr. Howarth: I agree with the hon. Gentleman. It is up to him to defend his party's position; I am putting the Labour party's official position. It had not been my intention to give that quote; I was seeking to be as consensual as the Leader of the House, but as the hon. Member for Sutton and Cheam chose to introduce one of my colleagues into the debate, I thought it wise to introduce one of hers. I agree that the more consensus on the issue that we have across the House, the more likely we are to make progress—it is as simple as that. For that reason, the Leader of the House was generous enough to acknowledge that, on behalf of the Opposition, I have consistently supported the Government in that. We shall continue to do so as that is the only way in which we can deal with the problems.

I should like to say a few more words about the case against the legalisation and decriminalisation. We should not underestimate the power of the argument for legalisation and decriminalisation. It sends entirely the wrong message to young people—it tells them that it is okay to do this. Officialdom, represented through Parliament or the Government, is seen to be saying that it is okay—it is not okay. It is a serious problem.

Mr. Flynn: To follow the logic of my hon. Friend's views on the main killer drugs of society, is he in favour of prohibiting alcohol and cigarettes?

Mr. Howarth: I have been down that path with my hon. Friend before and I have said on more than one occasion that, on this issue, he shows an uncharacteristic attachment to market forces. There are problems with alcohol abuse and with tobacco abuse, but there are different ways of dealing with them. Unfortunately, both those activities are long established and legal—if the starting point was different, we might deal differently with the problems. Although at some points in history some drugs that are now illegal were legal, most drugs that are in general use have been illegal for a considerable time. We have to deal with the position as it is rather than as my hon. Friend might prefer it to be.

Mr. Richard Spring (Bury St. Edmunds): Does the hon. Gentleman agree that it is well known among professionals that the thrill of illegality is part of the attraction of drugs to some young people? The difficulty is that decriminalisation removes the thrill of illegality for a certain sort of young person who could be tempted to use harder and yet more dangerous drugs.

Mr. Howarth: I understand the hon. Gentleman's argument, but we could extend that principle to almost anything. We could say that stealing cars and joyriding produces a thrill—I know that the hon. Gentleman would not suggest that—so we should think of decriminalising that activity. People get a kick out of all sorts of illegal activities, but that does not necessarily justify decriminalising them.

The experience of areas where there have been experiments with decriminalisation shows that it causes confusion in policing. If some substances are decriminalised while others remain illegal, police forces and those responsible for dealing with the problem find it confusing. If some substances are dealt with on a legal basis while others are dealt with on an illegal basis, it becomes difficult to keep track of who is selling what to whom, where and when.

Those who support decriminalisation must recognise that, if we decriminalise in one country, one city or one area, we inevitably produce a magnetic effect. That is the experience in Holland. I would not support the argument, but those who do so must understand that unless they are prepared to support it on a co-ordinated, almost international basis in order to prevent the magnet effect, the inevitable consequence would be that the city or area of decriminalisation would attract more and more people because they would know that they could indulge in drug abuse with relative impunity. That would be true were London or any of the constituencies represented here to introduce decriminalisation. That is the experience in other countries, but it is certainly not an experience that I would recommend.

I acknowledge that there are considerable problems in getting the message across to young people. I return to the point made by the hon. Member for Bury St. Edmunds

[Mr. Howarth]

(Mr. Spring) a few moments ago. Fashions change and young people's perception of what is acceptable or not changes. There are many pressures on young people now, from the media, from the music they listen to and from the clubs to which they go for entertainment, which make it seem acceptable for them to do certain things. The argument advanced about Ecstasy by the Leader of the House illustrated that point.

Young people need to be aware that whatever the dictates of fashion in certain areas and whatever the music might say, drugs such as Ecstasy are very dangerous. The case of Leah Betts is not the only example of the damage that drugs can do; in her case, the result was fatal.

There is a case—I know that there is consensus on this—for explaining to young people who are liable to find themselves offered drugs how they can reduce the harm that they might do to themselves. It is, for example, important that water is available. But we should not explicitly encourage young people, either through fashion or by other means, to believe that everything is all right if they take Ecstasy in a certain setting. It is not because it can lead to horrendous consequences.

The Leader of the House rightly referred to the problems of drug abuse in the Prison Service. I am sure that he is aware that when mandatory drug testing was introduced—

Mr. Flynn: Quite right.

Mr. Newton: I think that the hon. Gentleman is probably talking about the problems of drug abuse in prisons rather than in the Prison Service.

Mr. Howarth: I stand corrected. I am not sure what evidence my hon. Friend the Member for Newport, West (Mr. Flynn) has for saying that I was absolutely right. I apologise if my remark was misleading. I of course meant that drug abuse was a problem in prisons and, for that reason, we supported the introduction of mandatory drug testing. It has been useful in identifying the scale of the problem within individual prisons.

I tabled a question for written answer to which I received an answer on 22 May 1996 at columns *243-44*; it makes interesting reading. The number of drugs tests carried out between February and October 1995, on a month-by-month basis, went from 207 to 717. In February 1995, the number of tests that proved positive was 78, of which five showed the presence of opiates and 70 showed the presence of cannabis. By February 1996, the number of positive tests for cannabis had risen to 791 and the number of positive tests for opiates was 178.

I do not use those statistics to be alarmist, but because they give us an idea of the scale of the problem. I know that the Home Office and the Prison Service monitor the results regularly to ensure that mandatory drug testing and the procedures for arresting the supply of drugs in prisons are going well. What worries me—the statistics show this—is that there is a problem with mandatory drug testing in that cannabis can be detected in the bloodstream for much longer than opiates. It may well be—the figures are too small to say this conclusively—that some prisoners are shifting away from cannabis, which can be detected for longer, towards opiates. I do not say that as a political point. However, it is important that the results are monitored and if that shift is taking place, we must consider what routines need to be introduced to try to monitor the problem slightly differently.

Mr. Flynn: I raised the matter with the Home Office 10 months ago. As a result of the huge choice of drugs in prisons—illegal drug use is endemic in almost all our prisons—prisoners can move freely from soft drugs to hard drugs. There is evidence from prisoners themselves that the drug examinations are persuading them to come off cannabis and to go on to heroin.

Mr. Howarth: I agree with my hon. Friend up to a point. However, I am not sure that the evidence is clear enough to enable us to make further conclusions. That shift could be going on and my point—I know that the Prison Service and the Home Office are concerned about this—is that we must keep a clear eye on the situation. If it becomes apparent that there is a need to change the procedures and to consider using different kinds of test, we should keep an open mind.

There is an argument that we need to consider further proposals on how to stem the flow of drugs into our prisons, and I have a suggestion to put this morning. I believe that there is scope for further action to stem the extensive drug abuse in prisons. It is simply unacceptable that people with a history of drug abuse are still able to gain access to drugs within prisons. More worrying still is the fact that many convicted prisoners develop a drug habit while they are in prison. We have seen the chief inspector's reports on, to take an extreme example, Styal prison where the level of drug abuse admitted by prisoners was up to 90 per cent. We would all agree that that is unacceptable. Over time, the objective should be to achieve an entirely drug-free prison estate.

Perhaps we should start the process by designating four or five totally drug-free prisons, following consultation with the Prison Service. Last week, I had the opportunity to talk to Mr. Tilt, the Director General of the Prison Service. He believes that it would be perfectly feasible to start by designating four or five drug-free prisons and then gradually to expand the number so that we had a totally drug-free prison estate. I realise that that would not be simple to achieve, but I believe that we could make a start.

Lady Olga Maitland: The hon. Gentleman makes an interesting point. Is he aware that Downview prison, which is on the edge of my constituency, had a very active drug rehabilitation programme? I can safely say that the prison is almost drug free and could be regarded as a pilot and a leader for other prisons to follow.

Mr. Howarth: If the hon. Lady had waited a few minutes, she would have realised that I intended to go on to talk about Downview, which I had the opportunity to visit earlier this year. The hon. Lady is right; the crucial point about Downview is that the staff are very careful about who is allowed into the prison, which is in effect a drug-free prison.

Mr. James Couchman (Gillingham): A better class of prisoner.

Mr. Howarth: The hon. Gentleman should not be so flippant because this is a serious subject.

For the process to work, one needs to accept in the prisons concerned only people who positively want to come off drugs or who can demonstrate that they are already free of them. I congratulate Downview because it is an excellent prison and its work is first class.

Another important aspect of the solution, of which the Prison Service is aware, is to deal with the families of those who have a drug problem. Someone can go through a drug rehabilitation programme while he is in prison only for him to come out to the same environment and the same family circumstances. His partner may be involved in drug abuse and all the good work can be undone in 24 hours.

Mr. Fabricant: I wish to ask a genuine question, because I do not claim to be an expert on the subject. I and my colleagues do not understand why every visitor to every prison is not thoroughly searched to ensure that drugs are not brought in. There would be no drugs in prison if everyone was carefully searched. Why does that not happen?

Mr. Howarth: I feel like my right hon. Friend the Member for Sedgefield (Mr. Blair) must feel at Prime Minister's Question Time when he is asked to answer for the Government.

Mr. Fabricant: It was a genuine question.

Mr. Howarth: I accept that. I have probably visited more prisons as shadow Home Affairs spokesman than anybody in the House—even more, I suspect, than the Home Secretary—and I have raised that very question with the Prison Service. The problem is that the Prison Service would have to carry out highly intrusive searches. It would be difficult for me to explain graphically to the House the extent to which visitors will go to conceal drugs. If the hon. Gentleman cares to use his imagination, he will realise that the nature of the human anatomy means that there are places in which people can conceal drugs that makes it difficult to find them. That is not to say that the Prison Service should not be ever more vigilant and it makes increasing use of sniffer dogs and other methods.

Some months ago, I visited Whitemoor prison, which is probably one of the most security conscious prisons in Britain and possibly in Europe, for reasons that the House will understand. It has elaborate procedures for visitors, so much so that when I visited the prison a group of partners of prisoners lobbied me on my way in to complain about how intrusive the search procedures were. When I met the governor, he showed me some video evidence of how drugs were passed from visitors to prisoners. The House would be amazed at the lengths to which some visitors will go to pass drugs over.

I find it curious that people should want to help their loved ones in prison by providing them with drugs. I do not think that is sensible, but people do it. I understand from the police and the prison authorities that pressures are put on the partners of prisoners by those associated with other inmates, and that they are taking drugs in because they are frightened not to. That problem must be dealt with.

If we had four to five drug-free prisons, we could build on work that has been done already in some prisons which have drug-free wings. I accept that some conditions would need to be attached to such prisons. For example, entrance to drug-free prisons should be strictly controlled and those already serving custodial sentences would have to demonstrate, through regular voluntary drug tests, that they were clean. Similarly, those embarking on a custodial sentence who wanted to opt into a drug-free regime would have to demonstrate that they had not previously been involved in drug abuse.

We should make a start and gradually build from four or five drug-free prisons—the Director General of the Prison Service believes that that is a feasible proposal—so that eventually over time we could envisage a totally drug-free prison estate.

The Leader of the House made another important point about supply reduction. I have had the opportunity in the past 12 months, on more than one occasion, to visit Merseyside police and those responsible for dealing with organised crime in the Metropolitan police force. I too pay tribute to the excellent work that they do and to the fact that they are forging partnerships with Customs and Excise, local authorities and other bodies.

The Leader of the House acknowledged that there is still more scope for greater co-operation between the various bodies involved in solving the problem of illegal drugs. I agree that the co-operation between Customs and Excise and the police, which has advanced, needs to be more structured in the future. There is evidence that clashes of culture about methods of work have made those bodies less effective than they might otherwise have been. That is not a criticism, because I accept that it is difficult for two separate organisations to work closely together. They are conscious of the need for greater co-ordination and co-operation and we must consider the sort of structures that might deliver that.

Mr. Newton: I seek to intervene in the same constructive way as the hon. Gentleman has approached the subject, for which I am grateful. While there is always scope for improved co-operation, recent events have been encouraging. For example, a couple of months ago, Customs and Excise and the police held a joint press conference—they asked me to take the chair—to announce their drug seizure figures. I believe that they intend to do the same next year. The fact that they are holding joint press conferences on a subject on which, frankly speaking, they used to compete with each other is encouraging. I am sure that the hon. Gentleman would wish to join me in paying tribute to two people who have been especially involved in that improved co-operation—Keith Hellawell of the Association of Chief Police Officers and Dick Kellaway of Customs and Excise.

Mr. Howarth: I certainly join the Leader of the House to pay tribute to those two gentlemen. I was not seeking to criticise, but there is always scope for greater co-operation between the police and Customs and Excise. The development of the national criminal intelligence service should be added to the equation, because it does useful work collating and disseminating information. NCIS is already built into the structure to a great extent, but more could be done.

I have talked to senior police officers who are involved in the fight against drugs and they are frustrated. It is easy and sometimes effective to target local drug dealers on the streets, but it is difficult to go after the drug barons,

[Mr. Howarth]

for want of a better word, and those who control the whole enterprise. The problem is that the trail that leads to the drug barons includes money, but it often does not include drugs. It is difficult—hence the need for co-ordination and co-operation—to target the people who are ultimately responsible for the organisation of huge drug operations. To illustrate that, I can give an example. I had the opportunity last summer to spend some time with the Merseyside police drugs squad. It carried out a successful operation at a nightclub, which took about three months, and involved the use of off-duty uniformed police officers, in civilian clothes so that they would be less likely to be recognised. The squad collected a huge amount of evidence in that nightclub where Ecstasy and other substances were being sold. Eventually, the operation was closed down, and the dealers were arrested inside the club, convicted and sent to prison. Within two weeks, the dealing operation in that club was back in business. The local authority and the police co-operated in relation to licensing in an attempt to deal with the problem. I have used that example to illustrate how structured an industry it is—within a week or two, it totally replaced the network that it had to sell its product. We should never under-estimate just how organised it is.

There are other examples of how drug dealers use otherwise innocent people to rent mobile phones for them, so that they cannot easily be traced; and of how they pay people for a bit of space under some stairs, so that a hold-all can be stored and picked up by someone at a certain time. A lot of money is involved in the industry, and the dealers are willing to spread it around to protect themselves. It is difficult to target them. Co-operation is needed to close down, as far as is possible, people who are dealing at a high level.

At some point in the future, it may be necessary to give some fairly draconian powers to the police and to Customs and Excise to deal with the phenomenon. I shall not make any specific suggestions today. I realise the scale of the problem. If we need fresh approaches to dealing with, for example, money laundering, organised crime, and the way in which violence is often used to underpin the operations, we shall be willing to co-operate, subject to what is contained in the proposals. The closing down of one big operation is more likely to have an effect on the industry than 30 or 40 arrests on the street—important and necessary though they may be.

Finally, like the Leader of the House, I refer to the various treatment programmes—whether they be in prisons such as Downview or in the wider community. It is important to pay tribute to the many and varied programmes that are available, the many organisations that run them and the many ways in which people are helped to come off drugs. However, there is almost an echo of Mao Tse-tung—let a thousand flowers bloom—in this regard.

We have got to the point where almost anyone who says, "I have got a drug rehabilitation programme" is encouraged and welcomed—not necessarily by the Government, but perhaps by local government or by charitable funding. However, we do not seem to evaluate what works and what does not work. I know that the Department of Health does some work in this regard, and I am sure that it will continue. I believe that a major study, at national level, is required so that we can evaluate every kind of programme and see how successful they are.

For example, while I do not condemn the use of methadone, some people are beginning to believe that there must be a cut-off point at which people can be removed from methadone and have no dependency whatsoever. We should constantly evaluate and re-evaluate the success of the programmes. I am sure that that is a point in common among all hon. Members, and I am sure that it will happen.

Mr. Fabricant: Does the hon. Gentleman agree with me that, from time to time, we need to reassess the functions of certain drugs? For example, while I oppose the use of marijuana as a drug, some medical practitioners argue that it is an effective ameliorant for people suffering from multiple sclerosis.

Mr. Howarth: Perhaps the hon. Gentleman should ask his hon. Friend the Under-Secretary of State for Health, the hon. Member for Battersea, that question. As I understand it—although I am not entirely certain—the Department of Health is funding a research programme into whether there is a medical advantage in the use of cannabis for those suffering from multiple sclerosis. I am not entirely convinced that that medical case has been established. However, if it could be established, I would have no problem with it and I am sure that the Department of Health would not have a problem with it. The argument that the hon. Gentleman is advancing has not been entirely scientifically proven. If and when it is, I would not have any objection to the use of cannabis for medical purposes.

The importance of the debate cannot be understated. I agree with the Leader of the House that no magic wand can be waved. It is important that there is a responsible agreement, wherever possible, between us on a number of key issues. First, it is not acceptable, in any circumstances, for young people to believe that taking drugs is somehow a good thing to do. We would be irresponsible if we advanced that argument, and I am certainly not prepared to do so.

Secondly, we should send out as powerful a message as possible to those who are responsible for this industry that it will not be tolerated, that whatever means are necessary to combat it will be made available, that whatever co-operation between agencies to combat it will be given and, most important of all, that those of us who have a responsibility in the House—and, by extension, those in Government—to oversee these things will not give in.

There is a war against drug abuse and drug dealing—and I think that we can ultimately win that war. So long as we hold on to that view and act accordingly, we will be behaving responsibly and, more importantly, we will be showing the wider community that drug abuse is a bad thing and that those who perpetrate it, support it and organise it are against the wider interests of the community, particularly those of young people.

10.56 am

Mr. Henry Bellingham (North-West Norfolk): I shall concentrate on the situation in East Anglia and Norfolk, mention my views on the problems in prisons and refer to a specific problem that involves one of my constituents

who runs a drug treatment clinic. As the Leader of the House pointed out, the tragedy of drugs is there for everyone to see. There are approximately 35,000 registered addicts—and obviously the effect on crime is horrendous.

I recently met the deputy chief constable of the Norfolk constabulary. I asked him what percentage of crime in Norfolk is in some way drug related, and he said between 60 and 70 per cent. I am sure that a similar percentage would apply to Suffolk, to Lincolnshire and to other shire counties. It is an appalling figure.

As the Leader of the House pointed out, illegal drug use among young people is at its highest recorded level. I welcome the White Paper, particularly its emphasis on mobilising local communities, the guidance given to schools and the enhanced teacher training. A large number of resources are currently going into controlling the drug problem: £346 million goes to enforcement and control, and £61 million to treatment services—perhaps a little more money should be spent on treatment services. I hope that the Under–Secretary of State for Health will comment on that in his reply.

I also welcome the Government's action on the criminal law front, particularly the fact that proceeds from the drug trade can now be taken away completely and that there is no possibility of drug dealers and traffickers benefiting from their crimes.

Let us examine the Government's fight against drugs. The Criminal Justice Act 1988 increased the maximum sentence for trafficking from 14 years to life. Labour voted against it. The Criminal Justice Act 1993 introduced measures on the confiscation of profits and Labour voted against them. The recent White Paper on sentencing published by my right hon. and learned Friend the Home Secretary rightly proposes minimum sentences for drug traffickers and dealers, but it has received very little support from the Opposition.

At last year's Conservative party conference, my right hon. Friend the Prime Minister launched a new initiative when he said that it was ridiculous that the security services could not be used in the fight against drugs. He promised to take action on that and legislation has been introduced this Session, but once again we have received absolutely no support from the Opposition. They may be long on words and promises, but they are very short on support and definable action in the House in support of Government initiatives. Once again, Labour is saying one thing and doing something completely different.

My hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) mentioned the legalisation of cannabis. I have examined the matter in considerable detail, but although the arguments can be quite compelling, I am also absolutely convinced that the evidence in the other direction is even stronger. The Commissioner of Police of the Metropolis, Sir Paul Condon, said:

"This is not simply a moral issue . . . It is also about the kind of society that we want for our children. I do not want one where it is acceptable to be 'stoned' on drugs, or where we pop into the cannabis shop to get an evening's supply."

My right hon. Friend the Leader of the House mentioned the example of Holland, where soft drugs are legalised. It can be argued that drug enforcement and action against traffickers is focused on hard drugs, but on the other hand the evidence that the use of soft drugs can lead to hard drugs is completely overwhelming. For the record, let me state categorically that I am opposed to the legalisation of cannabis.

I should like to turn briefly to prisons. The Leader of the House mentioned that he was in Norfolk the other day and visited Wayland prison. There are a number of prisons in Norfolk: Wayland prison, Norwich prison and Whitemoor prison. I visited Whitemoor prison quite recently and I am in close touch with many prison officers in my constituency.

I was surprised by what the hon. Member for Knowsley, North (Mr. Howarth), the shadow spokesperson, as he describes himself, said about prisons and trying to make five prisons drug free. Every single prison should be drug free. On the admission of the hon. Gentleman, if there are five drug-free prisons, there must be about 99 prisons that are not.

I understand the points that the hon. Gentleman made about the difficulty of searching visitors to prisons, but every prison officer I have spoken to in my constituency has made it clear that it is not the prison officers or the prisoners who bring drugs into prisons. Visitors bring drugs into prisons and that should be stopped. If it means having closed visits in most prisons, so be it. If it means that every single meeting between any visitor and any prisoner should be recorded by cameras, so be it.

In Whitemoor, there is now an operations monitoring room where cameras watch every move of every single visitor. Whenever there was a suspicious incident, the previous governor of Whitemoor prison often took the view that, in the interests of keeping the peace, there should be no intervention or disruption even if it meant the passing over of a suspicious package. However, I am pleased to say that the new governor is adopting a much tougher regime. If there is any possibility of anything untoward or suspicious happening, there is an immediate clampdown.

Mr. Spring: Does my hon. Friend agree that the excessive bowing down to the civil rights lobby in the past made it difficult to search visitors and the net effect of that is been an outbreak of drug taking in prisons, which is hugely damaging to society? Does he agree that it is about time that we improved our searching methods in the way that he has suggested?

Mr. Bellingham: My hon. Friend, who represents a constituency very close to mine, is absolutely correct. My discussions with Brody Clarke, the governor of Whitemoor, bear that out 100 per cent.

The latest figures that I have relate to 1994 when there were 6,880 drug busts inside prisons and officers seized nearly 5,000 stashes of cannabis, 300 of heroin, 101 of cocaine and 57 of LSD. Those figures are absolutely horrendous. The Prisoners Resource Service estimates that half all inmates consume drugs at some stage during imprisonment.

The hon. Member for Knowsley, North mentioned urine testing. Mike Trace, a director of the Prisoners Resource Service said that there is a possibility that prisoners will be encouraged to switch from cannabis to drugs that are not revealed by the tests. On the other hand, tough action must be taken. Random testing in prisons was introduced by the Public Order and Criminal Justice

[Mr. Bellingham]

Act 1994. It was opposed by the Opposition. We need a combination of random tests, but we also must also have a much tougher policy towards visitors.

Mr. George Howarth: I should correct the hon. Gentleman. The mandatory drug testing of prisoners was introduced in a statutory instrument. I led for the Opposition and we voted for it.

Mr. Bellingham: I am always pleased for the Opposition to correct me when I criticise them, and I stand corrected. However, that does not mean that the Opposition did not vote against virtually every other tough measure that the Government have introduced.

Let me turn briefly to Norfolk, where the challenge of the drugs problem has been picked up by the Norfolk constabulary, which is operating a number of excellent schemes, the local education authority and the probation service. I should like to congratulate the Norfolk constabulary on its efforts. The police are well aware of the problems in Norfolk.

I mentioned the figure given to me by the deputy chief constable relating to the number of crimes that involve drugs in some respect and I hope that what is happening in Norfolk is being reflected elsewhere in the country. A concerted effort is being made by the police, the probation service and the education authority to bring drugs education into schools and local communities. Whenever there is a presentation on home watch, crime prevention or anything else, the Norfolk constabulary makes sure that a key expert is on hand to give a presentation and explain what Norfolk constabulary is doing and how it is working with other agencies and the drug action team. I welcome that action and the resources that are going into it.

One of my constituents who lives in Norfolk for some of the time, runs Fairways, a drug treatment centre in Docklands that was set up four years ago. I have been privileged to visit Dr. Adrian Garfoot, the medical director, James West, the practice manager and Gary Sutton, the drugs field researcher.

The centre opened four years ago. Dr. Garfoot's father, the Rev. John Garfoot, is a minister in Kings Lynn in my constituency. Dr. Garfoot began his career as a general practitioner, but he was so concerned about and committed to people who suffer from drug addiction that he wanted to do more for them. Therefore, he moved from general practice to treating drug addicts on a permanent basis. The clinic has a unique prescribing policy: Dr. Garfoot believes in providing sufficient prescriptions to wean addicts off their habit for street drugs.

Presently 261 patients attend the clinic and they had spent on average £100 per day feeding their habit. About 70 per cent. of the male patients had spent an average of four years in prison. We all know the costs associated with incarceration and the ill health that flows from drug addiction. Many of the patients had been refused treatment by other doctors—that fact was brought home to me when I visited the clinic recently—and many had attended drug dependency units and detoxification centres that had failed to help them. It is a classic example of short-term treatment simply not working.

The clinic aims to try to return such people to the mainstream. It aims, first, to stabilise drug habits through a tight prescribing regimen and, secondly, to rebuild people's lives and try to help them back into the community. An integral part of the programme is the Lost Talents charity, which was set up by Dr. Garfoot. It tries to rebuild the talents and the skills that have been lost during the period of addiction.

In 1994, my constituent Dr. Adrian Garfoot was charged under the Misuse of Drugs Act 1971 with prescribing in an irresponsible manner. The charges related mainly to the prescribing of amphetamines. The case went before a tribunal, which reached its conclusions in October 1994. However, it is now June 1996 and there has been no ministerial view regarding the tribunal's ruling. I ask my hon. Friend the Minister to comment about that delay. My constituent continues his work, day in and day out, treating cases that were considered to be hopeless. He seeks to return his patients to the mainstream community, to give them hope for the future and to help them to rebuild their lives. However, Ministers have not got their act together and reached a decision about the tribunal's conclusions.

Worse still, on 22 May this year there was a raid on the clinic. The conduct of that raid is particularly disturbing. Seven police officers arrived at the clinic and arrested my constituent and his partner. They removed virtually all the documentation and the confidential records held at the centre. It was an extremely unfortunate incident which took place without warning. Examination of the Police and Criminal Evidence Act 1984 and relevant sections of other Acts reveals that, if my constituent had not been arrested, the police would have had to obtain an order under section 9 of the 1984 Act and a search warrant.

It appears that the police were on a fishing expedition and I wonder whether the drugs inspectorate and people in the Home Office knew what was going on. I find it extraordinary that, before a Minister has made up his mind about a tribunal decision—there is no evidence against my constituent; I would not say that in the House unless I had checked my facts very carefully—seven police officers from No. 3 area intelligence unit at Ilford police station should raid the clinic, creating mayhem and causing much concern among patients.

I am pleased to report that most of the documents have been returned to Dr. Garfoot. However, some material—particularly computer records and bank statements—has not been returned, and obviously my constituent is seeking a full explanation. I wrote to the Home Office Minister about the matter approximately three weeks ago and I have not yet received a reply. I also wrote to the Commissioner of Police of the Metropolis, but he has not replied to my letter. This is a specific constituency matter and I would be grateful if my hon. Friend could discuss it with his hon. Friend the Member for Bolton, West (Mr. Sackville) and arrange for speedy replies to my correspondence. I would also be grateful if my hon. Friend would comment generally about whether a raid of that nature should take place before a Minister has made up his mind about the case.

I am sorry for having been diverted into raising an important constituency issue. Sufficient resources must be allocated to treatment in the fight against drugs and implementation of the Government's drugs strategy. I am convinced, through my experiences with Dr. Garfoot, that the treatment of drug addicts and drug offenders is crucial. That treatment must be combined with a tough policy of action against drug traffickers and dealers and a tough

sentencing policy. I support the Government's drugs policy. I hope that it will continue and that it will begin to have an impact on this terrible national problem.

11.15 am

Mr. Simon Hughes (Southwark and Bermondsey): I welcome the debate. I hope that we shall continue to have an annual debate about drugs for as long as it continues to be a huge national issue. It is appropriate that we should return to it a year after the debate that followed the introduction of the Government's report by the Leader of the House.

I hope that hon. Members can contribute to the drugs debate. I said earlier to the Leader of the House by way of intervention that possibly the media make the greatest contribution to that debate. For example, I believe that in the past year the film "Trainspotting" probably made the most dramatic contribution in that regard. It depicted real-life incidents in a breathtaking manner. When I saw the film at the cinema, I remember how the audience collectively drew breath during several scenes. It certainly did not pull any punches.

The film was particularly effective in drawing attention to the high incidence of illegal drug taking in Scotland, which is where the film was based and where its characters came from. Although the debate principally concerns England and Wales—there are no Scottish Members of Parliament in the Chamber today—I do not think that we should fail to mention the fact that hon. Members from Scotland across all political parties are trying to ensure that the debate also takes place in a Scottish context. My hon. Friend the Member for Orkney and Shetland (Mr. Wallace), the Secretary of State for Scotland, the hon. Member for Hamilton (Mr. Robertson) and the hon. Member for Banff and Buchan (Mr. Salmond) went on a train trip around Scotland, taking the drugs message to all communities. Their action is to be commended.

One could cite many figures in this debate, but I shall be selective and refer to only two documents—both of which I welcome. I refer first to the updated document from the Standing Conference on Drug Abuse which, as the hon. Member for Knowsley, North (Mr. Howarth) said, was prepared as a briefing for hon. Members. The organisation is based in my constituency and I pay tribute to its work. Secondly, I draw attention to the excellent report produced recently by the Parliamentary Office of Science and Technology. I pay tribute to that body, to our colleagues who serve on it and to the staff who work with them. They do the most excellent work. I regret that I was not able to find time to serve on that body when I was asked to do so.

That body produced a report in May this year, which I commend to hon. Members and to the wider community. The report on cannabis, Ecstasy, amphetamines and LSD is an up-to-date and accurate scientific analysis of the current situation. I shall cite several statistics from that report and from SCODA's document, which I hope will put the issue into context.

As the hon. Member for North-West Norfolk (Mr. Bellingham) said, illegal drug abuse among young people is currently at its highest recorded level. The report says that between one third and one half of 16-year-olds have experimented with illegal drugs. According to the report, lifetime experience of drugs is more than one in four of the adult population; perhaps as many as 7 million people in this country have tried cannabis at some point in their lives, while between 250,000 and 800,000 young people may have tried Ecstasy; and about one in five young people use drugs on a regular monthly basis. Equally important is the last statistic on its list. Drug taking, of course, is not just one way—many people stop of their own volition. In one survey, of the 32 per cent. of 17 and 18-year-olds who had tried an illegal drug, 10 per cent. no longer took it.

We should recognise that the statistic for those who stop drug taking is just as important—and certainly more encouraging—as the one for those who start to take drugs. According to the POST report, there may have been 50 to 100 acute deaths over the past five years as a result of taking Ecstasy. I shall quote, for the purpose of being absolutely accurate:

> "Those seeking to down-play the risk could compare it with the risks of being killed in a traffic accident (of a similar magnitude)".

It is, of course, more difficult to opt out of traffic-related accidents than it is to opt out of taking Ecstasy, where people opt in by taking it. The report continues:

> "Others would compare a tolerance of 20 deaths a year with society's reluctance to accept even slightly enhanced risks in other fields—whether contraceptive pills or beef."

We must get the balance right, as the Leader of the House has carefully tried to do in all his public statements, and ensure that we neither over-exaggerate nor underplay the risks.

Mr. Flynn: I share the hon. Gentleman's admiration for that report, but I must point out that the official figure—which the Department has given me after several questions—for the number of deaths in the past five years in Great Britain, in which Ecstasy was mentioned as one of the poisons involved, is 54. The number of deaths in which Ecstasy was the only drug mentioned and therefore was the cause was 34.

Mr. Hughes: I am grateful to the hon. Gentleman. The figures that he gives are not inconsistent with what the report says and what I have said.

The hon. Member for North-West Norfolk quoted his county's statistics for drug-related crime. The latest figure that I have is that, nationally, about two thirds of crime is drug related. That is a huge figure, and it does not include crimes such as taking drugs or being convicted of supply. I am talking about burglaries, car thefts and so on.

The last set of statistics—again, I am trying neither to up-play them nor to down-play them—come from the SCODA report, which says that 32 per cent. of adults cite social deprivation as the main cause of problem drug use; boredom, 28 per cent.; peer pressure, 24 per cent.; and personal or family problems, 20 per cent. Only 2 per cent. saw criminal tendencies as a root cause. That is important. It is not an activity of criminals. It is not an activity of people who, psychologically, have a criminal tendency.

The Home Office "British Crime Survey 1996" highlighted that unemployment and poor housing are major factors associated with opiate use in the 20 to 29 age group. I have two more figures. Thirty-nine per cent. of people using drugs in public places are homeless. That survey was from the north-west of England, but it is three years out of date. According to the Department of Health's figures for last year, 75 per cent. of the drug

[Mr. Hughes]

users using drugs services had been unemployed in the two years before treatment, so we must be realistic about the skew in terms of people who in some way are socially disadvantaged.

One of the saddest aspects of modern crime is that crimes are often committed by young people and young adults on other people, particularly the elderly. The Met and other police forces have rightly tried to target crimes of violence against the person, such as street robbery. Many of those crimes are drug related. People on drugs do not behave in the way that they would if they were not on drugs. Their behaviour is sometimes entirely unacceptable. If they behave like animals, the sooner we realise that they should be dealt with severely, the better.

Sadly, this country is awash with legal and illegal drugs. My colleagues sometimes have a go at me for being a health spokesman who has probably used the health service less than anybody else, and who would not take a drug if he could avoid it from one year to the next, whether it is aspirin or anything else. Let me put the issue into context. There are far too many drugs in use. Far too many are prescribed by doctors who see them as an easy way out. Far too many are in general use in the health service, because they have been sold as a quick remedy. Far too many are improperly used. I include legal, harmful drugs—predominantly tobacco, alcohol and, I suppose, caffeine, although I am less certain about caffeine and its implications.

I hope that, as a nation, we shall resolve to reduce the amount of drugs that are in use. Of course, some drugs, such as penicillin, are vital, but many people are given drugs simply to keep them quiet, and non-drug-related remedies are often much better.

Dr. Charles Goodson-Wickes (Wimbledon) *indicated assent.*

Mr. Hughes: I see the hon. Gentleman, who is a general practitioner, nodding. I am grateful for his silent assent.

Common to the promotion of many legal drugs by the drug companies; to the promotion of tobacco and alcohol; and to the promotion of illegal drugs, is profit. There is a hell of a lot of money to be made out of drugs. If we recognise that, we shall realise more clearly what is going on.

In that context, the Government are still entirely inconsistent about tobacco—that is the only criticism that I shall make of the Government today. Tobacco-related diseases kill 100,000 people a year. Yet we allow tobacco to be advertised. Whether we should turn back the clock and make it illegal is a different question, but it is bad that we allow it to be promoted. It is totally unacceptable and obscene that we allowed the Archbishop Michael Ramsay secondary school in my borough to take £250,000 from British American Tobacco as part of the package to become a city technology college. I know that the governors say that they could not get the money from anywhere else. I know that they anguished over it. I respect them. But to drive secondary schools in the inner city to take money from BAT-allied activity—money that came from the profit of tobacco largely sold abroad—is entirely unacceptable. I hope that someone outside who has £250,000—there are plenty of them in this country—will hear this debate and offer the school the money, so that it does not have to take the money from BAT. It would willingly take it from someone else.

The tragedy is that, accordingly to "The Health of the Nation" figures, the incidence of smoking among young people is on the increase, particularly among young women. I cannot understand how a young person can be expected to hear from a teacher, "Smoking is bad for you," while the school gets its money from the profits of smoking. To turn round a quotation that I think the Leader of the House gave, the only safe cigarette—I know that he smokes, so I am not having a personal go at him—is no cigarette. The only safe tobacco is no tobacco. If people choose to take those risks, fair enough, but in the end it is not helpful and it costs the health service a lot of money.

The people who profit from drugs are not in it because of any particular interest in them. They are the same people who, in the 1960s, did the armed robberies, in the 1970s made their money out of pornography, and who now realise that the easiest way to make their money is from drugs. If we banned alcohol, they would make a profit out of alcohol. So we need have no illusions about who they are.

As Mr. Hellawell, the Leader of the House, the hon. Member for Knowsley, North and all the commentators say, this is a difficult problem and there is no easy answer. There is no magic answer to the problems of bovine spongiform encephalopathy, the pill, drugs to deal with malaria or baby milk. Those are all matters of science, and science develops. We keep getting more and different information. None of us deludes ourselves about that, and that is why the POST report and the report of the task force chaired by Rev. John Polkinghorne were so good and why SCODA does such good work.

I will not make a big thing of it—it is no big deal to me—but I must put into context why the Liberal Democrats took the view that there should be a royal commission to consider such issues. It was because science and the evidence change, as do the international consequences. That does not mean to say, however, that as a party we endorse the legalisation or decriminalisation of cannabis or any other drug. In a motion that stated that there should be tougher penalties for offenders and strengthened resources for Customs and Excise, we also took the view that the issue should be studied objectively.

The task force is an interesting recent model. It reported last month, and its strength was in its independence. It reflected all professions and walks of life, which is what gave it credibility. I would be happy for the public health commission to do that job—a body that does that job for food and drugs in general. If there were a royal commission to give us the information regularly, we the politicians could decide.

I would require the burden of proof to be in favour of decriminalisation before I supported it, and at the moment neither my colleagues nor I are persuaded, but such a commission would provide that sort of information.

Mr. Spring: I must point out an inconsistency. There is a clear link between cannabis and cancer. That link has become increasingly clear in a number of studies, particularly in the United States, and the hon. Gentleman will know that cannabis contains 70 per cent. more

carcinogens than tobacco. Despite that link and the fact that it is so destructive of life—there is evidence of that among habitual marijuana smokers in California—and although the hon. Gentleman is virulently opposed to tobacco advertising, he is taking what is essentially a cop-out view by moving the problem on to a royal commission.

Mr. Hughes: I accept what the hon. Gentleman says about the cancer link. The House of Commons report last month made that abundantly clear. The medical and scientific evidence against cannabis is growing. I think that that is what an independent commission or task force would be saying, and I do not think that such a body would recommend legalisation, as the burden of evidence is moving against it. I believe, however, that we need a body that is not politically led or driven. That is why the Government got into such a mess and are still in such a mess over BSE—politics became enmeshed with science.

Mr. Newton: I am becoming increasingly puzzled by the line that the hon. Gentleman is taking. I agree with the Opposition Front-Bench spokesman that the biggest difficulty with setting up a royal commission is that it would send a signal that something needed to be changed and that the Government were looking for someone to tell them what changes to make. We do not think that that is the case, any more than the Opposition Front-Bench team does.

My point—before I go out of order, Madam Deputy Speaker—is that I do not understand what such a body would do that could not be done by the Advisory Council on the Misuse of Drugs, which was set up under the Misuse of Drugs Act 1971.

Mr. Hughes: I accept the validity of that point. The body could do exactly the same job on the limited issue of the misuse of drugs, but could also consider the wider issues—not merely illegal drugs and misuse, which is the relatively limited brief of the advisory council, but the safety of food and drugs, as the American Food and Drug Administration does. I believe that the Leader of the Opposition made a similar commitment on food in his speech in Harrogate yesterday.

I do not think that there is a lot between us. I am arguing that there should be a body to consider such matters, away from Government and politicians. The issue will not go away. Let me make it absolutely clear. The fact that, as a party, we believe that such a body should look into those matters does not mean that we believe that the answer is either yes or no. I am with the hon. Member for Knowsley, North and the Leader of the House when they say that they do not want to give signals that suggest that drug taking is—

Mr. George Howarth: That is what doing that would do.

Mr. Hughes: No, it would not. Setting up a constitutional body of the type that exists in the United States, Sweden and other countries does not mean that it would give us a different answer. It would simply review the evidence on a regular basis and give Parliament the opportunity to decide what to do. For the moment, I am not persuaded that the law ought to be changed, and that is my party's position.

Mr. Howarth: I realise that the hon. Gentleman has a difficult position to defend, but if one established a royal commission to carry out the functions that he described, that would be admitting at the very least the possibility that, if it concluded that cannabis should be legalised or decriminalised, that conclusion would be acceptable. I am not prepared to sign up to that proposition and nor is the Leader of the House. I gather that the hon. Gentleman is hoping that, if the body were established, it would not come up with that conclusion. To be honest, there are a lot of inconsistencies in what he is saying.

Mr. Hughes: Those who read the report of the debate can make their own judgment. I do not think that there are inconsistencies. There are committees on broadcasting standards and on all sorts of other areas of public life. They act independently and give advice. I do not know why we are so nervous on this issue. There are different academic, scientific and medical views.

Mr. Flynn: Will the hon. Gentleman give way?

Mr. Hughes: No.

Mr. Flynn: My vote is in the balance.

Mr. Hughes: I know that the hon. Gentleman is a constituent of mine, but if I have not won his vote by now, I shall probably not win it by the next election.

Does criminalising and prosecuting producers and sellers imply that users should be dealt with in the same way? Does one benefit from calling the users criminals? Does one benefit from calling prostitutes criminals? Those are real questions. One has to be honest, and it is not necessarily helpful to put people into different categories.

Finally, as is recognised on both sides of the House, education is the way forward, particularly that of young people at school. More than anything else, I must commend the section of the POST report that makes what we need to do so clear. It states:

"Children learn most about drugs from Television, next most important are friends",

with school education coming third. It points out that youth culture, such as advertising and magazines, is the way to get through to children. As has been said, we cannot win by saying that drugs are dangerous, because young people want to take risks, so that argument is not a winner.

The Health Education Authority got it absolutely right in its drugs campaign last year, by dealing with the health implications. Sixty-one per cent. of drug users say that worries about health are the biggest reason to stop using drugs. The HEA publicity:

"The most dangerous thing about drugs is what you don't know about them."

is the way to win the argument. That is a very effective campaign.

I have been playing around with other slogans. The best that I could come up with—I apologise for the plagiarism—was, "Ask not whether you should do drugs, ask rather what drugs could do to you." That is the issue. It is a question of giving young people the education, so that they can decide.

I hope that we can build up the resources and effectiveness of the Health Education Authority, which did a good job under the right hon. Member for Sutton

[Mr. Hughes]

Coldfield (Sir N. Fowler) when AIDS and HIV were thought to be a big risk; we have become complacent about those problems and we need to build up that campaign again. We need effective campaigning on television and big posters using simple advertisements that do not say no to drugs but ask the sort of questions that young people can ask themselves. By way of a postscript, I believe that the dance industry has suffered. There could be a supplementary poster that said, "Raves yes, drugs no." Not everyone who goes dancing at weekends wants or uses drugs. It is a proper recreational activity from which drugs do not necessarily follow.

It is clear that social policy is relevant. The more that young people have jobs and training, and feel valued and wanted, the less they will need to find escape. I strongly support the Prime Minister's initiative to maximise opportunities for sport and recreation. The more healthy activity that young people can take part in, the better. That includes dance, a popular and worthwhile activity for people of all ages.

I represent a constituency as urban as that of the hon. Member for Knowsley, North, and he was right that the bane of the lives of many council estate residents—and I represent more of them than any other English Member—is the groups of young people who say that they are bored and have nothing to do. They are not necessarily into drugs, but they may get into them. They then become anti-social, threatening and difficult to control. They need sport and recreational opportunities to take the football, basketball and hanging around away from the middle of estates. I ask that we add to the money that we give the youth service and not only that given to big sports projects, but that given to Sports Council-funded projects in urban estates. I am about to put in such a bid for my area. We need to win the battle at the grass-roots, not nationally.

Customs and Excise needs to be supported. There have been moments when it has not felt supported. Its headquarters is in my constituency, though it has not briefed me for the debate. As the hon. Member for Knowsley, North said, as with many other matters, whatever we do nationally, it is difficult to influence the worldwide pattern because of international trends. We need effective Customs and Excise activity.

The police and the prisons need our support. I agree with the aim of making prisons drug-free. Prison is not very effective in dealing with drugs. The Americans have learned that locking people up is more expensive than dealing with them outside prison. Prison allows drugs to be spread around. I have two propositions. First, the Leader of the House and the Home Office should consider recycling the drug profits seized under the powers that the Government put through Parliament into dealing with drugs, by linking them to drug rehabilitation or education.

Secondly, the Government should examine the idea of my hon. and learned Friend the Member for Montgomery (Mr. Carlile), who leads for us on home affairs, for drug courts. That again involves American experience. They would take drugs crime out of the common court system—47 per cent. of drugs issues go to court rather than being dealt with elsewhere by cautions or suspended or deferred sentences. If such cases could be dealt with more imaginatively and effectively, we would make progress.

This is a valuable debate, which I hope that we can have every year. I commend the Leader of the House and his Cabinet Sub-Committee. I hope that we can get the maximum agreement. I am grateful that we almost managed to get through without silly party political games. There are differences of view, but they are less important than the general desire to get the message across. Hindus say that we are created with bodies capable of working without artificial stimulants. The fewer drugs we use, the better.

11.43 am

Dr. Charles Goodson-Wickes (Wimbledon): The hon. Gentleman finished with two interesting points. Knowing the tortuous business of the hypothecation of funds, I shall be interested in the Government's reaction to the recycling of funds derived from drug crimes.

It would have been all too easy for the cynics to condemn the publication of "Tackling Drugs Together" as mere posturing: the sort of document that many Departments would put their names to, after which precious little would be done. The reverse has been the case. Once again, the Government have pioneered a brave and far-sighted initiative for which they have received minimal recognition and thanks outside the House. I was fascinated by the arguments put forward so coherently by my right hon. Friend the Leader of the House, and I pay tribute to the hon. Member for Knowsley, North (Mr. Howarth) for the balanced way in which he endorsed my right hon. Friend's sensible proposals, which are being tackled on a cross-party basis.

In my constituency, the police, acting in close co-operation with the drug action team, could hardly have adopted the Government's policies with greater enthusiasm. Their success has been endorsed and encouraged by visits in the past few weeks by my right hon. Friend the Leader of the House, as co-ordinator of Government policy, and by my right hon. and learned Friend the Home Secretary. They have seen at first hand the added value of agencies talking and working together: the police, health authorities, schools, the probation service and the voluntary sector. For once, the whole picture is being seen in the round and the best strategies have been followed.

There have been three major themes: enforcement, education and treatment. Enforcement, as we know, has concentrated on tackling dealing and trafficking. Education has involved parents, teachers and governors and has extended, I am delighted to say, into licensed premises—the pubs and clubs. Treatment has broken away from the old cycle of the criminal system circulating offenders round and round so that counselling and referral to caring authorities happens sooner rather than later.

In the wider context, I suspect that we and our successors will be discussing the best way of tackling the menace of drug abuse for many years to come. The constant need to educate and warn young people of the threats that drugs pose to their health, livelihoods and happiness will never change. My right hon. Friend the Leader of the House referred to the youth awareness scheme that he witnessed in Merton.

At this stage of our battle against the increasing trend of drug use, it is profoundly misguided to float the idea of legalisation of some drugs or, to use the current euphemism, decriminalisation. How on earth can the

bodies brought together by the Government's efforts send out a clear and coherent message if they are undermined by arguments, beguiling though they may be academically, from certain quarters of Westminster and the media?

Mr. Flynn: The Dutch Government claim in a letter to me that their policies have reduced soft drug use among Dutch people and reduced the number of hard drug addicts. Can the hon. Gentleman give any examples of the policies that he has described resulting in a decrease in drug use?

Dr. Goodson-Wickes: I link the hon. Gentleman's question to the position of the editor of the *British Medical Journal*, which is not an organ that I would normally criticise. His editorial of 23 December last year is headed, "The War on Drugs: Prohibition is not working; some legislation will help". I suggest that the hon. Gentleman and I discuss this during a health debate, but I put on record that I wholly reject that editorial and all it stands for. I endorse what my right hon. Friend the Leader of the House said earlier to my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland).

Mr. Flynn *rose—*

Dr. Goodson-Wickes: I shall not give way again yet.

The education of potential consumers and the victims of drugs will never be the whole answer. The production of crops, their processing and distribution of the resultant drugs will continue as long as there are markets anywhere in the world. In the past few months, I have found it increasingly depressing to visit countries that grow coca and poppies, where I have heard about well-meaning, fashionable but flawed schemes of crop substitution. It is all very well to spray vast areas of Pakistan or Peru to kill the crops on which workers on that land depend, usually at subsistence level, and then to try to persuade them to grow other products with the help of subsidies or otherwise. The truth is that the more one asks about the financial viability of those substitute crops, the less firm evidence one gets of any sustained as opposed to short-term success.

I never cease to be amazed at the adaptability of agricultural practices. In many parts of south America, for example, the most likely example of crop substitution—the ultimate irony—is poppies for coca plants. That is paradoxical in the extreme and hardly the intent of the Drug Enforcement Agency and other well-meaning organisations. How very convenient that, as the demand for cocaine decreases in the United States, heroin is now more readily available on its doorstep instead of coming virtually exclusively from Asia.

I visited Lagos a few weeks ago. In the 1980s, the Nigerians were renowned for spearheading and employing high-risk-taking couriers, the so-called swallowers and stuffers. They have now set up their own sophisticated distribution organisations, with increased emphasis on maritime routes rather than air routes. Those new organisations stretch almost from the fields of Bolivia to the streets of Europe. A few years ago, who would have thought that one of the most profitable routes would be from Sao Paulo in Brazil to Moscow, of all places. Consider what opportunities lead from that.

The collapse of the Soviet empire has provided drug traders with enormous opportunities. Lorries can now pass westwards across Europe, unfettered by tiresome border controls and security checks. As if they wished to give them a fair wind, some of our continental partners set up Schengen-land, a licence for easy smuggling, if ever there was one. One of the great issues of the next few years will be ever-increasing economic migration in western Europe. Any parallel movement of drugs could hardly be more unwelcome and dangerous. I trust that the Government will continue to resist with great vigour any lowering of our historic and geographical frontiers, which act as some defence against those unwelcome trends.

I congratulate the Government on all their unsung work in various parts of the world, ranging from international co-operation in security operations in south America to tracking controlled deliveries around the world. That work is aimed at combating the drugs menace. I urge my right hon. Friend the Leader of the House and my hon. Friend the Under-Secretary to ensure that at the current intergovernmental conference, despite all the distractions and contentious issues of which we are all aware, the fight against drugs is not neglected and is given the prominence that it so badly needs, for the good of all our citizens.

11.53 am

Mr. Paul Flynn (Newport, West): The great heresy of our age and of our generation is the belief that all the problems of boredom, pain, discomfort and grief can be answered by the use of drugs. Humankind has continued for thousands of years without their use, but we have accepted the great heresy implicit in the use of not just the illegal drugs mentioned today, but all drugs.

Dr. Goodson-Wickes: I find that a most extraordinary statement. As the hon. Gentleman knows I am a physician and for thousands of years drugs have been used for medicinal purposes. To begin his thesis with such a statement is a rather bad start to his speech.

Mr. Flynn: The hon. Gentleman speaks for Upjohn, the pharmaceutical company, which provides part of his income, as he has rightly declared.

Let me cite the example of a drug that has been used for 5,000 years, a drug that was used by the people who built the pyramids. They discovered, by experiment, that it helped their eye problems. It has only been in the past 30 years that scientists have discovered that that drug in its natural form—not in its chemical form—reduces the pressure on the inner eye and thus gives great relief to the sufferers of glaucoma. That drug is cannabis and yet its use is forbidden to those who suffer not just from glaucoma but from multiple sclerosis, cerebral palsy and the nausea associated with chemotherapy. The House has decided that that should be so.

During our previous debate on this subject, I brought with me to the House three such notorious criminals. One was Carol Howard, who gave cannabis to her daughter Sara. I should stress that that is spelt without an "h"—the Welsh way—because her mother was rather upset to see the anglicised version in *Hansard*. Sara, aged 28, was dying from a rare form of cancer and the only drug that gave her any relief from the nausea caused by chemotherapy was cannabis. I accept that there were plenty of other drugs available on the national health

[Mr. Flynn]

service, but they turned her into a zombie, whereas cannabis allowed her to express her thoughts freely in her dying days. Her mother rightly gave that drug to her, as any of us would have done, but she was exposed and could have been thrown into gaol and fined £2,500.

One of the other criminals was a lady suffering from multiple sclerosis who found that the only relief for her terrible problems came from cannabis. The other lady was in her 60s and suffering from cerebral palsy. She finds that cannabis gives her great relief. She grows it in her garage and keeps her spliffs in a silver cigarette box near to a picture of Queen Victoria, who used cannabis every month of her adult life to ease her menstrual cramps.

We are now in the silly position of telling young people that there are two sorts of drugs. There are those that are bad, wicked and do a great deal of harm, and others that are somehow acceptable and legal, although harmful. That is not true. We have opened a great gulf between our generation and young people. There is as much truth in what we are telling them about drugs as in the myths that we and previous generations were told about masturbation and blindness, and stories about the tooth fairy and Father Christmas. We are lying to young people and we are not doing any good in reducing the amount of drugs that they take.

I speak as a chemist, and the only drug that I take is a glass of wine or a pint of beer. All hon. Members know that I am a lifelong sufferer from arthritis, but I have not used any medicinal drug for 25 years. I hope to end my days without using any such drugs because, as my own Member of Parliament, the hon. Member for Southwark and Bermondsey (Mr. Hughes) has said, we take far too many of them.

What we have said about Ecstasy is misleading and must be corrected. We should know the truth about it. Ecstasy deaths are a peculiarly British problem. There may have been isolated deaths in other countries, but no other country has witnessed as many deaths as we have. If we wish to understand why Ecstasy deaths occur, we should look at the results of post-mortems. I advise any young person to steer clear of Ecstasy and never to use it. It marinates the brain in serotonin and it destroys receptors in the brain for a long period, although they will be corrected. If people use it, they are carrying out a dangerous experiment with their brain.

A month ago, I spoke to an audience of some 500 young people in London and I said those very things. Of that audience, 98 per cent. put up their hands and said that they had used Ecstasy. They will continue that because of the culture behind it and the fact that they like the companionship in the use of Ecstasy, which many people have spoken about movingly.

What is the truth about Ecstasy's dangers? We do not know the long-term danger. It is a chemical drug that has been around only for a short time in our experience, but deaths have occurred for two reasons. The first deaths occurred because of over-heating. The post-mortem results were the same as post-mortem results on death by heat stroke. There was damage to the liver and so on.

The drug also destroys the body's natural defence mechanisms. People do not worry about the heat. They behave in repetitive ways and, because of that, they ignore the normal signals. More recent deaths, however, have happened because of water, as has been mentioned in the debate. Sadly, the deaths occurred after advice that I would give my own children. I have two teenagers, who do not take drugs. I know that because it is not part of their peer group. Other people in the town do and I give them the same advice. If their child had a problem with Ecstasy, all parents would give him or her water.

Sadly, children have been killed by water because Ecstasy prevents the kidneys from working in the normal way, discharging excess water from the body. If they are not dancing in a hot place or if they are not sweating, they do not lose the water. If they take too much water, however, the brain swells and they die. Tragically, that has happened in a number of recent cases.

Mr. Simon Hughes: Does the hon. Gentleman agree—I assume that he does—that one of the ways in which we can have the least adverse short-term effects for people who go to clubs and who might be tempted to get into the habit of using drugs is to have a licensing system for clubs that requires them to have proper ventilation and water supply, as some local authorities have begun to do?

Mr. Flynn: We must accept that. That is my theme: harm reduction. We are fooling ourselves if any of us believe that we will stop illegal or legal drug use. The best that we can achieve, as politicians, is to ensure the least harmful results from drugs. There should be chill-out rooms. People should not take the drug alone. They should take water, but no more than a pint an hour.

We all feel the same about the case over which there was so much publicity and we all want to say to that family how much we sympathise with them and want to give them a hug. There is no worse bereavement than the untimely death of a young healthy child. That grief will live with the families for ever. It is not, however, the only death involved. That death would have been avoidable, with proper, timely medical advice and if people realised the danger of taking water.

I quoted earlier the figure of 54 deaths in which Ecstasy was mentioned as a possible cause. One was a recent death involving a young girl—also the daughter of a policeman—who took one and a half Ecstasy tablets and between 20 to 30 co-proxamol tablets, which would have killed her four times over. She also took an unknown quantity of alcohol.

There is no question that that girl died from the co-proxamol tablets. She took three times the lethal dose. The "Today" programme said that the death was due to Ecstasy, which was unlikely. The case would be included in the 54 deaths.

Thirty-four people have died from Ecstasy use alone. There has been only one death in Holland. In most countries there have been no deaths. This is a particularly British problem because of the way in which the rave culture has developed in overheated rooms without ventilation or chill-out areas. We will not reduce those deaths by telling people not to take Ecstasy. They will not listen to us. What we say to them is distorted. We will do it by asking them to take proper precautions. Nor will they take any notice of what we are saying about many other drugs.

The best thing we can say about prisons today is that we have one gaol out of the hundred plus in this country which is almost drug free. We can have a programme that

achieves five drug-free prisons. Gaols are closed communities with great walls outside and with people being searched on their way in and every gaol in Britain is awash with illegal drug use. It is endemic in almost every prison. Prisoners can choose which drugs to have. They have a range to pick from. If we fail to control drug use in prisons, how on earth can we succeed in reducing it or controlling it in clubs and schools?

As the hon. Member for Southwark and Bermondsey said, driving the use of drugs is not the fact that it is enjoyable or wicked, but profit. The black market is making money out of drugs. All the way from the fields in Colombia to the school gate, someone gets a cut in the pyramid selling of drugs. As my hon. Friend the Member for Knowsley, North said, market forces are behind it. Our aim should be to collapse the drug black market, to accept that drug use is inevitable, and to find out how best to control it.

I have never advocated decriminalising any drugs except cannabis for medical use, but, at the end of the royal commission, we will see not paradise on earth or a drug-free Britain, drugs distributed by doctors in a proper way or by businesses that can be vigorously controlled. It is not a perfect system. The way in which alcohol is distributed is far from perfect. We should have more limits on the sale of alcohol, but we will not stop drugs getting into the hands of people who are most affected by them.

There are two vulnerable groups. I heard a Minister say that, if we decriminalise drugs, school children can get hold of them. Where is he living? Hardly one school child in this country cannot get hold of drugs. If it happens under a different regime and a licensed seller of drugs was found to be giving a drug to children or to another vulnerable group—such as schizophrenics or people suffering from mental illness—he would lose his licence. There is a good chance of reducing harm under that system.

The Leader of the House gave a selective quote about Holland, but the view of the Dutch Government is different. The view of a right-wing think tank published by the Institute of Economic Affairs was different. It said that the Dutch experience had resulted in two important changes. One was the reduction in the use of soft drugs, cannabis and Ecstasy among young people, principally because it becomes boring and it is not glamorous, sexy, thrilling or illegal. That is what happens when it becomes a legal activity. The other change was to separate young people who were taking soft drugs from the hard drug market.

In this country, anyone who has to use drugs will have to cross the boundary of legality into the world of illegality. They will be exposed not just to soft drug, but hard drug pushers. That is where the danger lies.

Mr. Spring: Let me tell the hon. Gentleman just a bit more about the place that he so greatly admires—Holland. The net result is that cannabis is infinitely stronger than 20 or 30 years ago. There are now variants of cannabis that cause hallucinations and psychiatric disorders. It is all produced in Amsterdam, which, as a result of this absurd liberal policy, is the place for exporting problems throughout Europe. It is a disgrace.

Mr. Flynn: The hon. Gentleman is wrong, but I will not take him up on the details of where cannabis is produced. There is skunk cannabis now, which is much more potent than the other types. It does produce hallucinations. *[Interruption.]* Let us consider the evidence. I am not suggesting that anyone should take cannabis. People should avoid it, as they should avoid all drugs—that is my constant theme—but let us consider the relative harm that it does.

Those people who are using cannabis in Holland now are not using hard drugs. The average age of the hard drug user has increased to the late twenties from the early twenties.

Mr. Spring *indicated dissent.*

Mr. Flynn: Well, consider the decisions of the Dutch Government. Ask the Dutch embassy to provide information; it is happy to do so. It says passionately that the policy has worked for Holland, but of course it is not perfect. The problem is that Holland, acting on its own, is attracting abusers of drugs from all countries.

Let us put this in context. How many people does cannabis kill? Will the hon. Member for Bury St. Edmunds (Mr. Spring) tell me how many people have died from the use of skunk cannabis? The figure is easy to remember—zero. No one has been poisoned by cannabis abuse. It is almost impossible to be. It is a substance that has been used for 3,000 years at least, it is less poisonous than aspirin, and it leaves people in a benign state. I could give the figures for the other drugs. Heroin kills—

Mr. Spring: I dispute entirely what the hon. Gentleman is saying, because I have spoken to drugs professionals and their emphatic view is that those young people who may be prone to schizophrenia or similar mental disorders, who take a strong cannabis-like drug like skunk, can be driven into more extreme cases of mental disorder and possible suicide.

Mr. Flynn: I do not dispute that. I am only giving the figures that the Government provide. Of course all drugs are harmful. The number of people per year killed by cannabis is zero; by Ecstasy, seven; and by heroin, 100. The Government figure for paracetamol is 200; interestingly, the latest Library figure is 580. For all medicinal drugs, the figure is 2,500; for alcohol, up to 40,000; and for cigarettes, 100,000.

I know that those figures are crude because different numbers take each drug, but they show us the hypocrisy behind what we are saying. When we say to young people, "You have this drug that binds you together as a community in your rave culture," and we preach to them, as was said this morning from the Front Bench, that our message is that drug use is bad, and we say it possibly from one of the 15 bars in the House, with a cigarette in one hand, a glass of whisky in the other and a couple of paracetamol in our pocket for our headaches, it is right that they turn to us and say, "Hypocrite!" All drug use is bad—it is all damaging—but because, as a generation, we have accepted certain drugs of abuse ourselves, our view of what is happening with young people becomes distorted.

We have got ourselves into a hopeless mess with the prison system. Two defendants from Gwent faced court charges and were found guilty, for the second and third time, of very serious offences and their barristers,

[Mr. Flynn]

in different courts, on different days, with different defendants, eight months apart, put up the defence, "This person cannot be sent to gaol because, if he is, he might fall into the habits that he did last time of becoming a heroin addict." In both cases, the courts decided that that person should not go to gaol, and they got away with lighter sentences in the community.

What an extraordinary indictment it is that drug abusers get away without gaol sentences because we cannot control drug use in prisons. The answer that was given from the Front Bench this morning is not the answer. There is a great deal of tolerance of cannabis use in prisons, and the reason is that when people are on the "wacky baccy" they are quiet, passive and easy to handle. If they are on alcohol, they are violent and abusive.

A case that made me angry recently was that of three soldiers who had served heroically in Bosnia as part of a human shield and had been decorated for it. They were in Chepstow, in Gwent, when a search was made and some cannabis was discovered, and they were dismissed from the Army. I asked some questions about how the Army had reacted to these cases and how many soldiers had been thrown out as a result of drug abuse cases. Extraordinarily, in one year, 458 people serving in the three armed forces were dismissed for involvement with drugs, mostly soft drugs. How many were dismissed for alcohol use? The figure was 13 in that period.

We all know the reality of service life. I know the reality of my father's experience because he served in the—

Lady Olga Maitland: The hon. Gentleman somewhat goaded me into asking him this question when he referred to soldiers being dismissed for taking drugs. Does not he understand that, in the armed forces, one must have an utterly disciplined force or people would be incapable of carrying out their duties? Surely he is not saying that he would tolerate serving soldiers going out on their duties high on drugs?

Mr. Flynn: I would say that it is a disciplined force and that the persons involved deserve to be disciplined. They deserve the slap across the knuckles; they deserve whatever punishment may be meted out. I doubt whether they deserve exactly the same sentence from the Army as the three soldiers who beat to death a defenceless Danish girl with a spade in Cyprus.

Lady Olga Maitland: There is no parallel between the Cyprus sentences and drugs.

Mr. Flynn: That was what the Army's sentence was. There were other sentences available.

Let us reflect on that case. Those three soldiers had been drinking wine or beer that night. The result was that they ended up lecherous and violent and attacked that poor girl and took her life from her. Let us put it another way. If they had been among the three soldiers in my constituency who had been on cannabis, they would have been, not in a violent or lecherous mood, but in a benign, passive mood as many of the prisoners are in this country, and that girl's life would have been spared because they would not have been in that mood. That is a case that one can contemplate about the way in which the Army treats people.

The hon. Member for Sutton and Cheam (Lady Olga Maitland) talks about a disciplined force. I remember my father telling me vivid stories about the first world war, where only two things were in supply in special abundance—alcohol and cigarettes. The troops were short of food of all types, but they had an infinite amount of alcohol and cigarettes. So many of those soldiers who came back suffered from alcohol problems all their life, including an uncle of mine, and my father died of lung cancer at the age of 43, not coincidentally.

Our society is now soft on the major problems that those drugs cause. We have a Minister who is not present at the moment. He complained because I intervened on him so often, but I anticipated that he might well not be here for much of my speech, because there are people in the House, of all parties, who use this awful drug called cigarettes. I speak with some sympathy, as an ex-addict, and I use the term rightly because nicotine is the most addictive of all drugs.

Dr. Goodson–Wickes *indicated dissent.*

Mr. Flynn: I will refer the hon. Gentleman to a table published in *The Guardian* some months ago and the *British Medical Journal* articles, which show that tobacco is the most addictive drug.

Let us consider the harm done by the pharmaceutical drugs. I wonder whether the hon. Member for Wimbledon (Dr. Goodson–Wickes) read *New Scientist* three weeks ago, which gave an account of the causes of a simple problem that most people have—headaches. It suggested that the main cause of headaches was painkillers taken to cure headaches. That is an entirely respectable scientific opinion—that we are conditioned to take drugs in large quantities to great excess.

I rejoiced yesterday when Asda Group plc was told that its campaign to make some drugs, principally paracetamol, available at cut price in its supermarkets had been frustrated because the Independent Television Commission had decided to forbid its advertisement being shown on television. There are murmurs coming from Conservative Members. Let us consider paracetamol and the minimum accepted number of deaths—250 a year. It is normally young girls between the ages of 15 and 18 who die of that drug, often at a time in their lives when they have taken two or three tablets as a pain killer. The pain does not go away, so they take two or three more; the pain still does not go away, so they take a handful and irreversible damage is done.

In Pontefract a group of people involved in health decided to send a 12-year-old girl to buy a specific drug. It asked her to buy 50 tablets. She visited, not just chemists, but supermarkets and garages. She had no difficulty buying 50 tablets—a fatal dose that would have been enough to kill her three or four times over—but had difficulty in not buying 100 because several of the outlets tried to persuade her to buy 100.

So many drugs are killers and are now freely available. If one believes the Government, paracetamol kills twice as many people every year as heroin, if one believes the Library, it kills about six times as many people. I have long advocated that that medicinal drug should be

available only on prescription. The Government will not adopt that policy and, as recently as one month ago, they refused to do so again. That illustrates the confusion about drugs that exists in the House.

Why does not prohibition work? It never has worked. Hon. Members on both sides of the House have made speeches that were full of the schemes, including education schemes, and activities that exist and that they want to introduce. I do not question their sincerity today and their feeling that they want to take the right action. I asked the hon. Member for Wimbledon, but he failed to answer, to tell me of occasions when such schemes had worked and had led to a reduction in drug use. There are plenty of activities and schemes.

I had similar correspondence with the Minister of State for Education and Employment. He said that the answer lay in education. I asked him to supply me with details of any education on illegal drugs anywhere in the world that had ever resulted in a reduction in drug use.

Mr. Spring: The hon. Gentleman is making an extraordinary point. If people prevent themselves from falling ill through eating sensibly or not drinking excessively, there is no way in which one can determine the number of heart attacks or strokes that would otherwise have occurred—that is the nature of prevention.

Canada has been operating a national strategy for a number of years. The Canadians feel that, during that time, as a result of the emphasis that they have placed on prevention, they have been able demonstrably to measure the decrease in the consumption of illegal drugs.

Mr. Flynn: The hon. Gentleman's evidence is pretty weak. He says that the Canadians believe that they can demonstrably measure. I do not know those figures, but I have challenged the Government to produce figures and they have not produced any in a long time.

I can provide examples—the major example involves what occurred in America in the 1950s—of drug education causing harm. In the 1950s the Americans decided to confine illegal drug abuse to major cities. Their answer was to send teams of anti-drug campaigners out into the plains; those teams consisted of mostly long-haired, ex-drug users with guitars. They went round the schools in America singing attractive songs about not taking drugs. The young people saw those ex-drug users as role models—as people who had gone through the system and come out the other side. As a result, the young people found that they had a way of challenging their parents' generation and a means of expressing their wish to flirt with risk—as all young people do. Drug misuse by those young people followed the campaign as surely as night follows day.

Hon. Members on both sides of the House have said that we have wonderful campaigns—I agree that they are far better than imprisonment. But cannot the hon. Member for Bury St. Edmunds see that what is mocking today's speeches—as it mocked last year's debate on the subject and will mock next year's—is the fact that drug use is greater now than it has ever been. It was greater last year than the year before that and it will be even greater next year. Everything that we do does not work—the *British Medical Journal* is absolutely right: prohibition is not working.

I asked my hon. Friend the Member for Knowsley, North (Mr. Howarth) about cigarettes. We all know the evils of cigarettes—anyone who has smoked cigarettes knows, from the effect on their bodies, what that does to them. The statistics show that 100,000 people a year die from cigarettes. We know the problems caused by alcohol—3 per cent. of cancers are caused by alcohol. We can consider the differences between the effects of different activities: seven deaths a year are caused by Ecstasy; there are eight deaths from alcohol every two hours, but we carry on using it and we try to control it. If my hon. Friend believes in prohibition—if he thinks that it is working and it is the way to tackle all drug use—why not prohibit cigarettes? We all know what would happen. There would be a repeat of what happened in America: when alcohol was prohibited for 13 years, the statistics showed reductions in consumption in the early stages because alcohol was not available, but within a short time, there were 20,000 speakeasies in Chicago alone. The result was increased drunkenness, increased amounts of adulterated, poisonous alcohol, increased deaths from alcohol and increased problems because of its unknown strength and quality. That is precisely the current position with illegal drugs.

Mr. Fabricant: What is the hon. Gentleman arguing? Is he saying that the condition of all drugs, both illegal and legal, is the same? He is saying, is he not, that tobacco smoking is just as dangerous as the use of other drugs—I agree with him on that. Is he saying that, as he believes that there is no effective way of stopping people taking drugs and that prohibition of drugs does not work, he would legalise all drugs? Is that what he is saying?

Mr. Flynn: I am not saying that. I am saying—as I have always said, although some people claim that I have asked for the legalisation of drugs—that I want a royal commission. To broaden the debate, may I say that by the time that it comes into force it will be a people's commission. As things are at the moment, public opinion is so steeped in prejudice and ignorance on the subject that that is not a practical proposition. I am asking for us to return to the position that we were in in 1971, when cannabis was prescribed for the use of certain illnesses—that is the sort of legalisation for which I am asking.

I believe that we will come to a decision in the future—probably early in the next century, when we will have a clear view of the dangers of all drugs and will put them into some sort of hierarchy of danger. We will limit their sales and control their use in order to reduce their harm.

We have problems now with prohibition. The hon. Member for Bury St. Edmunds gave us part of the case for prohibition. I point out to him that there is one doctor in this country who has been prescribing heroin. He did not treat heroin addicts with methadone which—this may surprise the hon. Gentleman—has killed more people than heroin; the medicine is worse than the problem itself. He treated them by prescribing heroin. His patients could get heroin from the health service immediately, which decriminalised them. They did not have to steal £100 to £300 a week to feed the habit, so crime went down. They did not feel that crime was the only answer. Many of the 200 to 300 people in that doctor's care rehabilitated themselves because they were not under pressure as they had been before. They knew where the drug was coming from and many of them went back to work.

Unfortunately, the doctor's clinic has now been closed and the patients have gone back to prostitution and theft. They have had to go back on the streets to buy heroin of

[Mr. Flynn]

uncertain quality and strength. Sixteen of them are now dead. Those are the two possibilities. Either heroin is obtainable through a black market system, which is deadly and increases crime and death, or it is available through a system of regulation in which the strength and purity of the product can be known and in which people can live relatively normal lives and have a real chance of rehabilitation.

Hon. Members on both sides are saying that they believe in prohibition. My argument is that prohibition does not work—*[Interruption.]* Is the hon. Member for Bury St. Edmunds trying to intervene?

Mr. Spring: I am waiting for the hon. Gentleman to finish.

Mr. Flynn: I am surprised that no one wants to intervene on this point. I can tell the hon. Member for Bury St. Edmunds, who seems to be angry about the matter, that I am concluding the introduction to my remarks. I hoped that the Leader of the House would return. I am sure that he has gone to have a quick fix from one of his cigarettes; he is a smoker. I say that with some—*[Interruption.]* Hon. Members should see that tobacco use is an addiction, that nicotine is a drug and that it is the most deadly one we have to face. Not only do we throw people into gaol for using cannabis, which is a relatively harmless drug, but we spend £100 million trying to persuade people to use tobacco.

Conservative Members may well recall that during the election campaign, Imperial Tobacco gave poster sites to the Conservative party. The company told me in a letter that it did that because the Conservative party was the only one that did not intend to impose a ban on tobacco advertising. The Conservative party colludes with the drug pushers of nicotine while it condemns others.

A drug worker in Cardiff told me recently, pointing to the absurdity of the present situation, that a father came with some concern to the drug abuse clinic. He complained that his young son was spending his Saturday nights reading poetry and smoking a cannabis joint. His father wanted him to go out every Saturday night, as he did, and to do the macho thing of drinking 15 pints. There is a great deal of difference between those alternatives.

In our previous debate, the Under-Secretary of State for Health said that one of the derivatives of cannabis should be made available as a medicine. Naboline and Dronabinol are now available; they are very similar. The path that we are going down is dangerous. We know that cannabis is a highly complex substance consisting of at least 65 main elements. We do not know what the reactions between those elements are and it may be that one derivative neutralises another. It is dangerous to go down the path of extracting chemical products rather than using a natural substance that has been around for a long time.

I appeal to the Minister to look again at all the people who are now breaking the law for themselves or for their relatives because taking cannabis is the only way in which they can find relief from painful illnesses. We know that the reason for opposition to cannabis is not entirely medical. We know that the Government and the official Opposition realise that there are great harvests of votes to be gained from quarrying the great cliffs of ignorance and prejudice in society, although not among young people. I am afraid that that is the view of both sides.

Mr. George Howarth: I do not think that those remarks are worthy of my hon. Friend.

Mr. Flynn: I refer my hon. Friend to what happened some time ago in a by-election. One candidate shared my views. He wanted an intelligent debate on cannabis and all other drug use and wanted a royal commission to consider practical methods of harm reduction. Unfortunately, my party denounced that person and presented our candidate differently. The decision of the electorate meant that the Liberal Democrat candidate was elected after he had been found in possession of an intelligent idea and the Labour candidate was rejected for implausible sanctity on the subject of drugs.

The House, made up as it is of politicians of a certain generation, should be warned that a whole electorate of young people outside have far more experience than any of us have of the use of recreational drugs of choice. Those young people have become alienated from the political process. They realise that what we say about drugs is not true and when they stop believing us on that subject, they stop believing us on many others.

I share all the genuine and sincere anxiety that has been expressed in the House about the thousands of deaths that occur every year as a result of drug misuse. Our policies are not rational at the moment. We must examine successful cases and we must not continue to repeat the failures of the past. Wars on drugs have gone on all this century in every country. Virtually none of them has produced a reduction in drugs. For goodness sake, let us have an open, rational debate about reducing the harm caused by all drugs, legal and illegal.

12.36 pm

Mr. Richard Spring (Bury St. Edmunds): All those who heard the speech by my right hon. Friend the Lord President of the Council will have been impressed by the extraordinary way in which he has taken on his brief and moved forward the agenda for tackling drug abuse in this country. He has done so with characteristic modesty and self-effacement, but I salute him for his accomplishments today on behalf of all of those who have taken an interest in the subject. The subject has also been taken on by my right hon. Friend the Prime Minister and his approach has worked extremely well in moving forward the agenda.

I also wish to pay tribute to my hon. Friend the Member for Lewes (Mr. Rathbone) because he sought to highlight the real dangers of drugs misuse for many years before it became such a central focus of interest in Parliament, through the central drugs co-ordination unit. I salute him for his unsung work over the years.

My right hon. Friend the Lord President of the Council referred to the fact that a real attempt is being made throughout the United Kingdom to tackle the growing, difficult and intractable problem of drugs misuse. My right hon. Friend might be interested to learn that the Northern Ireland Select Committee is examining the question of drugs misuse in the Province, which has become an especial problem, not only because of the significant drug problems in Dublin, but because of the terrorists' activities and their desire to make money.

We know that a structure has been put in place, and I wish, by way of example, to refer to our experience in Suffolk and to examine whether the White Paper has had the intended impact in local communities. How, for example, are the drug action teams in the various parts of England working in practice?

The hon. Member for Knowsley, North (Mr. Howarth) made some interesting and salient observations. I may not have made myself clear earlier, but I am strongly opposed to any kind of decriminalisation. It is sad, however, that the hon. Gentleman's salient comments were not heard by more of his colleagues. It is regrettable that, apart from the hon. Member for Newport, West (Mr. Flynn), no other Labour Members of Parliament are present in the Chamber, especially as we are debating what is probably the most crucial social problem of our time.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) talked about the prevalence of drug use. The use of cannabis was mentioned in the Parliamentary Office of Science and Technology report, which was released in May. It stated:

"Cannabis is more likely to be used frequently, with 9 per cent. of all cannabis users reporting daily use, and 14 per cent. taking it several times a week."

The health implications, particularly for cancer, are alarming. It continued:

"With Ecstasy, LSD and amphetamines users, very few take these drugs daily, but 20 per cent. take them more than monthly."

That is an alarming statistic. The report continued:

"Of those who have tried cannabis, 1 in 10 develop some form of psychological dependence syndrome."

This is not some sort of safe drug. It continued:

"Significant numbers are reporting experience with more than one illegal drug".

It is not true that there is not some sort of a changeover between different kinds of drugs.

Mr. Flynn: Will the hon. Gentleman give way?

Mr. Spring: No, not at this stage—I shall give way later. Despite some of the sensible observations of the hon. Member for Southwark and Bermondsey, I thought that there was a bit of parliamentary snake oil activity on his part. We know that the Liberal Democrats effectively called for the decriminalisation of cannabis at their 1994 conference. They came out with this fudge—they did not know what to do, so they talked about a royal commission. It has now moved along because of the effect of the national strategy and it is now supposedly a more all-encompassing agency. It is a fudge, and all hon. Members recognise it for what it is.

I refer to criminality. The Department of Health task force review on services to drug misusers pointed out that the 1,110 drug misusers included in the national treatment outcome research study committed 70,000 crimes, costing victims £34 million, in the two years before they had treatment—that is five crimes per person per week. We have heard that something like 70 per cent. of youth crime is directly or indirectly linked to drugs.

Even if we put aside the health and moral issues surrounding drugs, we can see that their impact on society includes attacks on people and an upsurge in burglary. A free national helpline was set up and it received 192,755 calls in its first year—that underlines the concern of parents and others in the community about drugs.

My personal odyssey in learning about drugs misuse started in my constituency only a few months after I became a Member of Parliament. I was approached by the general practitioners in Newmarket who were concerned about drugs misuse, particularly that of amphetamines. They felt that the key elements of the local community were not working together effectively—they included the police, social services, the probation service, general practitioners and others. They felt that I, as a Member of Parliament, could play some sort of role.

I created a drugs task force in Newmarket. What has happened since the evolution of the drugs task force is interesting. We have sought to prevent drugs misuse in part by taking on three youth outreach workers who go into the town at night to talk to young people about any subject, including their problems. I have accompanied those outreach workers, who are an impressive group of people. They are extremely approachable.

To answer the point raised by the hon. Member for Newport, West, of course we cannot measure the effect in that small community of having those three youth outreach workers in terms of preventing people from taking drugs, but it certainly seems to be a sensible way of handling the problem. All the feedback that I have heard from the outreach workers suggests that young people with real problems find them approachable and can talk to them. As a result, some may have decided not to get involved in drugs.

Sadly, however, drugs misuse continues to grow. Despite some important and helpful moves in the Newmarket community, there has been a growing incidence of heroin addiction. A similar task force has been set up in the main town in my constituency, Bury St. Edmunds. How we can imaginatively address the interests of young people in trying to lead their lives without experimenting with drugs is a source of great concern. We have decided to have a drugs awareness week, including a drugs-free rave. Having written to the local branches of Tesco and Marks and Spencer, I would like to thank them for the money that they have donated to enable us to go ahead with our drugs awareness week. I hope and believe that it will be successful.

The two drugs task forces, assisted by the two district councils, jointly employ a substance misuse training officer who talks to parents, teachers, clubs and societies about the dangers of drugs, the warning signs and all the help that is increasingly available because of the strategy that my right hon. Friend unveiled last year.

I believe that the local community effort in my constituency is strong. Of course it is at the heart of our national strategy—working through local communities and adapting to their needs.

As my right hon. Friend the Leader of the House said, the 105th drug action team reported on 31 December and each plan of action has been adjusted to different circumstances. In my constituency, under the leadership of the Suffolk health authority and its chairman, Joanna Spicer, we now have a manager to examine drugs-related issues and the overall commitment for the county of Suffolk. He came from East Sussex Drugs Advisory Council in the constituency of my hon. Friend the Member for Lewes (Mr. Rathbone), which is a great role model for the rest of the country, and we are lucky to have him in place. He discovered that the three service agencies in the county were barely talking to each other.

[Mr. Spring]

There was no hostility, but because they were in different geographical locations, they were not co-operating effectively.

We are trying to make sure that services are co-ordinated and that joint functioning of the strategy works effectively right across the board, so that local arrangements reflect the national strategy. We certainly do not want a glorified national strategy that does not operate at grass-roots level.

What is happening in my area is clearly occurring across the country: existing groups are co-operating for the good of those who are affected by the drugs problem. I am pleased to see that the groups involved in the areas of drugs prevention, rehabilitation and enforcement in Suffolk are working together closely.

Mr. Flynn: Does advice include persuading young people not to drink the high-alcohol cordial products that are now available? How will the hon. Gentleman measure the success of those schemes?

Mr. Spring: The hon. Gentleman raises an interesting point which was drawn to my attention by the youth outreach workers to whom I referred. I accept that there is a link between alcohol and drugs misuse. I accept also that in many parts of the country alcohol abuse is probably a more significant problem than drug abuse. While not wishing to minimise the dangers of alcohol, I stress that today we are discussing the drugs issue and the horrific impact that drugs can have on people's lives.

If a constabulary decides to conduct an anti-drugs operation and carries out raids on houses or pubs, that may have an effect on the prescribed, legal drug supply. If the supply of illegal drugs dries up, those who were addicts or near addicts may go to national health service organisations to obtain drugs legally. By working with the police, those services will know about police activity in advance and thus be ready to deal with the consequences. That did not occur previously. The drugs strategy is important as it tries to persuade people to work together, under the aegis of drugs action teams, in the areas of prevention, rehabilitation and enforcement.

I stress another important aspect of the strategy and I refer again to my experience in Suffolk. I pay tribute to Robin and Lilias Sheepshanks who founded ADFAM (Suffolk) in 1987. They have worked extremely hard to build up that charity through their commitment to young people. They support drug addicts and their families, they offer drugs and bereavement counselling and provide training and education. Their task has been all the more difficult as they have sought funding largely through donations. I hope that organisations such as that will increasingly come under the umbrella of the overall drugs strategy.

We should never forget that drug users have families. Anguished parents do not know what to do: they often cannot accept that their children take drugs and they then suffer the guilt and the concern that follow that realisation. It is crucial to provide support for those families, and that is what is happening in Suffolk.

Drugs destroy lives. It is absurd to make a distinction, as some would, between so-called "soft" drugs and "hard" drugs. As I said before, powerful variants of cannabis have been produced that can cause hallucinations and lead to psychiatric disorders and suicide. Therefore, it is vital from a health point of view that we prevent young people from taking drugs in the first place. All the evidence—particularly from the United States—points to the fact that, although people may try hard to rehabilitate addicts, the success rate is not high. Therefore, prevention is at the heart of the matter.

I hope that more random testing will take place in the private sector. It is already becoming a feature of life in this country—it is certainly happening in the United States—that employers are unwilling to take people on if they are shown to be taking drugs. Nothing would be a greater incentive to young people leaving university to know that their future careers may be put in jeopardy if a test shows that they are involved in taking drugs. I hope that random testing increasingly becomes part and parcel of the private sector's way of doing things.

What has been set in place is absolutely crucial for the future stability of our society. Drugs have become a real cancer in our midst. We are genuinely seeking a strategy based on local community partnerships, on prevention, rehabilitation and enforcement, working together to find a way through.

I pay tribute to my hon. Friend the Under-Secretary—I know that he has a strong personal commitment to this, as I have heard him speak on the subject, and I know how much he is appreciated by professionals in the area of drugs misuse—for the clear commitment that he is giving to fighting the menace of drugs in our society.

It is good that we had almost a cross-party view on this subject and that we have been able to look at the problem dispassionately a year on. I hope that we shall be able to do this each year in future. I hope that, by all the means at our disposal, we will be able in a few years' time to say that the tide is turning demonstrably. Britain is setting an example that is unique in Europe. I believe that there is no other way forward than the route that we are taking to try to address this problem in our society.

12.56 pm

Mr. Edward Leigh (Gainsborough and Horncastle): I am pleased that the hon. Member for Newport, West (Mr. Flynn) spoke today. Much of his speech was interesting and provided useful grit and argument for our debate, as there is sometimes a danger in these debates that we all agree with each other. The hon. Member for Knowsley, North (Mr. Howarth), who spoke for the Opposition, said that he wanted to be consensual. There is a danger that we will drown in a warm bath of schemes, treacle, White Papers and so on and that we will congratulate ourselves, saying that we are doing terribly well. But outside, apparently, we are losing the battle. Last year the police seized a record amount of drugs—55.5 tonnes, including 1 tonne of heroin and 0.5 tonne of Ecstasy. I did not agree with everything that the hon. Gentleman said, but he was right to say what he did.

It is a pity that the hon. Member for Birmingham, Ladywood (Ms Short) could not be here—I am not making a political speech, as I rather admire her—as she courageously holds a point of view that many people share, in all political parties: the way to solve the problem is to legalise so-called "soft" drugs. Some of the arguments adduced by the hon. Member for Newport, West have been quite interesting in that regard, but I do

not agree with him. I listened carefully to what he said, and have read carefully what has been written in favour of legalising soft drugs, but I just do not think that the case for legalising soft drugs has been made. The Holland experience is extremely worrying. We have heard about the tendency towards more dangerous forms of cannabis. The effect that it has on other countries, particularly our own, is highly regrettable. Indeed, it underlines the need for strong border controls, and the danger of a single market, where we surrender our ability to keep out drugs from a country that has such a liberal and dangerous policy.

My hon. Friend the Member for Bury St. Edmunds (Mr. Spring) made the point that a major attraction of so-called soft drugs is their illegal nature. If one legalises them, one simply passes that attraction on to harder drugs and so it goes on.

Mr. Flynn *indicated dissent.*

Mr. Leigh: The hon. Gentleman shakes his head, but that point must at least be arguable. I am not sure that we can take the risk. I do not think that we should do so.

The analogy with alcohol and cigarettes is not entirely accurate. Alcohol abuse does kill, but one cannot equate spirits with the strongest drugs. The path into hard drug abuse is much more dangerous and, therefore, the hon. Members for Newport, West and for Ladywood and those like them, have not made a case for legalising soft drugs.

Mr. Flynn: I shall give another statistic that I did not give in my speech. In the most recent year for which we have figures, more people were killed by alcohol poisoning—drinking more than three quarters of a pint of whisky—than from taking heroin. The figures were 158 compared with 100. So, alcohol can be equated with such drugs as a poison.

Mr. Leigh: Of course. We all know that people abuse alcohol and kill themselves but virtually everyone in this country drinks alcohol and most people do not kill themselves by doing so. Indeed, the Government tell us that a small amount of alcohol is good for us—21 units a week. That is quite a large amount and I find it incredible, but that is the scientific advice.

I do not accept the arguments that the United States tried to prohibit alcohol in the 1920s and look what it did, that because we prohibit drugs we create a criminal culture, and that the way to solve the problem is to decriminalise drugs. That is an interesting point of view, but the case is not proven and it is too dangerous a path.

Despite all that, we are losing the battle. I represent Lincolnshire, which is not a particularly urban area. The Lincolnshire police tell me that 70 per cent. of children will have been offered drugs by the time that they leave school. I do not know about my hon. Friends and Opposition Members, but I was never offered drugs while I was at school and I do not remember my friends being offered them. I see my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) and the hon. Member for Knowsley, North shaking their heads—I do not think that they were offered drugs at school.

When my right hon. Friend the Leader of the House introduced the debate, he said that it was a matter for congratulation that 50 per cent. of children turned down the opportunity. If 50 per cent. turn it down, 50 per cent. are taking it and that should be deeply disturbing to us. We should be asking ourselves what on earth we are going to do. Indeed, is there anything that we can do? In Lincolnshire—a rural area—there were 425 arrests in 1991, but that had risen to nearly 1,200 last year. There was a matching rise for drug seizures—from 350 in 1991, to 1,400 last year. The problem is reaching out from the major towns to all the smaller towns and villages. What are we going to do about it?

I congratulate the Government on doing all that they can. I have no magic solution. The White Paper, "Tackling Drugs Together", is excellent. I see no alternative but to continue to make all drugs illegal, to apprehend dealers and convict them and to remind people that dealing in hard drugs can attract a maximum life sentence. We must continually increase that level of deterrence, which is what we are doing and what the Government announced in the White Paper, "Protecting the Public". There is now a minimum sentence of seven years for dealing in hard drugs.

Perhaps we should go further and make it clear that anyone convicted of dealing in hard drugs will automatically go to prison. I suspect that the courts ensure that most of them do, but deterrence has an effect. We have heard about the Drug Trafficking Act 1994, which ensures that dealers do not gain from their trade and that is all to the good, but how far are we prepared to go? Can deterrence solve the problem? Clearly it cannot.

Are we prepared to go as far as the Prime Minister of Singapore? It is a pity that he is not in on this debate. He could add a different perspective from that of the hon. Member for Ladywood. He believes that the way to solve the problem is to hang all dealers. Clearly, we are not prepared to do that—there is no way that we will go that far. Has hanging solved the problem in Singapore? I suspect that it may have gone some way to solving it, but it clearly has not dealt with it entirely; nor has it dealt with it in Malaysia or Thailand. I welcome what the Government are trying to do by way of deterrence. I have no better solution, but it will not work on its own.

We have heard a lot about education. We are doing a lot of it in Lincolnshire. There is grant for education support and training funding, which allows training to be given to teachers with responsibility for drug education projects. There is something called DIPSE, drug import primary school education. In Lincolnshire we are taking education into primary schools, so great is the problem. We are teaching children of nine and 10 about it. My children have had police come to their school to tell them about it. We are doing our best on education. None of it seem to make any difference.

Is there a solution? The hon. Member for Newport, West asked the unanswerable question. We are losing the battle. There have always been drugs in society, but why is our society so prone to them? Is our society breaking down? In 19th century China, drugs such as opium were prevalent. Society there was breaking down because of famine, war and invasion, but we do not suffer from those.

I want to take a different approach from that of other hon. Members. I do not think that we can congratulate ourselves and say that by producing a White Paper, increasing sentences or legalising drugs we will solve the problem. We need to ask what is wrong with society. Perhaps we live in a society where too much is available.

[Mr. Leigh]

We live in a supermarket society where all the best food, drink and travel are available to everyone. Every pleasure is available to everyone, especially to young people. They continually ask for more. We live in a me-only society. Writers such as Solzhenitsyn have correctly identified that as a modern disease of the west. He thinks that the west is decadent and, ultimately, self-destructive.

My message is obvious and simple but no one has mentioned it in this debate. No Government, whether Conservative or Labour, can ever solve the problem. Only society can regenerate itself. There is no point in middle-aged politicians lecturing young people about taking drugs. If we attempt to do so, we have the opposite effect to what we intend. They are not interested in us telling them that Ecstasy is dangerous. Part of the fun of it is to fight against us. I do not mean Conservative Members but all hon. Members, who represent the establishment to young people.

We will gradually solve the problem only by encouraging younger role models. In the United States, they have got to grips with the problem, not by having policemen or politicians go round schools, but only by using younger role models strumming their guitars trying to convince kids of the dangers of drugs. One of the most moving and impressive speeches that I have I heard in this building was not made in the Chamber but in the Speaker's quarters at a Christian group meeting a few months ago.

We were addressed by a young man who had gone through everything, including drugs and prison. He had become a Christian and a youth leader and he was trying to convince young people of the dangers of taking drugs. I shall always remember his final words. He was speaking to about 30 Members of Parliament and 30 peers, distinguished people in their own way. He said, "I am not a politician; I do not know anything about politics but I have been at the bottom of the heap, in the mire and the filth. I have been in prison, I have taken the drugs and when it comes to legalising drugs, I say just don't do it." That is my message to the House today.

1.8 pm

Mr. Tim Rathbone (Lewes): First, I apologise to the House, as I have apologised to Madam Speaker, to yourself, Mr. Deputy Speaker and to the Lord President of the Council for my late arrival. Unfortunately, I was unable to get here until 11.30 am and I beg your indulgence. I should also like to extend that apology to the Opposition spokesman, the hon. Member for Knowsley, North (Mr. Howarth), because I missed his speech as well as that of my right hon. Friend.

This is an appropriate time to have a debate on drugs because next Wednesday, 26 June, is United Nations international day against drug abuse and illicit trafficking. In common with other hon. Members, I therefore welcome the debate.

It is also good to hear again this morning the cross-party support for the Government's strategy "Tackling Drugs Together". That strategy sets out national plans for local implementation. I accent local implementation because no plan, programme or propaganda will be successful nationally unless it is in tune with local requirements, which vary between different parts of the country and between country and town.

I welcome in particular the greater emphasis in the strategy document and in the activities of the past year on reducing demand through increased prevention and better treatment. I congratulate the Lord President on his efforts over the years and on the way in which he has provided the catalyst within the Government for all the relevant Departments. I should also like to congratulate him on the work of his central drugs co-ordination unit. I congratulate Sue Street, who ran it so well until just a few months ago, when she went on to greater things—she is now trying to knock some sense and better administration into the nation's fire services. I should also like to include the Under-Secretary of State in my congratulations—he has made his own dramatic contribution.

I should like to comment favourably on and praise the Government for the greater attention paid to health education in schools. I shall return to that, because I believe that it needs some tweaking, but without that effort, we shall never overcome the dire straits in our schools, which were referred to so ably by my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh).

I congratulate the Government on the lead that they are giving and on the increased co-operation that they have offered in the international forums where drugs are discussed. I must draw the attention of my right hon. Friend the Leader of the House to comments that I made in a speech last night, when we were discussing the European Union. I believe that the policy of non-co-operation with the EU, when extended to embrace non-co-operation on such matters as the extension of the powers and abilities of Europol, is mistaken. Britain has given a marvellous lead to Europe, and through it to the rest of the world, in improving international police co-ordination, yet that has been subsumed by a momentary, albeit serious, difficulty concerning beef sales in Europe. We have therefore been unable to press forward with the plans that we have hitherto advocated.

All those programmes and plans will have no effect in our country unless we have better co-ordination of effort and co-operation at a local level. I should like to mention specific projects, in particular my local Sussex drug action teams, which grew from the first drug action team that was established in Brighton by the Home Office. That marvellous initiative has been so successful because it grew out of the work already done by the East Sussex Drugs Advisory Council. To answer the point already made by other hon. Members, I am glad to report that that council has widened its remit to embrace alcohol and has been renamed the Alcohol and Drugs Council for East Sussex. In that context, it is interesting to note that the Welsh strategy for tackling drugs also embraces alcohol. The Government should consider that when taking forward the prison strategy.

At local level in East Sussex and elsewhere, as has been illustrated by hon. Members, there is better co-operation between all agencies, including the police and voluntary organisations. Better information is being supplied through, for instance, in Sussex, the drugs advisory and information service. We have better confidential open lines to the police, through which people can feed information about drug peddling, trafficking, pushing and problems. That is being encouraged by the local press—*The Argus* in Sussex has done a marvellous job in that regard—and by local commercial activities. I commend Iceland frozen food shops for their work to encourage activities in schools.

I received an interesting letter only yesterday morning from Rosalind Turner, a young lady who has worked in the East Sussex Drugs Advisory Council. She won a Winston Churchill fellowship to study drug education and prevention in Australia. She drew many helpful conclusions from her study and pointed out that the main difference in the approach in schools between the United Kingdom and Australia is that, in Australia, the subject is compulsory in the curriculum as health education; it is not part just of biology. It is only by giving the subject a higher priority in our curriculum that we shall remove ignorance, which causes the problem. We should not lecture young people, but we should better inform them so that they are better able to meet the temptations that come their way.

The London Drug Policy Forum is an initiative of the City of London and has been going for years. It is led by Mr. Peter Rigby, who has done a magnificent job, not only in co-ordinating all the diverse activities of Greater London boroughs, but in leading for Great Britain in the international efforts, under the title "Cities Against Drugs". We should be grateful to him and to the Corporation of London for what they have done, which is not well known outside the City, but should be better known. I lift my hat in his direction.

Mr. Newton: In my speech, I did not attempt to list all the people who deserve much credit in this sector, but I wish to endorse my hon. Friend's remarks about Peter Rigby and his work on behalf of the Corporation of London.

Mr. Rathbone: I am grateful. I shall make certain that Peter Rigby is aware of that endorsement.

I should like to take advantage of the debate to comment on the way in which the "Tackling Drugs Together" strategy operates. Inevitably, my comments are critical, but I hope that they are positive. On the amount of resources that are being made available, in 1993-94, approximately £350 million was spent on enforcement and control, compared with only £61 million on treatment services in the same period. If we are to reduce the pool of drug misusers and so reduce demand for drugs, we must increase the amount of money available for better treatment.

My second point, linked to the first, has often been made by myself and others. I hope that my right hon. and hon. Friends on the Treasury Bench will approach the Treasury once again to persuade it to change its policy on the application of the funds seized from drug dealers under the new rules, and use those funds directly to help the nation's efforts to tackle the problems of drug misuse.

When seizures come about as a result of intelligence or other activities carried out by other nations abroad, those nations almost always impose a requirement that those moneys be applied to the problems of drug misuse. Absurdly, when those seizures come about in this country as a result of our own efforts, the Treasury gets its hands on those moneys and they go into the pool of general taxation, and the activities of improving the tackling of drug misuse do not benefit.

Thirdly, I ask, as was asked earlier: how do we better measure the effectiveness of everything that is going on? The effectiveness of the drug treatment programme has been reviewed in the past 18 months by the Department of Health task force, but I know of no plans for similar reviews of the outcomes stemming from education, prevention, enforcement and control. There is one exception: there will be measurements of the effectiveness of compulsory drug testing in prisons, which is an important but minor segment of overall activity.

There are still long treatment waiting lists for drug services. The Department of Health task force reports waiting lists of up to eight weeks, but there is anxiety locally that those waiting times are increasing. I hope that more funds can be made available and more activities put in hand to meet that requirement. Currently, local and health authorities are obliged to ration access to rehabilitation and treatment programmes to a worrying extent.

The Government should devote attention to establishing drug courts, as has been said in this and previous debates. Such courts are enormously successful in the United States. The movement is led by judges themselves. It developed from frustration with the costly and overcrowded prison system and its inability to treat people who entered it for drug misuse. Although not all judges like the drug courts, especially because it has changed the relationship between the judge, the court and the miscreant, so that the judge's role is one of an active participant, it is noticeable that, not only do they reduce the amount of recidivism among the people brought before them, but

"For every $1 spent on the Drug Court, $7 is saved in the criminal justice system."

That is not only a social benefit, but a budgetary one.

I hope that my right hon. and hon. Friends on the Front Bench will bring pressure on the Home Office to institute trials of such courts, which could so easily be included in our magisterial and court system.

Greater emphasis is being placed on the subject in our current health education programmes in schools, but it is not being given high enough priority within the curriculum. Even if the Government decided to give it higher priority, I doubt whether it could be accommodated under the present allocation to the function, which currently works out at about £250 per school. If we are serious about getting to grips with the drugs problem—which starts and sometimes, thank goodness, finishes among young people—we must devote greater funds to dealing with it. As part of that activity, we can do more to promote sports as a drug abuse prevention tool. Sport is important for girls and boys at school: it burns their energy, attracts their enthusiasm, takes up their time and builds team effort. All those factors are important additions to the Government's activities in tackling drug abuse.

As considerable attention has been given to the subject of legalisation—particularly by the hon. Member for Newport, West (Mr. Flynn), but also by the hon. Member for Southwark and Bermondsey (Mr. Hughes) and some of my hon. Friends—I should mention it. There is, in many corners, a desire to debate the arguments for and against the legalisation of illicit drugs as part and parcel of the international response to the growing health and social problems of drug misuse, illicit trafficking and, particularly, the crime associated with it.

All European Governments, including Holland, and most Governments throughout the world, continue to value prohibition as a cornerstone of their efforts in

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tackling drug misuse. The deterrent effect of prohibition should not be underestimated. The hon. Member for Newport, West mentioned the Netherlands and the laxer rather than sterner attitude adopted there. The Amsterdam authorities have become increasingly worried about the ready availability of cannabis in their city. They are putting far stricter rules on the coffee houses through which drugs can be obtained and they are tremendously concerned about how their laxer rules on cannabis have turned Amsterdam into a drug centre for the whole of Europe. It has become a place where people go to get not only cannabis, but the far harder, more serious drugs. Those drugs can be contained with treatment among Dutch people in the Netherlands, but visitors from countries such as Great Britain, Germany, France and Belgium return to their countries and carry on their habit. That is extremely worrying to everyone, including the Netherlands Government.

It is felt that legalisation would lead to increased drug misuse, therefore increasing the mental and physical suffering that accompanies it, just as it accompanies the misuse of tobacco and alcohol. I agree with, and endorse, that view. It is felt that the crime and social problems associated with misuse and trafficking will not be eradicated by legalisation, merely legitimised—I endorse that. It is felt that any possible improvements to be gained from legalisation are, at best, ambiguous and that its implementation, in the light of its virtual irreversibility, cannot be justified. I endorse that position and urge the Government to adhere to it.

Government action, political leadership, international co-operation—particularly in relation to criminal intelligence gathering and law enforcement—and improved methods of health education and treatment, are the most positive ways to tackle and overcome the awful problem of drug misuse. I urge the Government to strengthen their endeavours and to bend even greater energies to the problem in the future than they have before—particularly recently. I endorse what they are doing. But unless we do more, more quickly, we shall not solve the problem for future generations, or for this country or the world.

1.29 pm

Mr. Simon Coombs (Swindon): I commend the work done by my right hon. Friend the Leader of the House and I pay tribute to my right hon. Friend the Prime Minister whose initiative it was. It has been followed through splendidly by my right hon. Friend the Leader of the House.

Much progress has been made, but the fact that there is no reason for any of us to be in the least complacent has emerged clearly in the debate. When we discuss the problem of drugs in this country, we are dealing with a minority, as is so often the case when the House debates social and other problems. After all, it is only a minority of people who seek to exploit other human beings by pushing, trafficking and dealing in drugs. It is still, thank heavens, only a minority of our fellow citizens who use drugs. However, minorities can cause great damage and harm, not only to themselves, but to the body politic. A great deal of time and money is taken up in trying to deal with this appalling problem.

It is clear that the Government are serious about tackling the problem of drugs. In that context, I very much welcome what has been said today by my right hon. Friend the Leader of the House and by other Conservative Members about their refusal to contemplate for a moment the possibility of legalisation. I also welcome the remarks by the Opposition Front-Bench spokesman, the hon. Member for Knowsley, North (Mr. Howarth), who said that it was also the Opposition's policy to say a clear and resounding no to any question of legalisation.

The hon. Member for Newport, West (Mr. Flynn), who is not here at the moment, talked about the medicinal uses of cannabis. I point out to him that 30 years or so ago, it was a known fact that one of the highest levels of heroin addiction was found among GPs—people who thought that they knew what they were doing and that they could handle a dangerous drug such as heroin, but who found themselves addicted. There is always a siren voice saying, "Yes, we can cope with drugs." In the end, it is nearly always the drugs that master us and not the other way round.

The two main strands in the debate have been the availability of drugs and education, and I shall say a brief word on each. I seek an assurance from the Home Office, which has a role in the matter, that it sends out a strong enough signal at airports and sea ports warning against smuggling drugs into this country. On the last three occasions on which I have returned to this country from abroad by aeroplane to Heathrow, I have walked through the green channel—innocently and rightly, I assure the House—and nobody has been on duty even to give me the look in the eye that is designed to catch out the person who has something to hide. Do we recognise the value of that element of deterrence in persuading rather stupid people not to act as couriers for those who lie behind drug trafficking?

It is absolutely right that the Government have had no truck with the Schengen agreement, which has opened up the borders of a number of our fellow nations in the European Union. I had a lengthy discussion with a Dutch Member of the European Parliament a few weeks ago about the different attitude taken by some of those countries. She said, "We do not bother with border controls. If we have any reason to think that somebody may be about to misbehave, we can always stop them on the ring road at Antwerp." That was said in the context of terrorism rather than drugs, but the same point applies. We do not do it like that. No one would thank the House for suggesting that we should stop people on the M25 because we suspected them of being terrorists or drug smugglers. We stop them at the border. My question is whether the determination that we have shown in resisting Schengen is reflected by the determination with which we physically police our borders at airports and sea ports.

Much has been said already today about reducing the demand for drugs, but the avenues of approach to drug taking are still in place, especially for young people and children. Alcohol is still available and cigarettes are still all too easily available, as are solvents and glue. We all know that those are the avenues of approach to more dangerous drugs as children get older. I do not belong to that group of people who believe in an inevitable link between soft and hard drugs, but it is likely that those who live in a culture in which one form or another of abuse is common will be the targets for those who seek to push the hard drugs from which the real money is to

be made. The only way to prevent dangerous hard drugs from being freely in use in this country is to reduce steadily and inevitably the availability of those other substances that may create the urge to experiment or to raise the level of enjoyment that some people find in drugs.

We all know that children may start on cigarettes or alcohol as form of protest—their parents warn them but they do it anyway—or as a means of conformity, because everybody else in their peer group does it and they feel left out if they do not join in. We are dealing with those two aspects of human nature—the desire to rebel or to conform—and most of us, most of the time, will do one or the other. Human nature is such that we will never remove the possibility of drug taking at some level in our society.

We have a serious drugs problem in 1996, not because human nature has changed dramatically or because society has broken down or because more people are unemployed and have nothing to do, but because there are more, easily available, drugs in this country. As long as that remains the case, we will have a drugs problem. Education is fine as far as it goes and I am not suggesting that we should discontinue what we are doing, but only when we can suppress the availability of drugs, of all kinds, to minimum levels will we crack the problem. The original temptation took place in the garden of Eden. It happened to be only an apple, but we all know the consequences. As long as human nature remains the same, and I think it will, temptation will lead people into trouble.

I shall say a quick word about my constituency. In Swindon we have an excellent branch of Parents against Drugs, which brings the real problems that the community still has with drugs to the attention of law enforcement organisations, people such as myself and the local council. I pay tribute to the local organisation Druglink, and its leader Andy Malinowski, for the work that it does with limited resources, much of which it has to find through its own hard work when it could be concentrating on the job for which it was originally set up. I hope that the lottery will produce more resources for small organisations and charities such as Druglink, which do excellent work.

Parents in my constituency draw to my attention the fact that drug pushers are still active at school gates, in shopping centres and in nightclubs in Swindon. The local police do their best and I pay tribute to the work that they do, but they are hamstrung by the need to get evidence to obtain convictions. It is not easy for them or for the courts—and the problem continues.

I support the plea of my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) to anyone who might be listening: never consider the possibility of legalisation. I have never taken the kinds of drugs that have been the topic of the debate. I saw the film "Trainspotting" a few weeks ago—if hon. Members have not seen it, they should force themselves to have a look. Some people have suggested that it glorifies drug taking; it does nothing of the sort—it shows very clearly how life can be destroyed, not just literally but in terms of any quality of life, by taking drugs.

I could go on to say something about alcohol and tobacco—the hon. Member for Newport, West led us in that direction. I believe that alcohol is damaging to people, to families and to communities. I regard it as the basis of much crime and of much anti-social behaviour. We should be tougher on people drinking in public places. The fact that football hooligans drink in pubs on their way to matches continues to depress us, as the evidence at a court hearing yesterday clearly demonstrated.

Smoking is a form of anti-social behaviour. It generates selfishness and litter in public places. Even with the "Health of the Nation" targets, which we are making good progress towards, it remains a serious problem. I could have said a great deal more about those two issues, but I wish to give my hon. Friends an opportunity to participate in the debate.

In summary, we still have a great deal to do to crack the problem of drugs. We are heading in the right direction. With commitment on all sides—which has been evidenced in the debate—we may, in time, create a situation in this country where drugs are so difficult to get hold of that the problem is reduced.

1.40 pm

Mr. Robert G. Hughes (Harrow, West): I apologise to hon. Members for not being present in the House for the whole of the debate, and I will have to leave shortly after my speech to go to my constituency—I believe that that is the nature of Friday debates. I praise the speech of the hon. Member for Knowsley, North (Mr. Howarth). He made an extremely able speech from the Labour party Front Bench, which was particularly difficult because only one Back-Bench Member is behind him, and he does not necessarily agree with what he said. I thought that he made a sensible analysis.

The way in which the Government and Labour Front Bench speeches meshed together does not mean that we are using empty words, because this is a problem that we cannot cope with. I think that it indicates a sensible analysis and close examination of the problem. The hon. Member for Knowsley, North spoke about his experiences as a Front-Bench spokesman visiting prisons. The problems experienced in his constituency are mirrored in mine—even though it is a different type of constituency. People who are listening to the debate should not think that the Front Benches are agreeing because there is nothing else that they can do—they are agreeing because that is where their analysis brings them to.

Much has been said about the hon. Member for Birmingham, Ladywood (Ms Short). I do not criticise her view—she is entitled to it—although I fundamentally disagree with it. I think that she is wrong when she suggests that everyone would take her view if they had the guts to say so. The hon. Member for Newport, West (Mr. Flynn) shares her view, and he is entitled to. However, the majority of hon. Members do not share that view: not because we do not have the guts, but because we just take a different view—there is more than one point of view in the debate.

Drugs create a problem for the whole of society. They pose a potential nightmare for every parent: how do they know whether drugs are being offered to their children? How do they know in what circumstances that might happen? How do they know how their child might respond?

One of the central questions today has involved the complex issue of legalisation or decriminalisation. If we strip away all the emotion, it comes down to one question: will it help or will it hinder? To put it another way, would

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it reduce or exacerbate the problems? My firmly held view is that decriminalising or legalising drugs would be dangerous and irresponsible. It would encourage young people to believe that cannabis was okay. It would be an open door that could be pushed further.

Of course I understand that young people will not listen to lectures from people in suits. They will not listen to Members of Parliament. They think that we are out of date and out of touch, and from their point of view we are. However, that does not mean that they are deaf to everything that we say. Anyone with children knows that they want to know where the limits are. They want to know what is acceptable and then to push the boundary further. If we set the boundary a good deal further than it is at present, they will want to push it and then we will have opened a dangerous door indeed.

Frankly, legalisation or decriminalisation would be a fillip to the scum who profit from the sale of drugs to young people as it would be seen as an encouragement to their evil trade.

Mr. Flynn: Will the hon. Gentleman please look at the facts? In Holland, the evil people who deal in drugs on the black market, the totally irresponsible criminals, have been put out of business and have been replaced by regulated business men who can be controlled properly.

Mr. Hughes: If the hon. Gentleman thinks that the Dutch Government and campaigners are satisfied that legalisation has solved the drugs problem in Holland, he should think again. Perhaps he should look at the facts. Everybody understands what has happened in Holland. Of course one could claim that, in a narrow sense, it has solved the problem, but if the hon. Gentleman thinks that it has discouraged young people from taking drugs, he is wrong. I disagree fundamentally with him. It is a misguided view that drug legalisation will help solve the drugs problem. It certainly has not achieved that in Holland.

In respect of health risks and crime, any relaxation of the drugs laws would be a disaster. If drugs were legalised or decriminalised, the inevitable result would be an increase in the number of drug addicts. Children and young people would be most at risk. Sir Paul Condon, who takes a serious view of what is happening in the metropolis, said:

"This is not simply a moral issue . . . It is also about the kind of society we want for our children. I do not want one where it is acceptable to be 'stoned' on drugs or where we pop into the cannabis shop to get the evening's supply."

He knows what he is talking about and the House should listen to him.

The Government are to be congratulated on the realistic, practical and flexible way in which they are tackling the problem. It is characteristic of the careful and thoughtful approach that we expect from my right hon. Friend the Leader of the House to such sensitive issues, as he has shown throughout Government and on the various issues that he has addressed.

I want to say a few words about enforcement. A prison sentence served by a drug trafficker no longer wipes out the debt. That is important. People should know that just because they go to prison, they will not keep the ill-gotten gains of their trade. It is now an offence to fail to report knowledge or suspicion of drug money laundering or knowingly to possess, use or acquire the proceeds of drugs trafficking. People should know that if they are associated in any way with that trade, they will be caught and punished.

Most persistent dealers in hard drugs are sent to prison, but the average sentence for a third offence is only four and half years and they are automatically released after serving only two and two thirds years. The Government White Paper "Protecting the Public" proposed the introduction of a stiff minimum mandatory sentence of seven years for those who are convicted of drug trafficking offences on three separate occasions. I hope that the measure will enjoy cross-party support when it comes to the Floor of the House as that would be in keeping with the spirit of the debate and of the remarks of the hon. Member for Knowsley, North.

The debate today has concentrated on drugs education. That is an important area. We know that drugs kill and that much work is being done in schools, with both local and central Government encouragement. The fact that drugs pose a fatal health risk—including the risk of contracting AIDS—must be brought home to all young people. Abstinence from drug taking is the only risk-free option.

Some people will continue to take drugs, regardless of the risk. Information and facilities—such as the provision of drinking water at rave parties—should be available for such people in order to reduce the risks and save lives. The Government are assisting the families of drug addicts by providing advice, counselling and support. Obviously, drug users must ultimately be weaned off drugs and the Department of Health task force must examine the effectiveness of drug treatment services.

Like all hon. Members, I believe that drugs are a menace to society and that the fight against them must be pursued rigorously on a cross-party basis. Effective action on drugs means reducing the supply of drugs, the demand for drugs and the health risks of drugs. We must form a united front and say that legalising drugs means legitimising drugs, with disastrous results and more drug abuse. I am very pleased that that approach has been soundly rejected today by hon. Members on both sides of the House.

1.52 pm

Lady Olga Maitland (Sutton and Cheam): May I be the last in a long list of hon. Members to add my congratulations to my right hon. Friend the Leader of the House on introducing the campaign against drugs. He has pursued his task with a verve and a dedication that amounts to what I can only describe as a moral crusade. I think that that is why the campaign has been so successful. Due to his actions, the Government strategy invests about £500 million per year in combating the drugs problem. That is undoubtedly having an effect nationwide and it has achieved considerable success in Sutton and Cheam.

Mr. Flynn *rose—*

Lady Olga Maitland: I shall not give way as time is short. A young man came into my surgery the other day. He was 25 and high on heroin and he told a tale of woe

and tragedy. He was abused as a child and his parents were separated. He turned to crime and became the victim of blackmail. In short, the life of this articulate and essentially bright young man had been wrecked very early on.

It is interesting to consider why some young people are so vulnerable to drug abuse. I have my own views on that subject: I believe that, on the whole, those from stable families are less vulnerable to drug taking. However, I refer hon. Members to a report compiled by the University of Leicester, entitled "Drugs and Crime: A Study Amongst Young People In Leicester". The report found that young people from stable, two-parent households were less likely to take drugs, while those from households with a single female parent or with a mother and step-father or boyfriend were at the highest risk. As adults, we have a responsibility to young people. Unfortunately, the selfishness in society is wreaking havoc on the life chances of the young.

Drugs affect the life chances of the young in so many ways. I wish that we could put more effort into warning the young of the health dangers of taking drugs. I know that a campaign is being put out by the Department of Health on this, but how many young people realise that cannabis can cause cancer of the mouth and throat, that it can destroy their attention, and that it affects their memory? More than that, a young mother can affect her unborn child to a terrifying extent. Her baby could be born with defects. It could have an increased risk of leukaemia. We really must get the message across clearly not just that cigarette smoking can harm an unborn child but that taking drugs could as well.

We have covered a wide range of different topics on drugs. I shall devote just a few moments to the problems of solvent abuse. I know that my hon. Friend the Minister hinted to the Health Select Committee only yesterday that he hoped to be able to publish some good news about how the mortality rate for solvent abuse will go down, or is going down. Not a moment too soon are we making progress, but I urge him, however good the figures, not to rest there. Let us keep up a determined effort to combat solvent abuse.

I introduced a ten-minute Bill on solvent abuse a while ago and I continue to monitor progress in that field. One of the most terrifying things about solvents is that a young person can take one sniff and they are out. Out of this world—dead. It is a cruel, harsh way to go, and it is done through sheer ignorance. What is so tragic is that the figures show—I hope that they are going down—that two children die every week from solvent abuse. Even more damage themselves. The reason why they are so vulnerable is that solvents are so cheap. They are available. They are in every household.

Mr. Flynn: And they are legal.

Lady Olga Maitland: They are indeed legal, which is a great problem.

The trouble is that, in every household, one could find as many as 30 different products that contain solvents, which could harm people if used in the wrong way. It is not just an inner-city problem. Solvent abuse can happen in the leafiest, nicest suburb in this country, as indeed it does in my constituency. In Sutton, we have a remarkable drug advisory programme called the youth awareness programme, which has already been mentioned today. The director of that programme is a dynamic man called Stephen Baird. I pay public tribute to his efforts, because as a result of his work we are making real inroads into drug abuse in Sutton, particularly into solvent abuse. It was through him that I met some young people who had been taking solvents. What is so frightening is the ease with which they take them and the fact that they do it unnoticed. Many of them told me that, as a result of experimenting with solvents—it could be just sniffing a Tipp-Ex pen—they go on to other drugs, including cannabis. The story can get infinitely worse.

Some people say, "Nonsense. Many people just stop at that level." But if one person goes on to take another drug, that is one person too many. There are a couple of areas to which I hope the Minister will pay careful attention in terms of solvent abuse. Although I congratulate British aerosol manufacturers on taking a lead in issuing guidelines about solvents, I hope that the Government might consider making those guidelines statutory. That has always been on hold and we have not progressed it.

The industry must be encouraged to use non-solvent-based products. Why not give grants for research into substitutes? Above all, retailers must be educated about solvent-based products. It has been discovered that 43 per cent. of shopkeepers do not know which products can put young people at risk. Retailers must be taught how to question a child and to refuse to sell products to children who turn up at the counter with a dozen aerosol cans or a big supply of plastic bags.

We should make solvents tough to obtain if they can be used for illicit purposes. I hope that we can also ban all sales of butane gas lighter refills to those aged under 16. I realise that that puts a heavy onus on shopkeepers, but banning sales of certain products to those under 16 is not new. My private Member's Bill—the Offensive Weapons Bill—to ban the sale of knives to children under the age of 16 is passing through the House. Such a ban is perfectly possible.

I realise that time is running short, Mr. Deputy Speaker, and I must congratulate the Government on their endeavours to bring drug education to schools, which is important. Teachers have been unable to cope with drug education for the good reason that they are not on drugs and they are not familiar with that field. The training programmes are helpful. Teachers in schools in my constituency say they need still more support, however, and I hope that the Government will take that into account.

The youth awareness programme has gone to all the schools in Sutton and has been very effective. The programme is working and young people are responding. The feedback shows that young people are showing much greater awareness and knowledge of drugs at a very young age—at seven, eight and nine years old. They get that understanding from older brothers and sisters, relatives or the world outside. The programme is important.

Finally, I pay tribute to the work being done in prisons. There are two prisons on the edge of my constituency—Downview and High Down. Downview deserves all the plaudits. I pay a special tribute to the prison governor, David Lancaster, who is the man who pushed the drug rehabilitation to continue. He began by allowing the Addictive Diseases Trust to set up a small unit. It began with one corridor becoming drug free, then one wing and

[Lady Olga Maitland]

now almost the whole prison is drug free. He finds that mandatory testing for drugs has produced excellent results. Only 6 per cent. of prisoners now fail a drugs test, whereas the national average is 37 or 38 per cent.

The experiences and lessons of Downview are undoubtedly to be followed elsewhere. I very much hope that more effort and resources will be put into prisons. I hope that we will realise that for every £1, £100 or £1,000 put into rehabilitation for prisoners, one less person is liable to reoffend on coming out of gaol.

This has been an important debate and it has focused on young people. I want to add my voice to the chorus telling the young, "Don't do it. Turn your face away from the temptation or you will wreck your lives."

2.3 pm

Mr. John McFall (Dumbarton): I am delighted to be here to give the Scottish perspective on the drugs problem. I recall the phrase, "If you remember the 1960s, you weren't there." I do remember the 1960s, which shows my conformity or lack of adventure. That phrase shows that drugs have been with us for quite a time.

Drugs know no borders. Two short years ago, I was in the Huagua valley in Peru watching people collect drugs and I realised that the drugs would end up on the streets of Edinburgh, Birmingham and London. There is an international perspective. I welcome the coalescence of the views of Government and Opposition on the problem.

In Scotland, the number of drugs crimes has increased since the Government came to power from 1,000 to 20,000—an increase of 1,500 per cent. The Government have engaged in discussions with the Opposition parties in Scotland to bring into life the Scotland Against Drugs campaign, which I shall mention later. The scale of the problem in Scotland, as in England and Wales, is a cause for the utmost concern.

A recent World Health Organisation study in Glasgow, which was jointly funded by the Medical Research Council, showed that Glasgow, not untypically for our major cities, has an estimated 10,000 injecting drug users. A study by the Greater Glasgow health board estimated that some 12,000 Glasgow patients are considered by their GPs to be misusing drugs. Scottish society views the problem of drug misuse not as a free-standing issue but as a continuing, socially destructive problem that cuts across the social and economic spectrum in Scotland. That is the reason for the coalescence of views.

A good example was the Licensing (Amendment) (Scotland) Bill, which came before the House a few months ago. It was designed to deal with raves in Scotland. It received its Second Reading in Glasgow in the Scottish Grand Committee on Monday 18 December. That was a poignant occasion, because on the previous Tuesday in Strathclyde, the 100th drug fatality had taken place: a young boy of 21 called Mark Hutcheson, who lived in Old Kilpatrick on the border of my constituency. He did not die at a rave but at home in his brother's arms, trying to rid himself of the craving for temazepam and Ecstasy. Another death, another family and community left devastated.

Drugs deflower our youth. The raves Bill was prompted by the three deaths at the Hangar 13 nightclub in Ayr. The Grand Committee took evidence from people in Glasgow, Inverness and Ayr. The professionals and people on the ground had conflicting views. There was no one, simple message. That is a lesson for politicians. The "Just say no" campaign is no good in itself because the problem is multifaceted. I remember the Department of Health's "Heroin screws you up" campaign of 10 years ago. That was launched on a wave of hopeful publicity only for retreat in disarray to follow when research revealed that the central figure—a cartoon character who starts off wholesome, affluent and confident only to sink into the trough of hopeless drug addiction despite his repeated claims that he can handle it—had the unintentional effect of turning young people on.

We have learnt in those 10 years. The raves Bill recommended chill-out areas in nightclubs, not because we condone drugs but because of the reality. In recommending them, we realised that there is a fine line between encouraging drugs and encouraging people not to take them. Given the scale of the problem, the risk is worth taking.

I also commend the Government on the co-operation they extended during our consideration of the raves Bill. It is a three-clause Bill, but having taken evidence, we realised that clause 1, the main clause, was defective. The Minister of State, myself and others reconsidered the Bill and tabled a new clause so that the Bill can help local authorities to deal with the problem. That Bill is an example of the parties working in tandem in the hope of formulating something worth while.

The Scotland Against Drugs campaign has eschewed the just say no philosophy. It is important to note that it involves no preaching or moral crusade. Young people see their friends taking Ecstasy and they think that it is safe, but it is not. We must get across its unpredictability.

Research has been conducted by the John Hopkins university in America on the effects of Ecstasy on rats and monkeys. It found that the neurons in the brain that produce the chemical serotonin, which helps to regulate mood, appetite, sleep and other functions, are affected by Ecstasy. It provides indirect evidence to suggest that one Ecstasy tablet damages the brain cells that produce that chemical. The key question for the researchers was whether the brain recovers from the effects of the Ecstasy tablet and they found that that of monkeys and rats did not recover.

It is clear that a young person can take one Ecstasy tablet, just like Leah Betts, and find, sadly, that it is one tablet too much. Our campaign is focusing on that unpredictability. We recognise young people's life style and we do not want to spoil it, but do they realise the implications of taking Ecstasy? The good research undertaken on cigarettes has meant that the health education message has got across, which has had a good effect on the country. The drugs campaign could have the same effect.

Mr. Flynn: I am sorry to interrupt my hon. Friend, but we are sending out a dangerously false message. I, too, quoted the research that has been conducted on the effects of Ecstasy on neurons of the brain. It is wrong to say that Leah Betts died from Ecstasy. If she had taken Ecstasy on its own she would have been okay; if she had taken water on its own she would have been okay. It was the combination of the two that killed her. We are giving out the wrong message if we say to young people that they

can take water as an antidote to Ecstasy. If they drink more than one pint of water an hour, combined with Ecstasy, it is a fatal dose.

Mr. McFall: I realise that Leah Betts drank too much water, but that proves the unpredictability of Ecstasy and the need for us to deal with the reality. My hon. Friend's comments may have intellectual, academic, lecture room validity, but they are shattered on the streets and in today's environment. In this debate we are trying to deal with the reality.

My hon. Friend also spoke about the Dutch policy on soft drugs. I take as my bible the 1994 Scottish Select Committee report, which I commend, on soft drugs and the Dutch policy. Members of that Committee visited Amsterdam and other cities, and they concluded:

"We are totally opposed to any experimentation with the Dutch approach to cannabis in Scotland. No large scale study of cannabis use has been carried out in the Netherlands and it is not therefore possible to draw any conclusions as to whether separating the supply of soft drugs from that of hard drugs . . . has had any effect on either cannabis use or on the decline in recruitment to heroin use. The successes which are claimed for the Dutch experiment could equally be accounted for by the success of education programmes and changes in youth fashions. At a time when Scotland faces a massive drug problem we believe that any move to decriminalise cannabis would send the wrong signal to young people."

That is the message that we wish to send out from our debate. That is why the Scotland Against Drugs campaign involves many people, including those in the media. The *Evening Times* of Glasgow has launched a campaign on which I congratulate it. We now have our own badge and logo. The campaign also involves sports personalities and young people to whom young people can relate. They do not relate to grey-haired, middle-aged politicians going around Scotland lecturing them. I have four children and trying to do that with them would fail. If it would fail for me and my kids, it would fail for the rest of society, so we engage people with whom young people can communicate and who are role models. The campaign has undertaken that.

Scottish Television hopes to undertake an initiative in November. It is electronically linking every secondary school in Scotland, engaging each school in a debate, putting questions and receiving instant answers electronically, so that young people have the opportunity to tell the rest of society what the position is and to debate among themselves.

The Scotland Against Drugs campaign is a broad spectrum, ranging from people who advocate harm reduction to those who advocate elimination. That is a fraught position; in the past, drugs campaigners have been split. That is where the weakness has been, so the campaign aims to keep them together.

Mr. David Bryce is a member of the Secretary of State's campaign committee—I recommended him personally. He is in charge of the Calton Athletic recovery group. I agree with the comments on the film "Trainspotting". Far from glamorising drugs, it shows what deprivation and paucity there is for people involved in drugs. The end of the film states that Calton Athletic will receive some of the film's profits.

David Bryce and his colleagues go about the country spreading their message. They aim

"to deglamorise something that does have an attraction for young people. The campaigners' street credibility is high because they themselves are former users. Their workshop presentation has a catchy title—Cannabis to Chaos."

It is important for us to remember that title. There is a linear progression. David Bryce said:

"You have to admit that there is a fun element, but it doesn't last long. We explain about how the body builds up tolerances. We explain the effects on the family. We give them something to think about—about how others around them are getting hurt. By the time we finish they know about the real life of the user, the damage to their family, theft, prison, the police, HIV and hepatitis C."

That message is being spread today on Glasgow's streets. The Labour Front-Bench team and, I am sure, the Government endorse it.

On Monday, I introduced an Adjournment debate on suicides in Cornton Vale prison. Report after report has clearly shown the link between the incidence of drug taking and unemployment and deprivation. In our drug policies, we should have a twin-track approach. We should have the all-party approach on harm reduction and recognise the social dimension.

The debate was about Angela Bollan, a young girl aged 19, who was drug dependent. She ended up on remand in Cornton Vale prison for women in Scotland. She wrote to her parents the day before, seemingly bubbly, saying that she would like to see them in a few days' time. Sadly, she did not make it.

At her funeral in Alexandria, the Rev. Ian Millar gave a commentary on her and young children. He said:

"many hundreds of good and decent children are thrown on to the scrapheap of unemployment. The future to them seems devoid of any worth and meaning. Is it any wonder that many seek alternatives which might lift the gloom even if only for a moment.

I see a metamorphosis before my eyes. That catastrophic change which occurs when the bright and smiling youngsters of the primary school realise that their hopes and dreams of early years cannot be fulfilled. Despite the positive efforts of the school to promote their self-esteem, cynicism enters their soul and they give up on the system."

We do not wish that cynicism to enter young people's souls any more. That is why the Opposition are delighted to share with the Government in this debate and to put that message across. The main message is that we cannot do it alone. We will do it only together as a society. That is the message from the House of Commons today.

2.18 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Bowis): In the spirit of the last remark by the hon. Member for Dumbarton (Mr. McFall), I thank everyone who has taken part in the debate, whatever their views.

The debate notes the first anniversary of "Tackling Drugs Together". Tributes were rightly paid to the Prime Minister, who launched it, and to my right hon. Friend the Leader of the House, who drove it through and knocked heads together when necessary, who has ensured that we have 105 drug action teams throughout the country, with programmes of action, and who is ensuring that we go on into the second and third year—indeed the 10th year and beyond. Tributes were rightly paid to my hon. Friend the Member for Lewes (Mr. Rathbone), with his all-party group and the work that it does. I join in both those tributes.

I acknowledge the speeches of both Opposition spokesmen. Throughout the House, we acknowledge the work that has been done by the many agencies. I wish to highlight the tremendous work of the voluntary sector.

[Mr. John Bowis]

We are all united in our determination to help young people, in particular, to avoid getting hooked on drugs, to say no—which is the message that we give them—to understand why they must say no, and to help everyone to help them to say no. That is because, as we have heard in the debate and often previously, there are far too many examples in our society of young people who have not said no—sometimes young children—and that is a tragedy.

We also know that all the agencies must work together to cut the supply of and demand for drugs. Cutting the supply has often been mentioned in relation to police and customs work. The law and order side of tackling drugs is fundamental here and abroad, and we will continue to work with our national and international agencies and contacts on that.

If we cut only the supply, however, all we do is to increase the price on the market and on the streets; and, if the price increases, so does the demand to become involved in crime to pay for the habit. We must cut the demand at the same time as the supply.

Today, we bear in mind especially the trains that have hit the buffers. I think of the two sets of buffers that have been struck by two trains in particular—two families that have been destroyed.

The first is Leah Betts and her brave and courageous family. I salute the work that her parents have continued to do since their daughter's death, and the videotape whose production and circulation they have encouraged. It was a loving, close-knit family—no one would have thought that it had any of the problems that might have led Leah into drugs. Her parents suddenly found one day that their daughter was on the verge of death, and she went on to die, as a result of taking Ecstasy.

It does not matter whether it was the Ecstasy tablet, the water or the lack of salt; we know that that daughter died, she is not there now and we must learn lessons from that. That is the message from that family, and that is the message for all families: do not let your daughters or your sons think that they can safely take Ecstasy or any other so-called soft drug, because that did happen.

Tragically, we also know that the message of a death does not necessarily get through to young people. I well remember, on the day of Leah Betts' death, appearing on "Newsnight" with a group of people, including a young girl who was misusing drugs. That programme had communicated the message of what had happened and all the dangers. The girl was asked if she understood that message, and she said yes, but when asked if she would change her habit she said no—"It couldn't happen to me."

Of course it could happen to her, but death is less likely than health harm, so the health harm messages that have been highlighted by colleagues on both sides of the House are the paramount messages for us to get through, using the right people—not the grey hairs in suits—and the media that young people accept and understand. Then we may be able to help them to be aware of the risks to their physical and mental health, and so persuade them to say no when those temptations are placed before them.

The other train hitting a buffer is that of a family whose son I recall meeting in a drug rehabilitation residential centre. That young man had been through hell: he had gone down into a deep black hole; he had lost his health, his friends, his relationships, his family, his job, all his prospects and his self-respect. He was gradually being helped out of that hole by the dedicated team of professionals. When I stupidly asked him, "Do you think that you are getting on top of the problem?" He said, "No, and if I ever think that, I've lost. I have lifetime's struggle ahead of me to get off drugs." He was being realistic and, if someone has got to that stage, we should salute him. The House should unite to try to provide rehabilitation services to help people like that young man to climb out of such holes.

The subject of legalisation has frequently come up in today's debate. I am happy that the majority of hon. Members are united behind the message that there can be no legalisation. We do not accept the Ladywood message and I cannot accept the Newport message. Even the Liberals' royal commission is not a proposition that we can accept—for the reasons given by my hon. Friend the Member for Bury St. Edmunds (Mr. Spring). Those reasons include the health effects of, and cancers caused by, cannabis. As the Labour-Front Bench team has also made clear, we would send a message to young people who seek to say no and are succeeding in doing so. What sort of message would we convey to those young people who are succeeding in saying no if today we said that we were thinking of legalising the substances after all?

Mr. Flynn: Will the Minister give way?

Mr. Bowis: No. The hon. Gentleman has already taken up plenty of column inches and I must press on to answer the points raised, one of which, involving cannabis in medication, he raised. That is a serious issue and, as the hon. Gentleman knows, my right hon. and learned Friend the Home Secretary has, for many years, licensed a number of researchers to possess cannabis for the purposes of research and therapeutic uses. If the evidence shows that there are benefits and a pharmaceutical company wishes to manufacture the drug, in principle, it can be used. It would, however, have to undergo the proper procedures for the approval of medicines.

The subject of treatment and its effectiveness has been raised many times. I am happy to say that the Polkinghorn report shows that treatment works. We have been able to continue the work of the long-term national treatment outcome research study, which will bring a great deal of help to those who are planning those services. We shall be issuing guidance to purchasers of services in the summer as well as looking at the clinical guidance.

The balance of resources has been mentioned in the debate. Of course, we always have to keep an eye on the relative costs of our activity. But of the £526 million spent in 1993-94, while £209 million was spent on police and customs enforcement, £165 million was spent on treatment, rehabilitation, prevention and education. The balance may not be as out of kilter as some people think. The bulk of the additional £34 million in the current year is spent on education, publicity and treatment, including treatment in prisons.

We must concentrate on helping young people, which is what so much of our work involves. The figures are worrying, but the hopeful sign is that, although a great many young people have experimented with drugs, in the past year the Health Education Authority's survey of

11 to 35-year-olds showed that, in the previous week, 7 per cent. had used cannabis, 1 per cent. had used speed and other drugs had been used by still fewer children.

It is not an epidemic—we can accept the challenge and help young people to come off drugs through effective advertising. We have done much in terms of radio broadcasting and through our 0800 776600 helpline, which in its first year has already taken 200,000 calls. We have achieved much through the diversion work, including work to encourage young people to find other interests, such as music, sport and fashion.

A good span of issues has been covered in the debate. We need concerted and determined action to tackle all aspects of the problem, stretching from the global to the individual. Globally, we must pursue and prosecute rigorously the organisers, the traffickers, the couriers and the money launderers; on a European level, we must pool knowledge, expertise and experience; at national level, we must define and finance a robust and concerted policy framework; at local level, we must pull together all the players who can make an impact in the communities that they serve; at family level, we need to support parents who are helping their children to resist the temptations of drugs.

We are not merely talking about personally rejecting drugs, turning a blind eye or casually accepting drugs as someone else's problem and some other family's tragedy. It is about making it plain that, whatever the short-term high and whatever the style gurus say, drugs damage individuals, families, communities and countries. We must confront the problem of drug misuse and make it clear that it is intolerable and not worth it. It is about not only explaining rationally the risks with which the individual misuser is toying, but making clear the wider impact, such as feeding local crime and providing a market for greedy opportunists whose curriculum vitae may include gun running, money laundering and terrorism.

Individual Ecstasy misusers may regard their drug taking as a bit of harmless fun, but the truth is that their decision to take the drug not only places their health at risk, but places them at the end of a chain of supply which is steeped in criminality and violence. It is the sum of those individual—

It being half-past Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

BUSINESS OF THE HOUSE

Ordered,

That the Speaker shall—

(1) at the sitting on Thursday 27th June, notwithstanding Standing Order No. 52 (Consideration of estimates), put the Questions necessary to dispose of proceedings on the Motions in the name of Mr. Michael Jack relating to Estimates, 1996–97 not later than Seven o'clock; and

(2) at any one sitting of the House, notwithstanding Standing Order No. 14A (Proceedings under an Act or on European Community documents), put the Questions on the Motions in the name of Mr. Secretary Gummer relating to Local Government (Structural Changes etc.) not later than three hours after the commencement of proceedings on the first such Motion; and the said Motions may be proceeded with, though opposed, after Ten o'clock.—*[Mr. Brandreth.]*

SOCIAL SECURITY (OVERPAYMENTS) BILL

Ordered,

That, in respect of the Social Security (Overpayments) Bill, notices of Amendments, new Clauses and new Schedules to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a Second time.—*[Mr. Brandreth.]*

Reduced Earnings Allowance

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Brandreth.]*

2.30 pm

Mr. Michael Clapham (Barnsley, West and Penistone): I am grateful for the opportunity provided by this debate on the changes to reduced earnings allowance, because many of my constituents, and people across the country, have been affected greatly by this monstrous cut in benefit. The cut was introduced without any consultation and certainly without a debate in this Chamber.

I will give the background to reduced earnings allowance so that we can put the debate in context. As the Minister knows, reduced earnings allowance was introduced in October 1986. It replaced the special hardship allowance, which was similar, but, in terms of nomenclature, the name "reduced earnings allowance" better fitted it.

The allowance is an award that is made to claimants who have a loss of faculty as a result of an industrial injury. Those claimants have been awarded a life disablement assessment for the disability resulting from the loss of faculty if that loss of faculty prevents them from being able to carry out their regular occupation or an occupation of equal standing. It is, therefore, really an extension of disablement pension which helps to make up lost earnings. The maximum payment under the current benefit rates is £39.60. I point out to the Minister that, for 90 per cent. of the recipients, the benefit does not cover their lost wages.

In September 1990, the Government saw fit to withdraw the benefit altogether, despite a report from their own advisers, the Industrial Injuries Advisory Council, saying that the benefit should be retained. IIAC put the argument to the Government that the benefit enabled employees who were in the early days of a crippling disease to take lighter work in a better environment and so, in some degree, to prevent the effects of that disease.

An example would be coal face workers who were diagnosed as suffering from pneumoconiosis who could afford to leave the coal face and to come into a dust-free atmosphere where their health would be helped and where their loss of earnings would be to some degree cushioned by the benefit. That benefit is no longer available and coal face workers will not be able to take other work, because there is no incentive. Men who are diagnosed as suffering from pneumoconiosis will now continue to work at the coal face.

The Government estimated that the withdrawal of reduced earnings allowance would save £140 million by 2001. At the time, the Government said that that money would be used for a new package of benefits, but I have seen no evidence of a new package of benefits and certainly no benefit of the same type as the reduced earnings allowance. Perhaps the Minister will comment on that.

The real focus of the debate is the Social Security (Industrial Injuries and Diseases) (Miscellaneous Amendments) Regulations 1996, which were discussed by the Fourth Standing Committee on Delegated Legislation on 8 May 1996. The provisions of the regulations were implemented on 24 March 1996. Under the regulations, men and women who reach retirement age lose their reduced earnings allowance and transfer to the retirement allowance, but the retirement allowance is paid at only 25 per cent. of the rate of the reduced earnings allowance.

The average loss of earnings is about £30 a week and the impact on couples living on state pensions has been dramatic. I see people regularly at my surgeries who bitterly complain that, as a result of the transfer to retirement allowance, they find it difficult to make ends meet. Men and women have the same problem, because women who used to work in factories were disabled through tenosynovitis. They were on reduced earnings allowance, but have been changed over to retirement allowance and they find it enormously difficult to adjust. I calculate that the reduction is equivalent to a reduction of about £9,000 in the salary of a Member of Parliament. Imagine the outcry if Members of Parliament suddenly found that their earnings had been reduced by £9,000.

The reduction in reduced earnings allowance and its application raises four important questions. The first is the impact on the individual, the group and the community. I am sure that the Minister would accept that the reduction affects some communities more than others. According to the latest Butterworth law text, in 1992, prescribed diseases accounted for only 19 per cent. of the 204,000 pensions paid. That 19 per cent., or about 38,000, comprised 15,000 pneumoconiosis pensions, 14,000 industrial deafness pensions and 9,000 others. Those figures clearly show that mining communities will contain the largest proportion of the 18,000 claimants—the Minister gave the figure in a written answer on 18 June 1996—who have had their benefit reduced to the retirement allowance. The bulk of the claims will come from mining communities.

Secondly, there is no transitional relief. The benefit cut has been introduced without any tapering. Many claimants have reduced pension rights because, after they suffered their injury or disease, they could not work or went on to light work. As a result, their contributions to any occupational pension scheme are much less than they would otherwise have been. It has to be understood that the majority of claimants would not have pursued a common law damages claim. The issue of pension rights has not been addressed. I contend that the reduced earnings allowance helped, in some way, to make up for reduced pension rights.

Thirdly, I refer to discrimination. For women, the cut-off point is 60 years of age; for men, it is 65. The Minister will be aware of several European Court cases that directly challenge this. As was pointed out by my hon. Friend the Member for Manchester, Withington (Mr. Bradley) when the regulations were discussed, one of the cases dealt with severe disablement allowance, which now ends at 65 for men and women. I accept that the Minister did not have a lot of time when he replied to that debate, but he did not address that issue. When he comes to the Dispatch Box today, will he tell us whether he intends to equalise the benefit cut-off at 65 for men and women? If that is not his intention, will he tell us why?

Fourthly, the regulation introduces a pernicious 12-months rule on retrospection, for which I believe there is no rationale. When I asked the Minister about this, he said that one does not backdate until the earnings capacity has been affected. We all accept that, but is the Minister aware of the way in which the good causes rule works?

I shall refer to that rule in a moment in relation to a case and show how it is used to scrutinise cases and how it can prevent reduced earnings allowance from being paid. There was already a restriction, and there is no need for the 12-months rule. In a written question, I asked the Minister about the thinking behind the rule, and he replied:

"reduced earnings allowance is designed to bring the allowance into line with other, non-industrial injuries, earnings replacement benefits . . . It is not justifiable to continue backdating payments in such claims indefinitely."—[*Official Report*, 6 June 1996; Vol. 278, c. 529.]

The Minister's response shows a lack of understanding of the matter. Some injuries have a long latency time, and diseases are the result of a development, not an event. I refer to diseases such as pneumoconiosis and asbestosis, which take years to develop. During that period, which can be as long as 20 or 30 years—in fact, I will refer to a case where it took 40 years—a man or a woman can have a reduced earnings capacity. For example, people may have to take a job paying a lower wage than they would have taken if the disease had not developed.

There is no logic in not allowing the claims to be backdated to the date of development. When tribunals decide whether there is to be backdating in industrial disease or injury cases, they always backdate to the date of development. In so far as we are talking about cases before 1990, the reduced earnings allowance should not be restricted by the 12-months rule.

I shall cite two examples from my constituency. First, I refer to Mr. Morris, who was a deputy at the time his injury occurred in 1985. He was struck by a rock that fell from the roof in a colliery and he was hospitalised for two weeks following the accident. He noticed the onset of a tremble, which was later diagnosed as Parkinson's disease. His common law claim was settled for £750. The chap never worked again, yet it took until 1994 for a new diagnosis to be made which persuaded the medical authorities that his condition related to his previous accident. In 1994, he was awarded a 70 per cent. disablement assessment backdated to the date of the accident.

Mr. Morris claimed backdated reduced earnings allowance, but unfortunately he was refused under the good causes rule. His wife was dealing with his affairs because the tremble had become so bad that he could no longer write. The form that she completed immediately after the accident, when my constituent had a closed final assessment, had an attachment advising her that she could apply for reduced earnings allowance. She did not fill in that form at the time. The wording of the form—as it was in 1985—was most ambiguous. As Mrs. Morris did not complete the form, the tribunal judged that she had not held good cause. We appealed to the commissioner, who upheld the tribunal's early decision.

That case is an example of the good causes rule scrutinising the backdating. As that applies in all such cases, there is no need for the 12-months restriction, nor can it be justified.

My second example relates to a constituent who suffers from an industrial disease—Ted Dudley, who operated a slusher machine during the 1950s and 1960s. You will know the purpose of those machines, Mr. Deputy Speaker; at the time, they had asbestos brake linings. Gradually, he developed a chest condition which worsened over the years. Towards the end of last year, it was established that he had a disease caused by a combination of particles of asbestos in his lungs and coal dust. The tribunal awarded him a 60 per cent. disablement assessment backdated.

In Mr. Dudley's case, there is no claim for reduced earnings allowance, as, when he changed to lighter work, the Coal Board maintained his wages at the rate they would have been had he continued working at the coal face. That is one example of a good employer. However, many employers would not be so understanding in their treatment of employees. In that case, it took 40 years for my constituent's disease to be diagnosed as relating to his employment. That illustrates the need for the ability to backdate the reduced earnings allowance. Although my constituent did not have reduced earnings, he could well have done.

Those two recent cases—there are many thousands more—show that the effects of an injury or a disease can be latent for many years. In my first example, the effects of an injury were latent for nine years. In the second, the effects of an industrial disease were latent for 40 years. The Minister knows that there is no rationale for the 12-months rule. I am asking him to come clean today and tell us whether there is justification for it. If, as I believe, there is not, is he prepared to reinstate the position to what it was before the regulations came into effect—to remove the 12-months restriction and allow the scrutiny to be made by the application of the good causes rule?

It seems to me that the savings made in relation to the suffering caused are very tiny. In a written answer to my hon. Friend the Member for Neath (Mr. Hain), which appears at column 420 of the *Official Report* of 18 June 1996, the Minister said that just £25 million would be saved in the first year, 1996-97. That represents 0.03 per cent.—or three hundredths—of his Department's total expenditure. That amount would decline naturally in any case, as the recipients are elderly. However, that factor was not taken into consideration. Immense and needless suffering has been caused which I believe cannot be justified.

2.49 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Roger Evans): I congratulate the hon. Member for Barnsley, West and Penistone (Mr. Clapham) on obtaining this Adjournment debate and continuing the discussion about this important issue which he and I have had in different parts of the House. I agree with his first point: the subject affects particular individuals and communities more than others. It is obviously a matter of particular concern to the hon. Gentleman's constituents.

I am conscious of the fact that I have many questions to answer and only 10 minutes in which to do so. I shall try to deal with all the points that the hon. Gentleman raised. His second point related to transitional relief. I shall develop that argument in a moment when I explore what has happened in that area—who gets retirement allowance and who gets reduced earnings allowance. The issue is not whether there should be a change from one allowance to another, but what should cause and trigger that change. The previous rules were arbitrary and unfair and I shall explain why we do not believe that transitional relief is appropriate in those circumstances—although

[Mr. Roger Evans]

I understand why those who had the good fortune to receive reduced earnings allowance in circumstances that are not defensible as a matter of rational policy are distressed to find that it has come to an end.

The hon. Gentleman raised a third specific question of discrimination in European law and the ages of 60 and 65. Under the European directive, we are allowed to have unequal pension ages for women and men—although the Government have acknowledged for some time that the inequality must be remedied. We believe that we are legally entitled to apply it in the present context.

The hon. Gentleman also developed a fourth powerful argument, to which I listened carefully. It seems to me that he argues not that the backdating should take place from the date of the development of the condition, but that it should be backdated to the onset of the reduction in earning capacity. I recognise the force of that argument, and the hon. Gentleman has a lesser task in persuading me of its value. I can appreciate why he puts it that way, and I shall examine the two constituency cases that he mentioned to see whether they can cast any more light on the issue. I have not yet had a chance to examine them.

The general principle is: if the condition has deteriorated to the extent that it has manifested itself to the sufferer, one would expect that to have happened at the time when or before the lack of earning capacity began to have an effect. The reduced earnings allowance is designed to compensate people for the loss of earning capacity. If that is not correct or if it is argued that it is not appropriate according to the facts, I shall be happy to look into the matter. Generally, 12 months is the normal period for backdating income-related benefits and that is why we are attracted to it in this context.

Those are the four specific points that the hon. Gentleman mentioned. He began by calling this a monstrous and an unannounced cut. I understand that it may well seem like that to those who previously enjoyed the benefit, which has now ceased. However, if we examine the history of the matter, we see a rather different picture. There were vigorous debates in Parliament in 1988 about the fundamental issue of policy. Parliament resolved the issue, at the Government's instigation, to the effect that when people suffered loss of earning capacity, they received reduced earnings allowance, and when people retired, they received retirement allowance at a lesser rate in line with the fact that their pensions would be less as they had been less able to contribute to such a scheme as a result of their incapacity. That is why there are two rates. The real issue is not the way in which the scheme operates generally, but what is the trigger and the appropriate point at which one moves from receiving reduced earnings allowance to retirement allowance. That is where the difficulty arises.

In 1988, the matter was relatively simple. If after pension age people continued to earn, they were caught by the pensioners' earnings rule, which was abolished in 1989. In other words, if people continued to make serious earnings after age 65, they were likely not to draw their old-age pension, because the rules stopped them, but they were entitled to continue to draw reduced earnings allowance, because they were still in work, suffering a reduction in earning capacity. That is why the benefit continued to be paid.

Accordingly, in the 1988 legislation, the trigger for passage from one benefit to the other was the drawing of the old-age pension. That was logical at the time. The difficulty arose the following year, when we abolished the pensioners' earnings rule. The difficulty, which became embodied in the 1989 legislation, was what the new test should be. Whether the full implications of the test on which the parliamentary draftsmen settled and which Parliament adopted were understood is another matter, but when the courts examined it, in effect the 1989 legislation said, "You move from one to the other when you have reached pensionable age and you give up regular employment."

The difficulty is that that envisages a two-stage process: first, someone reaches pensionable age; and, secondly, they give up regular employment. What happened—this is a classic point of law—is that people realised that if they gave up regular employment before they reached pensionable age, even by a day, the trigger could never take place. Some people managed, therefore, to pass from one benefit at a higher rate to a lower benefit simply because they retired on the first day of the month and gave up regular employment on the second, but the wily person—or the person who, for perfectly good reasons, gave up regular employment shortly before—could never lose the higher rate of benefit. That cannot be fair and it cannot be right.

The 1990 regulations gave the Secretary of State powers to make a ruling on what was considered to be regular employment. That rule remains in place. It is 10 hours a week averaged over five weeks. Before the changes, the intention was, and remains, that if someone over pensionable age is in regular employment and continues to earn, they can continue to draw reduced earnings allowance. If they give up regular employment under the new test, they will fall back on retirement allowance.

There were further difficulties with the way in which the parliamentary draftsmen had worded the legislation. A person had to attain retirement age and give up employment. The concept of giving up employment suggested that someone was doing so out of their own volition and choice. What happened when someone was made redundant? It appeared that they did not give up employment but were made redundant, so they remained on the higher rate of benefit and did not pass to the lesser rate of retirement allowance. To make matters even more horrific, as the case law developed, one can imagine the problems on the voluntary leaving of employment rule: "Were you sacked? Were you pushed? Who is to blame? You may or may not get benefit, depending on whether you are culpable." Comparable problems arose.

The result of all that was not just unfairness and a very arbitrary state of affairs, but a difficult position for the Benefits Agency. We decided that that state of affairs was wholly unsatisfactory, both as a matter of policy and as a matter of administration, so we laid the instrument that changed the rules from 24 March this year and left the position as it was always intended to be since 1988 as a matter of practice: if someone over pension age gives up regular employment, they get retirement allowance. If they continue in regular employment, they get reduced earnings allowance.

Because the intentional test of giving up employment had clearly been unsatisfactory, we decided that the only way to see whether it had been applied properly was to

carry out a special exercise to identify all reduced earnings allowance recipients over pension age, and all retirement allowance recipients. They had to be identified through a case-by-case examination of the whole industrial injuries caseload, including closed files, totalling some 4 million. That exercise could not begin until we had sorted out the new regulations. Once the new regulations were in place, all the old cases found were revised by independent adjudicating officers, first to review the on-going entitlement to reduced earnings allowance after 14 March, in accordance with the new provision, and secondly to review whether the original decision to transfer those already on retirement allowance was correct.

The Benefits Agency identified 20,000 over pension age reduced earnings allowance cases and 12,000 retirement allowance cases—

The motion having been made at half-past Two o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at Three o'clock.

Written Answers to Questions

Monday 10 June 1996

ENVIRONMENT

Recruitment

Mr. Donohoe: To ask the Secretary of State for the Environment what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31408]

Sir Paul Beresford: Saxton Bampfylde International plc, an executive search agency, was employed in 1994–95 to assist with the recruitment of the chief planning inspector at a cost of £33,000. No other agencies were employed in that year or in 1995–96.

Mr. Donohoe: To ask the Secretary of State for the Environment in what circumstances his Department or its executive agencies uses an executive search or employment agency to recruit staff in preference to using personnel staff within his own Department or its executive agencies. [31521]

Sir Paul Beresford: Where it is necessary to procure high-level advice in search and selection not available within my Department, and where it represents good value for money to procure processing capacity to handle occasional recruitment exercises, in all cases within the requirements of the civil service commissioners.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for the Environment how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32409]

Sir Paul Beresford: This information is not available centrally as costs of private office staff accompanying Ministers are included with costs for Ministers, while records for other officials are held with their corresponding divisions in the Department. This information would, therefore, be available only at disproportionate cost.

Compulsory Competitive Tendering

Mr. Chris Smith: To ask the Secretary of State for the Environment if he will make a statement on his powers to stop local authorities from acting in an anti-competitive way in respect of compulsory competitive tendering, with reference to his powers to compel local authorities to re-tender work where they have failed to ensure competition. [31976]

Sir Paul Beresford: Section 19A of the Local Government Planning and Land Act 1980 and section 13 of the Local Government Act 1988 give my right hon. Friend the power to serve a notice on an authority which it appears to him has acted anti-competitively in deciding to undertake certain work. If, after the authority has responded to the notice, it still appears to him that the authority has acted in this way, he can give a direction under section 19B of the 1980 Act or section 14 of the 1988 Act. The direction may be a complete or partial bar on the authority's power to carry out the work or require the authority to fulfil conditions including retendering the work, before it has the power to continue to carry out all or part of the work. My right hon. Friend judges each case on its merits, but does so against the background of statutory guidance issued under section 9 of the Local Government Act 1992.

Terminal 5 Inquiry

Mr. Mackinlay: To ask the Secretary of State for the Environment if he will make a statement on the progress made with and the expected time for completion of the Heathrow Terminal 5 inquiry. [30623]

Sir Paul Beresford: The public inquiry into the proposed terminal 5 at Heathrow airport, which began on 16 May 1995, is running close to its timetable. The timing and conduct of the inquiry is a matter for the inspector. On present estimates, it is expected that the inquiry will close in summer 1997, subject to an additional time which may be required to deal with recently published highway orders for links to the M25 and M4.

AGRICULTURE, FISHERIES AND FOOD

Animal Feedstuffs

Mr. Couchman: To ask the Minister of Agriculture, Fisheries and Food what arrangements he is making for the disposal of surplus stocks of animal feed containing mammalian meat and bone meal following the recent ban on feeding mammalian meat and bone meal to farm livestock. [32479]

Mrs. Browning: The Government have today sent a letter to all livestock farmers, feed merchants and feed compounders in the United Kingdom offering to fund the collection and disposal of any residual stocks of MBM or feed containing MBM. Thereafter, after consultation with the appropriate organisations, an order will be laid to make it illegal to have MBM, or feed containing MBM, on farms or in the premises of feed merchants or at feed mills.

Parliamentary approval of this new service will be sought in a supplementary estimate for class III, vote 2—Ministry of Agriculture, Fisheries and Food: operational expenditure, agencies and departmental administration. Pending that approval, urgent expenditure estimated at £6 million will be met by repayable advances from the contingencies fund.

Veterinary Fees

Mr. Nigel Jones: To ask the Minister of Agriculture, Fisheries and Food what assistance his Department provides towards payment of fees to veterinary surgeons for treatment of injured wildlife. [30792]

Mrs. Browning: No direct help is given towards payment of fees to veterinary surgeons for treatment of injured wildlife. The Pesticides Safety Directorate under the wildlife incident investigation scheme does arrange for disease incidents where pesticides may be involved to be investigated at no additional cost to the veterinary surgeon involved.

Mr. Jonathan Stirling

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 23 April, *Official Report*, columns *139–40,* when the inquiry into the performance of Mr. Jonathan Stirling as a licensed veterinary inspector was completed; and if he will make a statement on the conclusions. [31204]

Mrs. Browning: The investigations into the allegations made on the "Dispatches" programme have not yet been concluded.

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food how many local veterinary inspector-certified consignments of animals were exported through the port of Brightlingsea during 1995; and what proportion of consignments were certified by Mr. Jonathan Stirling. [31208]

Mrs. Browning: Some 1,048 consignments of animals certified by LVIs were exported through the port of Brightlingsea during 1995 of which 29 consignments were certified by Mr. Jonathan Stirling.

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 23 April, *Official Report*, columns *139–40,* in respect of which consignments certified by Mr. Jonathan Stirling for export animals were subsequently rejected by Ministry officials including and excluding animals rejected as unfit to travel under the Welfare of Animals During Transport Order 1994; and when such consignments arrived at Brightlingsea wharf *(a)* during 1995 and *(b)* from 1 January to 8 March. [31206]

Mrs. Browning: The answer is as follows:

(a) During 1995 of 29 consignments of animals certified for export by Mr. Jonathan Stirling, through the port of Brightlingsea, Ministry officials rejected as unfit to travel, one animal from one consignment on 13 February 1995 and two animals from one consignment on 21 June 1995.

(b) No animals have been exported from Brightlingsea so far during 1996.

Quarantine

Sir David Steel: To ask the Minister of Agriculture, Fisheries and Food what is the annual cost to public funds in maintaining the six-month quarantine system. [31318]

Mrs. Browning: The annual cost was approximately £435,000 in the financial year 1995–96. This figure includes the cost of policy and administrative work on rabies in the industry's animal health group, some of which is not directly concerned with maintaining the six-month quarantine system, but this cannot be separately distinguished.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food when he intends to reply to the written questions regarding quarantine tabled on 25 April. [32195]

Mrs. Browning: I answered one of the hon. Member's questions on 1 May 1996, *Official Report*, column 571, and the others have been answered today.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food in what circumstances the Royal Society for the Prevention of Cruelty to Animals has access to animals in quarantine kennels; what plans he has to review these procedures; and if he will make a statement. [26651]

Mrs. Browning *[holding answer 25 April 1996]:* The RSPCA is not able to enter quarantine premises as of right. However, anyone can go into quarantine premises with the permission of the premises owner. Additionally, licensed quarantine premises, all of which are privately owned, are inspected quarterly by MAFF veterinary officers who have the right to be accompanied by another person authorised by them and assisting them in their duties. I have no plans to change these procedures at present.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what has been *(a)* the total number of animals accepted by each quarantine kennel since 1990 and *(b)* the total number of animal deaths at each quarantine kennel since 1990. [26652]

Mrs. Browning *[holding answer 25 April 1996]:* The number of animals licensed to enter quarantine in Great Britain from 1990 to 1995 was:

Year	*Dogs*	*Cats*	*Other mammals*
1990	5,999	3,687	150,631
1991	5,290	3,289	63,674
1992	5,175	3,190	61,320
1993	5,738	3,633	35,515
1994	5,554	3,863	31,620
1995	5,394	4,126	81,054

The number of animals which are recorded as having died in quarantine during the same period is:

Year	*Dogs*	*Cats*	*Other mammals*
1990	79	52	3
1991	49	34	20
1992	71	67	1
1993	72	93	5
1994	61	65	4
1995	61	56	4

Information concerning individual quarantine kennels is considered commercially confidential.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food when he last met with the Quarantine Kennel Owners Association; what matters were discussed; and if he will make a statement. [26654]

Mrs. Browning *[holding answer 25 April 1996]:* I met members of both the Quarantine Kennel Owners Association and the Quarantine Kennel Professional Associates on 13 May 1996 to discuss animal welfare standards in quarantine kennels.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what was the total revenue received by the Government from quarantine kennels in each of the last five financial years. [26656]

Mrs. Browning *[holding answer 25 April 1996]:* The only revenue which the Government receive from quarantine kennels is that which comes from their ordinary payment of taxes. The Ministry of Agriculture, Fisheries and Food does not receive any direct revenue from quarantine kennels.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many animals have been imported into the United Kingdom through quarantine, by country, since 1991. [26650]

Mrs. Browning *[holding answer 25 April 1996]:* Prior to April 1995, when a computerised licensing system was set up, quarantine records were filed under a manual system. Therefore, the historic information sought cannot be obtained without disproportionate cost. I can, however, tell the hon. Member that, since that date, licences have been issued for the import of animals from 122 different countries. These are:

Country	*Number of animals for which licenses have been issued*
Abu Dhabi	6
Algeria	2
Anguilla	1
Antiqua	5
Argentina	6
Armenia	1
Australia	355
Austria	26
Azerbaijan	2
Bahamas	5
Bahrain	47
Bangladesh	1
Barbados	12
Belarus	5
Belgium	137
Belize	1
Bermuda	21
Bolivia	1
Botswana	14
Brazil	17
Brunei	7
Bulgaria	5
Cameroon	4
Canada	383
Canary Islands	35
Chile	4
China	27
Columbia	5
Croatia	1
Cuba	2
Cyprus	211
Czech Republic	17
Denmark	15
Dominican Republic	1
Dubai	20
Egypt	28
Ethopia	4
Falkland Islands	2
Finland	67
France	1,528
Gambia	2
Germany	984
Ghana	9
Gibraltar	15
Greece	118
Guyana	4
Hawaii	1
Honduras	1
Hong Kong	165
Hungary	18
India	8
Indonesia	92
Israel	299
Italy	95
Jamaica	1
Japan	275
Jordan	2
Kazakhstan	1
Kenya	19
Korea	4
Kuwait	19
Latvia	2
Lesotho	3
Libya	1
Luxembourg	5
Malawi	15
Malaysia	46
Malta	26
Mauritius	735
Mexico	4
Monaco	2
Montserrat	3
Morocco	2
Mozambique	2
Namibia	5
Nepal	3
Netherlands	207
New Zealand	61
Nigeria	11
Northern Cyprus	5
Norway	42
Oman	28
Pakistan	11
Peru	1
Phillippines	430
Poland	8
Portugal	64
Qatar	18
Romania	2
Russia	34
Saudi Arabia	69
Serbia	1
Seychelles	2
Singapore	67
Slovakia	2
South Africa	389
Spain	293
Sri Lanka	3
St. Helena	1
Sweden	175
Switzerland	5,923
Syria	1
Tahiti	1
Taiwan	10
Tanzania	6
Thailand	11
Trinidad and Tobago	1
Tunisia	3

Country	*Number of animals for which licenses have been issued*
Turkey	13
Turks and Caicos	1
UAE	101
Uganda	1
Ukraine	1
USA	9,501
Uzbekistan	1
Venezuela	1
Virgin Isles	1
West Africa (country not specified)	2
West Indies (coutry not specified)	1
Yemen	3
Yugoslavia	2
Zambia	5
Zimbabwe	8

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how regularly quarantine kennels are required to be inspected by MAFF vets; under which legislation; and how many inspections of quarantine kennels by MAFF vets have taken place since April 1995. [26653]

Mrs. Browning *[holding answer 25 April 1996]:* All 79 quarantine kennels authorised to operate in Great Britain must be inspected by MAFF veterinary staff at three monthly intervals to ensure that the standards required under the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 are being maintained. Additional ad hoc inspections may also take place if the Ministry's local divisional veterinary manager considers them necessary. It would not be possible to quantify the total number of routine and ad hoc visits which had taken place since April 1995 without incurring disproportionate costs.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food if he plans to implement a statutory code of practice on animal welfare for quarantine kennels; and if he will make a statement. [26655]

Mrs. Browning *[holding answer 25 April 1996]:* I refer the hon. Member to the reply given to my hon. Friend the Member for North Thanet (Mr. Gale), on 26 March, *Official Report*, column *528*.

Parliamentary Questions

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 27 March, *Official Report*, column *640*, how much his Department estimated it would have cost to provide the information requested. [31455]

Mr. Boswell: More than £450, the current threshold above which answers are deemed to incur disproportionate cost.

European Union Flag

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31497]

Mr. Boswell: None.

Beef Imports

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food if he will publish a breakdown by country of imports of beef under heading 011 in *(a)* April 1995 and *(b)* April 1996. [31766]

Mrs. Browning: The latest month for which detailed official trade statistics are available is January 1996. The table shows imports of beef, under heading 011, for January 1995, April 1995 and January 1996, by country:

	January 1995 [1]		*April 1995* [1]		*January 1996* [1]	
Country	*Value (£000)*	*Tonnes*	*Value (£000)*	*Tonnes*	*Value (£000)*	*Tonnes*
Belgium-Luxembourg	237	68	376	117	368	134
Denmark	242	117	65	33	165	83
Finland	—	—	60	40	0	0
France	2,191	1,332	2,089	950	1,433	803
Germany	239	169	167	72	132	70
Irish Republic	8,779	3,786	8,814	3,094	7,223	2,107
Italy	—	—	26	10	52	20
Netherlands	1,805	575	1,376	407	1,130	335
Spain	286	135	96	34	32	17
Sweden	—	—	—	—	2	1
Argentina	790	161	1,891	566	1,362	463
Australia	1,690	479	1,395	409	2,151	808
Botswana	—	—	514	160	2,073	798
Brazil	141	34	1,479	400	598	169
Namibia	422	134	912	299	623	212
New Zealand	—	—	533	281	361	160
Paraguay	—	—	59	26	—	—
Swaziland	—	—	31	23	219	82
U.S.A.	168	70	277	116	520	256
Uruguay	1,897	591	2,241	886	1,632	587
Zimbabwe	1,102	255	2,793	878	2,199	253
Total	20,089	7,906	25,192	8,801	22,274	7,358

[1] Provisional

Slaughtered Cattle

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the exemptions he makes from his general policy of requiring the destruction of carcases of cattle over the age of 30 months; and what controls he has introduced to monitor such disposals. [31579]

Mr. Boswell: No such exemptions are made as the EC regulation (716/96) governing the over 30 months scheme requires destruction of the carcases.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to investigate allegations of abuse of the cattle disposal scheme with special reference to giving preference to dealers or farmers for improper reasons; and if he will make a statement. [31627]

Mr. Baldry: We have made it clear that abuses of the scheme will not be tolerated. Collection centres found to be breaching scheme rules will be removed from the scheme. No allegation of abuse of the kind referred to by the hon. Member has been substantiated. Anyone with a complaint about infringement of the rules has been invited to make it either to the Intervention Board or to the office of my right hon. Friend the Chancellor of the Duchy of Lancaster.

Live Animal Exports

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what information he collates in respect of the 8,855 animals which were rejected as unfit to travel prior to export from the United Kingdom in 1995; and if he will make a statement. [32102]

Mrs. Browning: There is a considerable variety of circumstances in which animals may be rejected as unfit for an export journey. Central records are kept only of the numbers rejected.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 13 May, *Official Report*, column *380*, what were the ages of the 1,313 bovines and the 668 bovines exported from Great Britain to the Irish Republic in 1994 and 1995 and the 18,340 and 25,044 bovines exported from Great Britain in Northern Ireland in 1994 and 1995. [31785]

Mrs. Browning *[holding answer 7 June 1996]:* The number of bovines exported to the Irish Republic were as recorded in the overseas trade statistics. These provide statistics on the exports from the United Kingdom as a whole and not just Great Britain.

The ages of bovines exported is not recorded within the overseas trade statistics, nor within the Animo system. However, so far as exports to the Republic of Ireland are concerned, Community rules in force since 1990 have prohibited the export from the UK to any member state of bovine animals over six months old.

Avoparcin

Mr. Viggers: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on Her Majesty's Government's policy on the use of avoparcin with particular reference to his assessment of the available data for the European Commission's Scientific Committee for Animal Nutrition. [31947]

Mrs. Browning *[holding answer 7 June 1996]:* Avoparcin is authorised for use throughout the Community as an additive in animal feeds under directive 70/524/EEC. No feed additive is permitted unless it satisfies the criteria set out in the directive, including a requirement that, at the level permitted in feeding stuffs, it does not adversely affect human or animal health or the environment.

In July 1995, as a result of concerns expressed by Denmark, the Council of Ministers decided not to support the continued authorisation of avoparcin for use in feed for dairy cows. The Scientific Committee for Animal Nutrition has recently considered data presented by the Danish authorities and their report is expected to be made available to member states shortly.

The Government will continue to argue that any future decisions on the authorisation of avoparcin must be taken on the basis of good scientific evidence.

Food Labelling

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food if he will list the interested parties who were consulted in drawing up the guidelines which will accompany the consolidated food labelling regulations which will come into force on 1 July. [31572]

Mrs. Browning *[holding answer 7 June 1996]:* Six hundred and sixty-four interested parties representing manufacturers, retailers, consumers, individuals and enforcement authorities have been consulted on the draft guidance notes. Seventy-one detailed responses were received and have been taken into account in preparing the final version.

Bovine Spongiform Encephalopathy

Mr. Dover: To ask the Minister of Agriculture, Fisheries and Food what advice and recommendations she has received from the British Veterinary Association regarding the steps needed to eradicate BSE from British herds. [31040]

Mrs. Browning *[holding answer 4 June 1996]:* Ministers and officials regularly meet with representatives of the British Veterinary Association to discuss, amongst other things, BSE. Their advice and recommendations concerning proposals for the eradication of BSE are carefully considered and, where appropriate, reflected in the control measures.

DUCHY OF LANCASTER

European Union Flag

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31500]

Mr. Willetts: I refer the hon. Member to the reply given by my hon. Friend, the Minister of State, Foreign and Commonwealth Office on 6 June 1996, *Official Report*, column *518*.

HOME DEPARTMENT

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for the Home Department, pursuant to his answer of 26 March, *Official Report*, column *495* (1) how much his Department estimated it would have cost to provide the information requested; [31461]

(2) pursuant to his answer of 25 March, *Official Report*, column *405*, how much his Department estimated it would have cost to provide the information requested. [31465]

Mr. Howard: More than £450, the current threshold above which answers are deemed to incur disproportionate cost.

Karamanjit Singh Chahal

Mr. Madden: To ask the Secretary of State for the Home Department if he will make a statement concerning the case of Karamanjit Singh Chahal. [31437]

Mr. Kirkhope: Mr. Chahal's case was heard by the European Court of Human Rights on 25 March. No judgment has yet been given.

Immigration

Mr. Madden: To ask the Secretary of State for the Home Department in how many cases during 1995 it was claimed his Department's presenting officers had misled immigration appeal adjudicators; and if he will make a statement. [31949]

Mr. Kirkhope: None of which I am aware. Presenting officers do not knowingly mislead adjudicators.

Mr. Sodagar Hussain

Mr. Madden: To ask the Secretary of State for the Home Department when he received a letter from the hon. Member for Bradford, West, dated 10 May, concerning the case of Mr. Sodagar Hussain who has applied to join his wife and children in the United Kingdom; if he will authorise a visa to be issued to Mr. Hussain on the basis of the job awaiting him in the United Kingdom; and if he will make a statement. [31950]

Mr. Kirkhope: The letter was received on 15 May and I will reply to the hon. Member as soon as possible.

Recruitment

Mr. Donohoe: To ask the Secretary of State for the Home Department what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31406]

Mr. Howard: The following table gives information about the use of executive search or employment agencies in 1994–95 and 1995–96 for centrally managed recruitment schemes.

Supplier	*1994–95*	*Number of staff recruited*	*1995–96*	*Number of staff recruited*
RAS	*	49	*	97
Coopers and Lybrand	*	2	*	5
GKRS	*	2	*	2
Korn Ferry	—	—	*	—
St. James's Management Recruitment	—	—	*	1
Saxton Bampfylde	—	—	*	1
PJR	—	—	*	—
Bakers	—	—	*	4
Love Pirbhai Prichard	—	—	*	1
Jones Resourcing	—	—	*	1
Total	—	53	—	112

Information is not readily available about the use of employment agencies whether recruitment was conducted locally.

For reasons of commercial confidentiality, it is not our practice to disclose the size of the contracts awarded to individual agencies. However, the combined value of these contracts was £350,326 excluding value added tax in 1994–95 and £611,309 excluding value added tax in 1995–96.

Mr. Donohoe: To ask the Secretary of State for the Home Department in what circumstances his Department or its executive agencies uses an executive search on employment agency to recruit staff in preference to using personnel staff within his own Department or its executive agencies. [31519]

Mr. Howard: Executive search or employment agencies are used in making appointments to the Home Office and its executive agencies where it is thought that they will be able to supplement usefully the field of applicants.

Child Support Agency

Ms Walley: To ask the Secretary of State for the Home Department (1) how many complaints have been received by the Data Protection Registrar relating to the Child Support Agency; [31999]

(2) what action is being taken by the Data Protection Registrar in respect of breaches of the Data Protection Act 1984 by the Child Support Agency; and if he will make a statement. [32000]

Mr. Sackville: The Data Protection Registrar has received 457 letters of complaint about the Child Support Agency since it began operation in April 1993. Three hundred and thirty-two were investigated because they raised issues relating to compliance with the Data Protection Act 1984. In cases where the registrar felt there was a possibility of the 1984 Act being breached, she negotiated with the agency, which has subsequently altered its practices regarding disclosure of information. The registrar will make a statement on the current position in her next annual report to Parliament, which is due in July.

Pets (Quarantine)

Sir David Steel: To ask the Secretary of State for the Home Department what administrative reforms would be required if the six-month quarantine system for pets were replaced by a vaccine-based system; and if he will make a statement. [31312]

Mrs. Browning: I have been asked to reply.

The present rules on quarantining of pet animals are set out in the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974. Any changes would require amendment to that order. Any vaccine-based scheme would need to be founded on proper vaccination before exposure to rabies infection, satisfying a blood test, conclusive identification and evidence of residency. A new system for processing applications as well as inspection arrangements to ensure that the rules were properly complied with would need to be put in place.

TRADE AND INDUSTRY

European Union Flag

Mr. Redmond: To ask the President of the Board of Trade what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31512]

Mr. John M. Taylor: No specific instructions were issued in respect of flying the European flag on 8 May. It is not our general practice to fly the European flag from Government buildings. On appropriate occasions, such as the UK's presidency of the European Community in 1992, it has, however, been flown.

Privatised Utilities

Mr. Battle: To ask the President of the Board of Trade what was the annual profit of *(a)* British Gas, *(b)* Central Electricity Generating Board, *(c)* each of the previously publicly owned water companies and *(d)* British Telecom in each year since 1979. [31760]

Mr. Page: The information requested is published in the accounts of the nationalised utilities and in the annual reports of the privatised utility companies. Information on the water companies is published in the Office of Water Services' "1994–95 Report on the Financial Performance and Capital Investment of the Water Companies in England and Wales". Copies of all of these publications are available in the Library of the House.

Encryption Services

Mr. Luff: To ask the President of the Board of Trade if the Government have yet decided how encryption services may be provided for business and commerce. [32544]

Mr. Ian Taylor: Following the discussion between Departments to which I referred in my replies to the hon. Member for Brigg and Cleethorpes (Mr. Brown) of 6 March 1996, *Official Report,* column *229,* and 25 March 1996, *Official Report,* column *411,* I am today publishing a paper outlining the Government's policy on the provision of encryption services on public networks. Copies of the paper are available in the Library of both Houses.

The Government aim to facilitate the development of electronic commerce on the emerging global information infrastructure. This is of significant importance in maintaining the UK's competitiveness and is a component of the Department's information society initiative. There is a growing demand for encryption services to safeguard the integrity and confidentiality of electronic information transmitted on public telecommunications networks. The Government therefore propose to make arrangements for licensing trusted third parties who would provide such services. These TTPs would offer digital signature, data integrity and retrieval, key management and other services for which there is a commercial demand. The licensing policy will aim to protect consumers as well as to preserve the ability of the intelligence and law enforcement agencies to fight serious crime and terrorism by establishing procedures for disclosure to them of the encryption keys, under safeguards similar to those which already exist for warranted interception under the Interception of Communications Act 1985.

Officials within my Department have held preliminary discussions with industry groups on the concepts set out in the paper. The Government intend to bring forward proposals for legislation following consultation by the Department of Trade and Industry on detailed policy proposals.

Magnox Electric plc

Mr. Luff: To ask the President of the Board of Trade if he will make a statement about the objectives he has set for Magnox Electric plc. [32545]

Mr. Eggar: Yes. The Government wish Magnox Electric plc to be a robust public sector entity which will enhance competition in the electricity market and secure the best possible value for the tax payer from its operations. The company must operate in a commercial manner, judging any investment by commercial rates of return. In doing so, it must:

1. demonstrate in all its activities that safety is the foundation of its business;
2. have full regard to the environmental impact of all its operations;
3. maximise net revenue from electricity sales by operating its generating plant as fully, and for as long, as is consistent with safety requirements;
4. meet all its nuclear liabilities as cost effectively as possible;
5. maintain and develop its core skills and capabilities to meet its current and future operational needs. Magnox may exploit these skills and capabilities in appropriate new business areas, as agreed with the Government; and
6. seek a basis for integration with British Nuclear Fuels which will provide the combined company with a clear incentive to maximise the net revenues from magnox generation and to minimise all Magnox-related reprocessing and other back end costs.

Insurance Ombudsman

Mr. Byers: To ask the President of the Board of Trade what plans he has to extend the powers of the insurance ombudsman to cover insurance policies taken out by commercial concerns. [32160]

Mr. Nelson: None. The insurance ombudsman bureau is a voluntary body established and paid for by the insurance industry. Any changes to the scheme would therefore be a matter for the industry to decide.

Insider Dealing

Mr. Darling: To ask the President of the Board of Trade how many cases of alleged insider dealing have been *(a)* reported for investigation, *(b)* referred for prosecution and *(c)* prosecuted before the courts since the coming into force of the Criminal Justice Act 1993. [32056]

Mr. John M. Taylor: Since the coming into force on 1 March 1994 of the Criminal Justice Act 1993, 52 cases of possible insider dealing have been reported to my Department, leading to the appointment of inspectors in 25 instances, of which inquiries in respect of 14 are still continuing. In this period, four prosecutions, involving five defendants, have been commenced of which one is under the new legislation.

Mr. Darling: To ask the President of the Board of Trade how many cases of alleged insider dealing have been *(a)* referred for prosecution and *(b)* the subject of conviction since 1980. [32057]

Mr. Taylor: I refer the hon. Member to the reply given by my hon. Friend the Member for Brecon and Radnor (Mr. Evans) on 21 March 1995, *Official Report*, column *183*. The report, "*Companies in 1994–95*", has now been published and a copy is available in the Library of the House.

Since 1 April 1995, a further 32 referrals have been made from the London stock exchange leading to 16 appointments of inspectors. There has been one conviction.

Exporters Database

Mrs. Roche: To ask the President of the Board of Trade if he will make it his policy to institute a national database of British exporters. [31910]

Mr. Nelson: The Government have no plans to provide a national database of exporters. This kind of professional information gathering is best left to the private sector and the UK already leads the world with a number of companies producing excellent commercial database. My Department is currently looking at ways of helping the private sector to set up trade directions on the Internet.

Patents

Mr. Flynn: To ask the President of the Board of Trade what is the total of patents registered in *(a)* the United Kingdom Patent Office and *(b)* the European Patent Office in each of the past five years. [32096]

Mr. Ian Taylor: The total number of patents granted in each of the last five years at the United Kingdom Patent Office and the European Patent office is shown:

Year	*UK Patent Office*	*European Patent Office*
1995	9,475	41,609
1994	9,530	42,001
1993	8,330	36,664
1992	9,421	30,409
1991	9,346	26,642

Euro 96

Mr. Meacher: To ask the President of the Board of Trade what evidence he has that counterfeit merchandise for Euro 96 is being imported into the United Kingdom. [31830]

Mr. Ian Taylor: I understand from HM customs that two seizures of goods which infringe UEFA's registered trade mark have been made.

Deregulation

Mr. Steen: To ask the President of the Board of Trade what is the estimated annual saving to business from the Deregulation (Rag Flock and Other Filling Materials) Order 1996. [31385]

Mr. John M. Taylor: The burdens by this order fall both on suppliers of fillings for beds, furniture and toys and on the manufacturers of such items. In view of the diversity of these industries, it has not been possible to construct reliable estimates of the total direct and indirect cost savings the order will achieve. However, one firm, which is the biggest single producer of fillings in the UK, estimates that the cost of testing alone to demonstrate compliance with the rag flock legislation is in its case £4,000 each year. Despite the difficulties associated with determining total figures for the whole industry, informal inquiries have suggested that direct cost savings could be, for the fillings industry alone, over £100,000, for each year after the burdens are removed. Total savings to suppliers and manufacturers should therefore be well in excess of this figure.

Business Links

Mrs. Roche: To ask the President of the Board of Trade what work has been done by his Department to evaluate the Danish broker model within business links and training and enterprise councils. [31891]

Mr. Page: A business networking project based on the Danish broker model has already been piloted in the south-west. Business networking was one of three key areas identified for support under the second competitive White Paper, Cm 2867. As such, it figures prominently amongst the projects being developed throughout the country by TECs and business link partnerships.

Mrs. Roche: To ask the President of the Board of Trade what percentage of British companies are so far included in business links databases. [31909]

Mr. Page: The latest management information returns, which cover about two thirds of the country, indicate that some 617,000 businesses are registered on business link databases. This represents approximately 47 per cent. of the 1.32 million value added tax registered businesses in England. The requirement is for business links to record on their databases details of businesses with 10 or more employees, but many business links include other businesses.

Mrs. Roche: To ask the President of the Board of Trade to which Government Department he expects business links to answer primarily. [31908]

Mr. Page: Although business links receive considerable financial and other support from the Government, they are not Government agencies. As

such they do not "answer" to any particular Government Department. They are, however, required to show the Departments which provide financial support that public funds have been used for the purposes intended. In addition, business links must meet the accreditation and branding requirements specified by my right hon. Friend the President of the Board of Trade as agreed with national business link partners.

Mrs. Roche: To ask the President of the Board of Trade what plans he has to ensure that business links databases are integrated into a national database of exporters. [31904]

Mr. Page: All business links are required to collect common core information for all businesses with 10 employees or more, including whether companies are exporters and, if so, the percentage of sales that are exported, and be able to output this information in a common form.

Business links are private companies. Decisions on whether to integrate this information into national databases is a matter for them to consider on a commercial basis.

Mrs. Roche: To ask the President of the Board of Trade what guidance his Department issues to business links regarding the largest companies which should receive their services. [31906]

Mr. Page: Each business link is expected to provide a service to firms of widely differing sizes. The business link prospectus suggested a need to concentrate its services on businesses with between 10 and 200 employees. In developing business links, however, it has become clear that the real target is firms with the potential to grow, not firms of a particular size.

ISO 9000 Status

Mrs. Roche: To ask the President of the Board of Trade how many firms with under *(a)* 10, *(b)* 20, *(c)* 50 and *(d)* 100 employees have attained Internation Standard Organisation 9000 status. [31948]

Mr. Page: My Department does not hold comprehensive information concerning the size of firms assessed to ISO 9000. The 1996 edition of the DTI QA register, "The United Kingdom Register of Quality Assessed Companies", a copy of which is available in the Library of the House, lists some 51,500 organisations which have attained accredited certification to ISO 9000. Entries in the register are voluntary and there is no breakdown by size of organisation.

Torness Power Station

Mr. Home Robertson: To ask the President of the Board of Trade (1) if he will make a statement on warnings given by the nuclear installations inspectorate concerning the failure of maintenance requirements of Torness power station to match the safety case with particular reference to the shortage of suitably qualified and experienced personnel at Torness and safety problems arising from the employment of outside contractors; [31624]

(2) if he will take measures to increase the provision of maintenance staff and in-house provision at Torness power station; and if he will notify those bidding for shares in British Energy of his proposals in this area. [31625]

Mr. Eggar *[holding answers 7 June 1996]:* Scottish Nuclear put forward a safety case to the nuclear installations inspectorate on proposals to make modifications to the maintenance regime of Torness power station. The NII raised some apparent discrepancies with Scottish Nuclear about what was written in the safety case and what was actually in place. Scottish Nuclear reacted promptly and effectively to those concerns. The NII is satisfied with the range of improvements which Scottish Nuclear implemented to its procedures.

OVERSEAS DEVELOPMENT ADMINISTRATION

West Bank and Gaza Strip

Miss Emma Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the British Government plan to take through bilateral and international aid programmes to improve hospital bed availability in the west bank and Gaza strip. [31868]

Mr. Hanley: The Overseas Development Administration is helping the Palestinian Ministry of Health to strengthen its management capacity through a three-year project. The project's goals include improved planning and management of hospital services, and increased utilisation rates and hospital bed availability. The team of ODA-funded health consultants led by Sir Duncan Nicholl is working alongside a World Bank-funded programme which constitutes a part of its $20 million education and health rehabilitation credit.

The EU is financing the construction of a 232-bed general hospital near Gaza city. Construction began in October 1993, commissioning will begin in the early autumn, and the United Nations Relief and Works Agency which administers the hospital expects it to be fully operational by March 1997. The UK share of the £18 million cost will be over £3 million. There has also been substantial UK involvement in the hospital's design and construction.

UNRWA, to whose core budget the UK makes annual contributions, is upgrading a small cottage hospital in the west bank.

Miss Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the annual amount spent by the United Kingdom Government through bilateral and international aid programmes on the provision of health care in the west bank and Gaza strip for the period 1970 to 1996. [31870]

Mr. Hanley: The ODA's record of expenditure on assistance to the health sector in the west bank and Gaza strip does not date back to 1970. The following table shows UK bilateral aid, and assistance through the EC and UNRWA, since 1978–98. Assistance from the World bank for the west bank and Gaza is only just starting: it

has recently declared a $20 million education and health rehabilitation credit effective.

UK aid flows to occupied territories/west bank Gaza strip health sector 1987–88 to 1995–96

UK financial year	*ODA bilateral*[1]	*EC*[2]	*UNRWA*[3]	*Total £'000s*
1987–88	137	74	—	211
1988–89	148	81	—	229
1989–90	198	211	—	419
1990–91	247	240	—	487
1991–92	534	1,782	—	2,316
1992–93	565	987	—	1,552
1993–94	510	1,120	—	1,630
1994–95	420	776	—	1,296
1995–96	636	2,300	45	2,981

Notes:

[1] *ODA bilateral:* constitutes regular bilateral programme, Emergency Aid and Joint Funding Scheme flows.

[2] *EC:* based on exchange rate of 1 Ecu: £0.80, and UK average share over the period of 16 per cent. of total EU programme.

[3] *UNRWA:* Figure refers to year one of third year £400,000 ODA-funded Family Health Project. Both UK and EU make regular annual contributions to UNRWA's core programme budget which *includes* health sector activities. These cannot be disaggregated.

Miss Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what existing measures the British Government support through bilateral and international aid programmes which assist polytechnic education to train technical and managerial workers in the west bank and Gaza strip; and what is the United Kingdom financial contribution to such programmes; [31871]

(2) what was the annual amount spent by the United Kingdom Government through bilateral and international aid programmes on the provision of polytechnic education in the west bank and Gaza strip for the period 1970 to 1996; [31867]

(3) what future steps the British Government plan to take through bilateral and international aid programmes to assist the development of polytechnical education to train technical and managerial workers in the west bank and Gaza strip. [31869]

Mr. Hanley: The United Kingdom bilateral aid programme for west bank and Gaza does not fund tertiary level education projects.

The European Union is providing running cost support in 1996 for nine universities and 12 community colleges. Four of the community colleges—the term polytechnic is rarely used in west bank and Gaza—are technical or management colleges. Their share of the support will total 1.96 million ecu—£1.64 million—of which about 16 per cent. can be attributed to the UK.

TREASURY

Kenya

Sir Thomas Arnold: To ask the Chancellor of the Exchequer if he will make a further statement about the International Monetary Fund's enhanced structural adjustment facility for Kenya. [30596]

Mrs. Anglea Knight: A three-year programme under the enhanced structural adjustment facility worth SDR 149.55 million, was approved by the IMF board on 26 April.

Works of Art

Mr. Mike O'Brien: To ask the Chancellor of the Exchequer what has been the cost of the conditional exempt works of art inheritance tax rules to the Inland Revenue at constant values in *(a)* 1980, *(b)* 1985, *(c)* 1990 and *(d)* 1995. [31209]

Mr. Jack: The estimated cost to the Exchequer of granting conditional exemption from inheritance tax and capital transfer tax to works of art and chattels is:

Year	*£ million at 1994–95 prices*[1]
1984–85	64 million
1989–90	123 million
1994–95	55 million

[1] Converted using the GDP market deflator.

A comparable figure for 1979–80 is not available. The exemption is conditional, not absolute. Its broad effect is to defer payment of tax on the qualifying items for so long as the conditions of the exemption are met.

Abortions

Sir David Steel: To ask the Chancellor of the Exchequer how many abortions *(a)* in total and *(b)* per 1,000 women were carried out in England and Wales in 1995. [31316]

Mrs. Angela Knight: The information requested is not yet available. Abortion data for the first three quarters of 1995 have been published in Office of Population Censuses and Surveys/Office of National Statistics monitors AB96/1, AB96/2, AB9/3 and are available in the House of Commons Library. The December quarter monitor is expected to be published on 27 June 1996. The 1995 annual monitors are expected to be published in September 1996.

European Union Flag

Mr. Redmond: To ask the Chancellor of the Exchequer what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31501]

Mrs. Angela Knight: No European Union flags were flown by the Treasury or the Chancellor's agencies on 8 May 1996.

Parliamentary Questions

Mr. Donohoe: To ask the Chancellor of the Exchequer, pursuant to his answer of 21 March, *Official Report*, column *257*, how much his Department estimated it would have cost to provide the information requested. [31444]

Mrs. Angela Knight: More than £450, the current threshold above which answers are deemed to incur disproportionate cost.

Common Agricultural Policy

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what estimate he has made of *(a)* the cost to a family of four of the common agricultural policy and *(b)* the pecuniary benefit which such a family derives from United Kingdom membership of the EEC. [31761]

Mr. Waldegrave: The common agricultural policy imposes costs on consumers estimated for 1993 at some £3 per week per person. A note setting out the calculations of the costs to United Kingdom taxpayers and consumers has been placed in Library of the House.

However, while such an assessment of the costs of the CAP can be made, to carry out an assessment of the pecuniary and wider benefits of UK membership of the European Union for a family of four would be time consuming and expensive. It would not be possible to disentangle the direct impact of EU membership over more than two decades from changes which are due to other factors.

Exports

Mr. MacShane: To ask the Chancellor of the Exchequer what assessment he has made of the impact on exports of changes in the strength of the pound against other currencies since January 1996. [31932]

Mrs. Angela Knight: The latest trade data, to March, show that the volume of United Kingdom exports of goods—excluding oil and erratics—increased by over three per cent. in the first quarter of 1996 compared with the previous quarter. However, exports depend on a wide range of factors, of which the exchange rate is only one, and it is difficult to disentangle the various influences. In any case, the sterling effective exchange rate index changed little between January and April 1996.

Assets

Sir Peter Hordern: To ask the Chancellor of the Exchequer how many people over 60 years have assets of £50,000 or more at the latest available date; and how many such people there were five years ago and 10 years ago. [31548]

Mr. Jack: The available information is as follows. I regret that separate estimates for people over 60 years are not available.

Adults in the United Kingdom with net marketable wealth[1] of £50,000 or more

Year	*Estimated number*
1983	3 million
1988	6 million
1993	10 million

[1] Includes all assets held by individuals for which a value can be immediately realised, net of liabilities, but excludes the values of accrued pension rights.

Obstetrics

Mrs. Wise: To ask the Chancellor of the Exchequer if he will list the total number of *(a)* live births, *(b)* stillbirths and *(c)* maternities which occurred in England and Wales in 1995 and the number of each which occurred in (i) NHS hospitals without consultant obstetric units, (ii) NHS hospitals with obstetric units, (iii) other hospitals, (iv) at home and (v) elsewhere. [31855]

Mrs. Angela Knight: Available data requested are shown in the table.

Births and maternities in England and Wales by place of confinement, 1995

	Live births	*Stillbirths*	*Maternities*
NHS hospitals	632,378	3,530	626,633
Non-NHS hospitals	2,689	14	2,667
At home	12,464	41	12,487
Elsewhere	607	15	617
Total	648,138	3,600	642,404

Separate figures for different kinds of NHS hospital have not been collected centrally since 1992, when 98.6 per cent. of all maternities in NHS hospitals occurred in hospitals with consultant obstetric units.

Earnings Statistics

Mr. Meacher: To ask the Chancellor of the Exchequer (1) if he will list the number and proportion of manual, non-manual and part-time employees on adult rates earning less than *(a)* £3.95, *(b)* £5.26 and *(c)* £5.52 per hour, excluding overtime payments, in total and for (i) men and (ii) women and by (1) standard economic region, (2) each county in England and Wales, (3) each London borough and Greater London as a whole, (4) each regional authority and borough in Scotland and (5) Great Britain as a whole for April 1992; [31175]

(2) if he will list the number and proportion of manual, non-manual and all full-time employees on adult rates earning less than *(a)* £148.13, *(b)* £197.25 and *(c)* £207.13 per week, excluding overtime payments, in total and for (i) men and (ii) women and by (1) standard economic region, (2) each county in England and Wales, (3) each London borough and Greater London as a whole, (4) each regional authority and borough in Scotland and (5) Great Britain as a whole for April 1992. [31174]

Mrs. Angela Knight: I am placing the available information from the "New Earnings Survey" in the House of Commons Library.

Deregulation

Mr. Steen: To ask the Chancellor of the Exchequer what is the estimated annual saving to business from the Deregulation (Bills of Exchange) Order 1996. [31384]

Mrs. Angela Knight: The Association for Payment Clearing Services has estimated that savings to the banking industry will be in the region of £30 million a year.

Custody Services Regulation

Mr. John Greenway: To ask the Chancellor of the Exchequer when he will publish his consultation document on extending the scope of the Financial Services Act 1986 to cover regulation of custody services. [32549]

Mrs. Angela Knight: I have today published the consultation document. Copies have been placed in the Libraries of the House. Comments are invited by the end of August.

NORTHERN IRELAND

Disabled Employees

Mr. Llwyd: To ask the Secretary of State for Northern Ireland how many registered disabled people are employed by his Department; and what percentage this is of the total figures. [30778]

Sir John Wheeler: At 1 May 1996 there 1,120 staff in the Northern Ireland Civil Service—3.96 per cent. of the service—who self-reported a disability. Of these 450—1.6 per cent. of the service—were, or had been, registered as disabled. In addition, 71 registered disabled people are working in the Northern Ireland civil service under the employment support programme.

Of the home civil service staff in the Northern Ireland Office two are known to be registered disabled—0.9 per cent. of the work force.

Postal and Proxy Votes

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many applicants for postal or proxy votes for the election to be held on 30 May, have been refused by the chief electoral officer because they stated that they would be on holiday; what plans he has to take steps to reverse this ruling; and if he will advise the chief electoral officer to amend the existing application form so that applicants know to state where they will be on holiday. [30832]

Mr. Ancram: A total of 56 applications for a postal or proxy vote were refused to individuals who cited leave or holiday as the reason for recruiting an absent vote for the 30 May election. The precise reasons for the refusals in these cases are, however, a matter for the chief electoral officer alone to consider. The application form that is used by those wishing to apply for a one-off postal or proxy vote at a particular election already advises in the notes on the reverse of the form that the applicant should indicate where he or she will be on holiday.

Fisheries

Mr. Ainger: To ask the Secretary of State for Northern Ireland how much Pesca funding is available for fishery projects in Northern Ireland in 1996–97; how much was paid in 1995–96; and if he will list those projects funded and the amount each project received. [32192]

Sir John Wheeler: The financial information for the Pesca programme is available only on the basis of calendar year and not financial year as requested.

The funding available for measure 3 fisheries projects in 1996 and 1997 is as follows:

1996: £67,000

1997: £76,000

There was no expenditure incurred on fisheries projects in 1995–96 financial year.

A nil return should be recorded against list of projects funded and amount each project received.

TRANSPORT

British Rail (Assets)

16. **Mr. Gordon Prentice:** To ask the Secretary of State for Transport what estimates he has made of the value of *(a)* land, *(b)* property and *(c)* rolling stock and other railway assets in the ownership of British Rail. [30616]

Mr. Watts: British Rail's 1994–95 annual report and accounts show that the total value of BR's fixed assets was £2,748 million at 31 March 1995. The annual report and accounts for year end 1995–96 are being audited and will be published in July.

Official Travel

19. **Mr. Win Griffiths:** To ask the Secretary of State for Transport what percentage of his travel on official business has been undertaken by rail in the last year. [30620]

Sir George Young: I travel regularly to work by rail and, during the last year, I travelled by train on approximately 75 per cent. of official visits in the UK outside London. On Friday, I travelled on seven separate trains.

Public Transport

25. **Mr. Purchase:** To ask the Secretary of State for Transport what plans he has to increase public transport use; and if he will make a statement. [30628]

Mr. Norris: We aim to increase the attractions of public transport through targeted public investment and through greater involvement of the private sector in offering the services people want.

Airport Capacity

26. **Sir Alan Haselhurst:** To ask the Secretary of State for Transport when he expects to respond to the Second report of the Transport Committee on United Kingdom airport capacity, HC67, Session 1995–96. [30629]

Sir George Young: I received the report towards the end of last month and aim to respond as soon as possible.

Bus Lanes (London)

27. **Mr. Carrington:** To ask the Secretary of State for Transport when he expects to review the economic impact of the introduction of bus lanes in London; and if he will make a statement. [30630]

Mr. Norris: We are currently updating our guidance note "Keeping Buses Moving". However, I have no doubt that bus priority measures in London are delivering real benefit, and this is reflected in our commitment to complete the bus priority network by 2003.

Disabled Parking

Ms Lynne: To ask the Secretary of State for Transport what steps his Department has taken to examine misuse of the orange badge parking concession scheme; and what plans he has to curb such abuse. [31873]

Mr. Norris: Following a comprehensive review of the working of the scheme new regulations were introduced in 1992 which, among other things, sought to reduce

abuse of the scheme by making enforcement easier. We are seeking a legislative opportunity for the creation of new powers which will allow traffic wardens and parking attendants to inspect orange badges on demand.

Women (Promotion)

Mr. Donohoe: To ask the Secretary of State for Transport what measures his Department has implemented during the last 12 months, to encourage the promotion of women into senior positions with his Department and its executive agencies; and what progress his Department has made in encouraging the promotion of women over the last five years. [31536]

Mr. Norris: The Department advertises all promotions, internal vacancies and open competitions on an equal opportunity basis. During the last 12 months, women have been among those particularly encouraged to apply. Over the last five years, the Department has run courses designed to specifically develop the potential of women in management positions. The Department is actively involved in Opportunity 2000.

National Rail Network

Mr. Gunnell: To ask the Secretary of State for Transport what is his assessment of the future of the national rail network; and if he will make a statement. [30615]

Sir George Young: The future of the national rail network is more assured than ever as a result of our privatisation programme. Railtrack, now in the private sector, has published a 10-year plan to spend well over £1 billion per annum on the network. Passenger services are being transferred to the private sector, with, for the first time, key services and network benefits legally guaranteed through franchise contracts.

European Union Flag

Mr. Redmond: To ask the Secretary of State for Transport what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31513]

Mr. Norris: I refer the hon. Member to the reply given on 6 June, *Official Report*, column *518*, by the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Boothferry (Mr. Davis).

Recruitment

Mr. Donohoe: To ask the Secretary of State for Transport what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31415]

Mr. Norris: My Department has used Recruitment and Assessment Services and other specialist recruitment agencies for external recruitment. The total number of staff recruited using these services was 19, for the 1994–95 financial year, and 223 for 1995–96. The overall estimated recruitment costs including agency costs—which are not separately identified—in each financial year was in the order of £300,000. The following agencies were employed in the period in question:

Recruitment and Assessment Services
Link-up Recruitment
Murray and Co.
Harrison and Willis
Saxton Bampfylde International plc
NB Selection Ltd.
Sanders and Sidney Outplacement Consultant Beechwood Executive Search
Prospect Recruitment Ltd.
Comtex Solutions
Principal People
PTC

Mr. Donohoe: To ask the Secretary of State for Transport how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31400]

Mr. Norris: The figures requested for recruitment in my Department are contained in the following table.

	CTG	*DSA*	*DVLA*	*VCA*	*TCA*	*HA*	*MSA*	*VIEA*	*TRL*	*Totals*
April 1994—April 1995 Number of permanent staff recruited (FTA ' incl.)	30	62	45	3	29	7	23	36	63	298
April 1994—April 1995 Cost	£269,182	£34,000	nil	£4,983	£26,352	£36,450	£17,102	£54,000	£75,000	£517,069
April 1995—April 1996 Number of permanent staff recruited (FTA ' incl.)	37	240	97	1	45	27	23	68	114	652

	CTG	DSA	DVLA	VCA	TCA	HA	MSA	VIEA	TRL	Totals
April 1995—April 1996										
Cost	£188,965	£104,500	£9,100	£1,609	£28,085	£46,944	£23,428	£58,000	£103,000	£563,631
Total permanent recruitment (for both periods)	67	302	142	4	74	34	46	104	177	950
Total costs (for both periods)	£458,147	£138,500	£9,100	£6,592	£54,437	£83,394	£40,530	£112,000	£178,000	£1,080,700

[1] FTA (Fixed Term Appointments) not including casual recruitment.
CTG = Central Transport Group.
DSA = Driving Standards Agency.
DVLA = Driver and Vehicle Licensing Agency.
VCA = Vehicle Certification Agency.
TCA = The Coast-Guard Agency.
HA = High-Ways Agency.
MSA = Marine Safety Agency.
VIEA = Vehicle Inspectorate.
TRL = Transport Research Laboratory privatised April 1996.

Mr. Donohoe: To ask the Secretary of State for Transport in what circumstances his Department or its executive agencies uses an executive search or employment agency to recruit staff in preference to using personnel staff within his own Department or its executive agencies. [31528]

Mr. Norris: The Department and its executive agencies use executive search or employment agencies where it is felt that this provides a better and more cost-effective service than the normal recruitment methods.

Railway Investment

18. **Mr. Rowlands:** To ask the Secretary of State for Transport if he will make a statement on future likely levels of investment in Britain's rail network. [30619]

Mr. Watts: Investment in the rail network has been at record levels in recent years and is expected to rise following the privatisation of railtrack and other rail businesses.

Rail Freight

Mr. Flynn: To ask the Secretary of State for Transport what assessment he has made of the impact of rail privatisation on the amount of freight carried by rail rather than road. [30612]

Mr. Watts: I expect rail freight privatisation to be a resounding success. Both North and South Railways and the new owners of Freightliner have ambitions to develop the rail freight market.

Railway Research Projects

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many people are employed by British Rail on railway research projects; and if he will list the current projects. [31591]

Mr. Watts: The number of people employed by BR on railway research projects, and the nature of those projects, is a commercial matter for BR.

Motorway Lighting

Mr. Frank Field: To ask the Secretary of State for Transport if he will list the locations of all sections of motorway which have overhead lighting, by parliamentary constituency. [31599]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Frank Field, dated 10 June 1996:

The Secretary of State for Transport has asked me to write to you in reply to your recent Parliamentary Question about the location of overhead lighting on motorways. You asked for this information by parliamentary constituency.

The Highways Agency's locational information for road lighting does not include references to parliamentary constituencies. The lengths of motorway in England with overhead lighting are however recorded and these are identified on the attached table.

The Agency does not have information about the short lengths of principal road motorway in England or the motorways in Wales, Scotland and Northern Ireland.

The following sections of motorway, in England, contain stretches of road lighting:

Motorway	From junction	To junction	Kilometres	Miles
M1	1	20	122	75.8
M1	21	22	6	3.7
M1	23	27	22.9	14.2
M1	46	47	0.6	0.4
M2	6	End	3.2	2
M3	Start	2	0.9	0.6
M3	2	3	1.9	1.2
M3	12	End	5.1	3.2
M4	Start	8/9	32.8	20.4
M4	10	13	12.6	7.8
M4	20	21	1.7	1.1
M4	21	22	5	3.1
M4	22	Wales	0	0
M5	Start	3	14.7	9.1
M5	4	9	43.3	26.9
M5	14	20	15.7	9.8
M5	28	30	3.2	2
M5	30	31	0.9	0.6
M6	Start	1	2.1	1.3
M6	2	3	2.1	1.3
M6	3	11	36.4	22.6
M6	15	16	4.8	3
M6	19	28	37	23
M6	28	33	15.4	9.6
M10	1	2	0.8	0.5
M11	Start	3	4.2	2.6
M11	5	7	7.6	4.7
M11	13	14	1	0.6
M20	1	3	2.8	1.7
M20	4	8	11.3	7
M20	10	13	9.2	5.7
M23	7	9	4.1	2.5
M23	10	End	1	0.6
M25	1a	3	3.6	2.2
M25	5	5	2.5	1.6

The following sections of motorway, in England, contain stretches of road lighting:

Motorway	From junction	To junction	Kilometres	Miles
M25	6	8	2.2	1.4
M25	10	17	33.8	21
M25	17	22	12.6	7.8
M25	23	27	25.1	15.6
M25	27	31	25.5	15.8
M27	3	4	2.9	1.8
M27	5	8	2.9	1.8
M27	11	12	4.1	2.5
M32	Start	1	1.2	0.7
M32	1	3	3.3	2.1
M40	1a	2	1.4	0.9
M40	3	6	13.5	8.4
M42	Start	2	3.1	1.9
M42	3	4	1.3	0.8
M42	5	9	9.6	6
M45	Start	1	0.4	0.2
M50	Start	1	0.7	0.4
M53	Start	3	3	1.9
M53	4	12	12.2	7.6
M54	Start	3	7	4.3
M55	Start	3	2.2	1.4
M55	3	End	0.7	0.4
M56	Start	7	7.4	4.6
M56	8	10	4.8	3
M56	14	End	5.1	3.2
M57	6	End	0.4	0.2
M58	Start	1	0.6	0.4
M58	3	4	7.4	4.6
M61	Start	4	4.8	3
M61	9	End	0.8	0.5
M62	Start	7	7.1	4.4
M62	7	11	4.9	3
M62	11	28	66.1	41.1
M62	37	End	0.7	0.4
M63	Start	End	22.7	14.1
M66	Start	1	0.1	0.1
M66	1	3	6.6	4.1
M66	3	5	1.4	0.9
M66	4	End	0.1	0.1
M66	11	12	3.8	2.4
M67	Start	End	5.8	3.6
M69	Start	1	1.6	1
M69	2	End	0.9	0.6
M180	Start	2	1.5	0.9
M180	4	5	1	0.6
M606	1	2	2.3	1.4
M606	2	3	1.7	1.1
M621	Start	End	8	5
A1(M)	Start	2	0.9	0.6
A1(M)	1	5	6	3.7
A1(M)	37	38	1.6	1

Driving Tests

Mr. Spearing: To ask the Secretary of State for Transport if he will place in the Library the codes of practice on standards of road testing for licensing drivers of motor vehicles, including heavy lorries, in each member state of the European Community. [32015]

Mr. Norris: All member states comply with, or are taking steps to comply with, Council directive 91/439/EEC on driving licences which is available in the Library. Annexe II of the directive sets out, among other things, the contents of the practical driving test for motor vehicles, including heavy lorries, and provisions on the manner of assessing candidates by examiners and on the training and supervision of examiners.

Speed Cameras

Mr. Harry Greenway: To ask the Secretary of State for Transport if he will make it his policy to have large signs showing maximum permitted speeds alongside all speed camera signs; and if he will make a statement. [32047]

Mr. Norris: Existing legislation requires all speed limits to be signed. I do not propose additional requirements to add speed limit repeater signs alongside enforcement camera signs. On urban roads where there is a 30 mph limit, repeater signs may be used only where there is no street lighting to indicae the presence of the speed limit. Inconsistent use of repeater signs would lead to enforcement difficulties arising through drivers claiming uncertainty about which limit is in force. The west London enforcement camera trial clearly showed that drivers—who slow down when approaching known camera sites—know the limits in force.

Traffic Area Network

Lady Olga Maitland: To ask the Secretary of State for Transport what his plans are for reorganising the traffic area network. [32552]

Mr. Norris: In order to streamline the work and reduce the costs of the traffic areas, the work of the current eight offices will be reorganised into six offices, each with its own traffic commissioner. The offices in Cardiff and Manchester will be closed in 1997. It will be our objective to resolve the problems of staff surpluses by voluntary redundancy means wherever possible through offers of voluntary redundancy and by identifying alternative job opportunities in DOT agencies and other Government Departments for staff in these two offices who wish to remain in the civil service.

We shall be consulting shortly on proposals for boundary changes to the traffic areas so as to achieve a more even distribution of work.

London Transport Fares

Mr. Simon Hughes: To ask the Secretary of State for Transport what is his policy on fares charged by London Transport. [30627]

Mr. Norris: The general level and structure of London Transport fares are the statutory responsibility of LT. However, as our document "A Transport Strategy for London" indicates, we believe that, in future, LT fares are likely to rise more in line with inflation than with earnings, implying average fare increases lower than in recent years.

Bull Bars

Mr. Flynn: To ask the Secretary of State for Transport how many letters and submissions he has received supporting the Bull Bars (Prohibition) Bill; and how many have opposed it. [32092]

Mr. Norris: The Department has received 197 letters and submissions supporting the Bull Bars (Prohibition) Bill and 10 opposing it.

Thames Piers

Mr. Simon Hughes: To ask the Secretary of State for Transport what submissions he has received from the Port of London Authority to comply with the recommendation of the River Thames working group to review the location and availability of piers on the Thames. [31475]

Mr. Norris: The Port of London Authority is working with the Cross River Partnership to examine in detail the location of, and potential demand for, existing and possible new piers in central London. This study forms part of the cross-river integrated public transport study which is expected to report next year.

In addition, the PLA has recently completed a review of the availability of space at the existing piers under its control, in response to a number of proposals to start new passenger services, and last week invited bids for the use of the available space.

Proposals are anticipated in due course for new piers and the upgrading of existing piers. The Government welcome such initiatives which, if implemented, would increase the total pier capacity in central London and facilitate increase use of the Thames for passenger transport.

Ferry Safety

Mr. Flynn: To ask the Secretary of State for Transport what is his latest estimate of the evacuation time of all passengers and crew that can be required of all ferries using British ports licensed to carry more than 1,000 passengers. [32094]

Mr. Norris: The precise time taken to evacuate any such ship would depend upon individual circumstances. Under the safety of life at sea convention, all survival craft needs for the abandonment of the ship must be able to be launched fully loaded within 30 minutes from the time the abandon ship signal is given.

NATIONAL HERITAGE

Private Investigators

Mr. Donohoe: To ask the Secretary of State for National Heritage what use her Department has made of private detective agencies or investigators during 1995–96 and 1994–95; which agencies have been employed; for what purposes; and at what cost to her Department. [30573]

Mr. Sproat: My Department has made no use of private detective agencies or investigators during 1995–96 or 1994–95.

Of my two agencies, the Historic Royal Palaces agency used the services of private detectives on one occasion during 1995–96 and the Royal Parks agency used a private investigator for one inquiry during 1995–96.

As both these inquiries were of a confidential personnel-related nature, it would be wrong to provide more specific information.

National Lottery

Dr. John Cunningham: To ask the Secretary of State for National Heritage how many organisations have been awarded funds from the national lottery five good causes; what is the total amount in pounds; and how much of that money in percentage terms from each of the five good causes has not yet been paid out to these organisations. [28143]

Mrs. Virginia Bottomley: Information about lottery awards is collected on the basis of awards and projects rather than on the basis of recipient organisations. At 2 May 1996, 5,498 awards for 6,588 projects totalling £1,484,691,164.76 had been made by the 11 lottery distributing bodies throughout the United Kingdom.

It is a general principle in the distribution of lottery funds that cash will be paid out only to an award recipient on receipt of an invoice relating to the lottery-funded project, consistent with the prudent management of public funds. Until that time, the funds allocated and committed to the future costs of projects remain invested in the national lottery distribution fund, where all the investment returns earned accrue to the good causes.

It is therefore important to distinguish between the commitment of funds to awards and the draw-down of cash from the NLDF. The figures for awards include a significant proportion of projects which have not yet drawn down from the NLDF, either because the award is very recent, or because the project has not yet met all the particular conditions placed on the award. They also include the total value of awards to over 4,000 capital projects whose expenditure is spread out over many years to come.

My Department ensures that the future commitment of funds by the lottery distributing bodies remains within prudent levels consistent with their share of the expected income to the NLDF.

The figures for each of the five good causes for funds allocated from the NLDF at 31 March 1996 are shown in the table:

	Lottery receipts £ million	*Amount awarded (including future commitments £ million*	*Amount drawn down £ million*	*Percentage of amount awarded awaiting draw down from NLDF*
Arts	363	403	35	90
Sports	363	254	29	92
Heritage	363	173	36	90
Millennium	363	494	5	99
Charities	363	159	19	95

National Vocational Qualifications

Ms Corston: To ask the Secretary of State for National Heritage what sums of public money *(a)* have been spent and *(b)* are allocated to the national coaching foundation scheme for Scottish and national vocational qualifications for coaching. [30327]

Mr. Sproat: The Sports Council will provide £1,500,500 grant aid to the National Coaching Foundation in 1996–97 for a work programme which will include assistance to the national governing bodies of sport to help them develop their coach education programmes. A total of £183,000 is to be allocated to work on the Scottish/national vocational qualifications—S/NVO. This will involve assisting the governing bodies of sport to convert their existing coach award schemes in line with S/NVQ standards. For the last three years, the corresponding figures for Sports Council grant to the NCF have been:

£

	1993–94	*1994–95*	*1995–96*
Total grant	1,494,000	1,420,000	1,550,500
S/NVQ element	164,000	153,661	176,136

I understand that funds are also made available by the Further Education Funding Council.

Roman Road

Ms Gordon: To ask the Secretary of State for National Heritage if she will make a statement on the extent of the surviving Roman road on the site of the HAT redevelopment of the Lefevre Walk estate on the Parnell road, Old Ford site; and what measures are planned to ensure that the surviving Roman road remains *(a)* undisturbed and *(b)* accessible for further investigation. [31308]

Mr. Sproat: Archaeological remains, including a small part of the Roman road which extended from London to Colchester, exist at the Lefevre Walk estate redevelopment site and have been properly investigated in accordance with English Heritage's advice. As recommended in Government guidance on archaeology and planning, a condition has been included in the planning permission given by the London borough of Tower Hamlets to ensure that the foundations for the new housing development will have as little impact as possible on these remains.

Euro 96

Mr. Pendry: To ask the Secretary of State for National Heritage what emergency accommodation arrangements local authorities are providing for fans attending the Euro 96 football championships; what is the estimated cost involved in making these arrangements; and who is meeting the cost of this accommodation. [31328]

Mr. Sproat: I understand that local authorities have been examining ways of meeting accommodation needs for fans attending Euro 96. The costs involved are a matter for the local authorities themselves.

Recruitment

Mr. Donohoe: To ask the Secretary of State for National Heritage how much her Department spent in recruiting staff to her Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruitment in each of these years. [31403]

Mr. Sproat: My Department and its agencies spent £101,793.05 on recruiting 60 staff during the financial year 1994–95. During 1995–96, we spent £136,449.75 recruiting 57 staff.

Mr. Donohoe: To ask the Secretary of State for National Heritage (1) what use her Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within her Department or executive agencies administered by her Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts; [31418]

(2) in what circumstances her Department or its executive agencies uses an executive search or employment agency to recruit staff in preference to using personnel staff within her own Department or its executive agencies. [31531]

Mr. Sproat: Neither this Department nor its executive agencies have used executive search agencies or employment companies to fill any vacancies during the financial years 1994–95 or 1995–96. Therefore, the question of whether we use executive search agencies or employment companies in preference to using personnel staff is not applicable.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for National Heritage (1) pursuant to her answer of 26 March, *Official Report*, column *518*, how much her Department estimated it would have cost to provide the information requested; [31459]

(2) pursuant to her answer of 28 March, *Official Report*, column *724*, how much her Department estimated it would have cost to provide the information requested. [31452]

Mr. Sproat: More than £450, the current threshold above which answers are deemed to incur disproportionate cost.

Women (Promotion)

Mr. Donohoe: To ask the Secretary of State for National Heritage what measures her Department has implemented during the last 12 months to encourage the promotion of women into senior positions with her Department and its executive agencies; and what progress her Department has made in encouraging the promotion of women over the last five years. [31533]

Mr. Sproat: Since the Department was created in April 1992, promotees into senior positions in the Department of National Heritage and its agencies have been selected on merit on the basis of fair and open competition. The Department is committed, through the departmental equal opportunities policy statement and action plan, to monitor the progress of women at key stages in their career development, and to take any action appropriate to remove any significant barriers to career progress.

The agencies abide by the principles set out in the policy statement and action plan. The Department has been developing non-discriminatory personnel practices, and procedures including flexible working arrangements, child care provision for employees, and appraisal and promotion systems, which are fair, and do not discriminate against a particular group. As a result of these, the Department and agencies have a good record in respect of the employment and promotion of women.

British Academy of Sport

Mr. Pendry: To ask the Secretary of State for National Heritage, pursuant to her answer of 10 May, *Official Report*, column *294*, about the British Academy of Sport (1) what factors led to her inability to provide the information requested; [31585]

(2) when she expects to be able to provide the information requested. [31584]

Mr. Sproat: The detailed analysis of the consultation exercise is an internal document, never itself intended for publication. It is the basis of internal discussion and advice on a policy which has yet to be finalised and announced. The selective release of some elements of the information from the exercise would be misleading. It would also be premature, given that I have said in my previous parliamentary answer that a summary of the main conclusions of the consultation exercise will be published along with the bid prospectus.

Museums and Coal Mining

Mr. Hinchliffe: To ask the Secretary of State for National Heritage what steps she is taking to implement the recommendations in the Museums and Galleries Commission report on museums and coal mining. [31635]

Mr. Sproat: The report on museums and coal mining has been prepared by an independent consultant for the Museums and Galleries Commission. The commission is currently considering the recommendations in the report. If, following that consideration, the commission wishes to raise any specific aspects of the report with the Government, my Department will be prepared to consider these, in consultation with the Scottish Office and the Welsh Office.

Royal Fine Art Commission

Mr. Maclennan: To ask the Secretary of State for National Heritage if she will make a statement regarding Sir Geoffrey Chipperfield's report into the royal fine art commission. [31573]

Mr. Sproat *[holding answer Friday 7 June 1996]:* I refer the hon. Member to the reply given by my right hon. Friend the Secretary of State to my hon. Friend the Member for Salisbury (Mr. Key) on 9 May 1996, *Official Report*, columns *213–14.*

FOREIGN AND COMMONWEALTH AFFAIRS

Kashmir (Elections)

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of the electorate in all Kashmir constituencies voted in the recent national elections; how many United Kingdom nationals observed those elections on behalf of Her Majesty's Government; if he will arrange to place their report in the Library; and if he will make a statement. [31420]

Mr. Hanley: Official Indian election commission figures for the voting in the recent elections in Kashmir are as follows: Jammu 49.1 per cent., Ladakh 83.3 per cent., Anantnag 39 per cent., Baramulla 46.6 per cent., Srinagar 41 per cent. and Udhampur 52 per cent. A member of our high commission in New Delhi visited the Kashmir constituencies during the elections. The high commission's reports on those visits are internal documents and will not be placed in the Libraries of the House.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) pursuant to his answer of 22 March, *Official Report*, column *386*, how much his Department estimated it would have cost to provide the information requested; [31447]

(2) pursuant to his answer of 29 March, *Official Report*, column *796*, how much his Department estimated it would have cost to provide the information requested. [31450]

Mr. Hanley: More than £450, the current threshold above which answers are deemed to incur disproportionate cost.

Recruitment

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31392]

Mr. Hanley: The cost of recruiting permanent staff to this Department and its agencies, and the numbers in each period were:

	1994–95	*1995–96*
Cost (£)	996,806	962,711
Number	253	188

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31407]

Mr. Hanley: This Department and its agencies have not used executive search agencies during the financial years 1994–95 and 1995–96, but have used the following employment companies:

2 Heads better for business

	1994–95	*1995–96*
Number of staff recruited	46	66
Cost	£48,167	£51,177

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs in what circumstances his Department or its executive agencies uses an executive search or employment agency to recruit staff in preference to using personnel staff within his own Department or its executive agencies. [31520]

Mr. Hanley: This Department and its agencies use employment agencies to recruit staff in preference to using personnel staff since it represents best value for money.

Women (Promotion)

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures her Department has implemented during the last 12 months to encourage the promotion of women into senior positions with his Department and its executive agencies; and what progress her Department has made in encouraging the promotion of women over the last five years. [31544]

Mr. Hanley: We have an action programme in place to ensure equality of access to recruitment, training, career development and promotion for all women. Graduate recruitment into the fast stream is particularly targeted to help redress the under-representation of women at senior levels. The policy is seeing results—in 1995, 57 per cent. of the fast stream intake were women. We encourage the retention of women through a number of initiatives including flexible/part-time work, generous career breaks, subsidised nursery facilities and holiday play schemes for school children. We have been an active member of the Opportunity 2000 campaign since 1992.

We are seeing a steady increase in the percentage of women at all levels in the FCO. The number of women at DS5—top level of middle management—has increased from 9.6 per cent. in 1991 to 13.7 per cent. in 1995. The number of women in the top three grades of the DS has increased by 1 per cent. in 1995 to 3.7 per cent. in 1991, a level that has been maintained to date. There are now eight female ambassadors/heads of mission compared to two in 1991.

Chazanfer Ali

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received about the detention in Mirpur prison of Chazanfer Ali; and if he will make a statement. [31421]

Mr. Hanley: Our high commission in Islamabad was told on 6 June by the Mirpur prison authorities that Chazanfer Ali, a Pakistani national, is still making regular court appearances and that he is in good health.

Market Testing

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration has been given to market testing the services provided by his Department's agencies; and if he will make a statement. [31558]

Mr. Hanley: A prior options review of the diplomatic wing's executive agency, Wilton Park, took place in 1995. The study recommend that the commercial—that is, non-conference—operation be market tested by November 1997. This would not affect Wilton Park's core business of organising conferences on foreign policy matters. This has been endorsed by Ministers.

The ODA's agency—the Natural Resources Institute—has recently been transferred to private ownership.

European Court of Justice

Sir David Knox: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) how many judgments were given against each of the member countries in the European Union by the European Court of Justice in each year since 1989; [31607]

(2) on how many occasions each of the member countries in the European Union were taken to the European Court of Justice in each year since 1989. [31619]

Mr. David Davis: The most up-to-date information is in annexe II of the 12th annual report on monitoring the applications of Community law, OJC No. 254, 1994. The data for 1989 are in annexe II of the 11th report, OJC No. 154, 1993. The 13th report will be published shortly. The reports are in the Library of the House. They summarise the progress of all infraction proceedings against member states.

Seal Pups

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the numbers of harp and hooded seal pups taken in the region of the White sea in 1996 to date. [31832]

Sir Nicholas Bonsor: None. The question of seal culling in the White sea was last raised with the Russian Environment Ministry by our embassy in Moscow in December 1995.

The embassy in Moscow has been instructed to ask for an update on the latest position and I shall write to the hon. Member in due course.

Embassies and Missions (Running Costs)

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the total costs of staffing and running embassies and missions in *(a)* Vilnius, *(b)* Riga and *(c)* Talinn *(d)* Paris and *(e)* Rome in each of the past three years. [32212]

Mr. Hanley: The information is in the following table:

£

	1992–93	*1993–94*	*1994–95*
Vilnius	213,196	267,328	267,481
Riga	663,185	698,407	450,518
Talinn	243,013	210,379	239,960
Paris	12,522,331	12,577,264	12,582,954
Rome	6,220,557	6,192,928	5,893,770

African Nuclear Weapons Free Zone

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Britain's recent signature to the African nuclear weapons free zone treaty; and what restrictions the treaty places on the use of nuclear weapons against an African party to that treaty which has used other weapons of mass destruction. [32050]

Mr. David Davis: The UK signed, subject to ratification protocols 1 and 2 to the African nuclear weapons free zone treaty on 11 April. Parties to protocol 1 undertake not to use or threaten to use nuclear weapons against parties to the treaty. On signature, we stated that we would not be bound by this undertaking if a state party to the treaty attacked us in alliance with a nuclear weapon state, or was in breach of its own non-proliferation obligations under the treaty. Our statement also noted that compliance with international agreements to prevent the proliferation of weapons of mass destruction is vital to the maintenance of world security.

ATTORNEY-GENERAL

European Union Flag

Mr. Redmond: To ask the Attorney-General what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31498]

The Attorney-General: I refer the hon. Member to the answer given by the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Boothferry (Mr. Davis) on 6 June 1996, *Official Report*, column *518*.

LORD PRESIDENT OF THE COUNCIL

Drug Abuse

34. **Mr. Harry Greenway:** To ask the Lord President of the Council what evidence he has evaluated that suggests that the taking of soft drugs leads to the taking of hard drugs; and if he will make a statement. [30637]

Mr. Newton: The Government have neither commissioned nor evaluated evidence on this specific point as we do not find the distinction between so-called hard and soft drugs helpful: all illegal drugs carry physical and mental health risks.

36. **Mr. Jim Cunningham:** To ask the Lord President of the Council if he will make a statement on measures to combat drug abuse. [30639]

Mr. Newton: The Government's drugs strategy for England for the period 1995–98, "Tackling Drugs Together", was published on 10 May 1995. In answer to a question from my hon. Friend the Member for Lewes (Mr. Rathbone) on 13 May, *Official Report*, columns *341–42*, I described the considerable progress made in implementing the strategy during its first year, and on 14 May I wrote to all hon. Members in England outlining the work of drug action teams. Similar strategies are in place in the other parts of the United Kingdom.

38. **Lady Olga Maitland:** To ask the Lord President of the Council what progress he had made in ensuring provision of resources for drug rehabilitation. [30641]

Mr. Newton: The Government's policy is to ensure that individual drug misusers have access to a range of advice, counselling, treatment, rehabilitation and after-care services. The independent task force set up to undertake a review of effective treatment services for drug misusers has reported to Ministers and its report was published on 1 May. Guidance to purchasers will be issued in the summer. Additional resources are being made available this year to boost drug treatment services: an extra £6 million will go to health authorities, and £5.1 million will be invested in treatment programmes in the Prison Service.

Health Strategy

35. **Mr. Bayley:** To ask the Lord President of the Council what is his role in the co-ordination of health strategy. [30638]

Mr. Newton: I chair the Ministerial Sub-committee on Health Strategy. The sub-committee's purpose is to oversee the development, implementation and monitoring of the Government's health strategy, and to co-ordinate the Government's policies on United Kingdom-wide issues affecting health.

Drug Trafficking

37. **Mr. David Shaw:** To ask the Lord President of the Council what assessment the group he chairs on tackling drugs has made of drug trafficking via Holland. [30640]

Mr. Newton: The Ministerial Sub-committee of the Cabinet on the misuse of drugs, which I chair, has the task of co-ordinating the Government's national and international policies for tackling drug misuse, and reporting as necessary to the Ministerial Committee on Home and Social Affairs. As part of its remit, the sub-committee makes periodic assessments of drug trafficking patterns and of the arrangements in place to combat them.

Summer Recess

Mr. Simon Hughes: To ask the Lord President of the Council what consideration he has given to sittings of the House in September; and if he will make a statement. [30634]

Mr. Newton: I cannot yet give the House the proposed dates for the summer adjournment, but I have no plans to make any radical departure from recent practice.

Parliamentary Procedures.

Mr. Flynn: To ask the Lord President of the Council what changes he proposes to simplify parliamentary procedures. [30636]

Mr. Newton: I refer the hon. Gentleman to the oral answer I gave him on 22 April, *Official Report*, column 18.

DEFENCE

Private Investigators

Mr. Donohoe: To ask the Secretary of State for Defence what use his Department has made of private detective agencies or investigators during 1995–96 and 1994–95; what agencies have been employed; for what purpose; and at what cost to his Department. [30567]

Mr. Soames: I am aware of only one case where my Department made direct use of the services of a private detective agency or investigator during 1994–95 and 1995–96. This was in respect of a claim for compensation, at a cost of less than £2,000. I understand that solicitors, and an insurance company working for my Department, may sometimes employ inquiry agents when pursuing debtors and in connection with cases involving claims for compensation. While such services are not paid for directly, they may be included in final costs submitted to my Department.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Defence, pursuant to his answer of 25 March, *Official Report*, column *441*, how much his Department estimated it would have to cost to provide the information requested. [31463]

Mr. Soames: More than £450, the current threshold above which answers are deemed to incur disproportionate cost.

Unidentified Objects (Rendlesham Forest)

Mr. Redmond: To ask the Secretary of State for Defence, pursuant to his answer of 7 May, *Official Report*, columns *19–20*, if he will list the titles of the papers held by his Department in respect of unidentified objects seen in Rendlesham forest, Suffolk; and if he will make a statement. [31490]

Mr. Soames: Apart from a report of the events written at the time by the United States air force deputy base commander at RAF Woodbridge, which has been in the public domain for a number of years, the documents held by my Department are internal staffing papers and correspondence from members of the public relating to the alleged events.

Bourlon Barracks, Catterick

Mr. Home Robertson: To ask the Secretary of State for Defence what was the cost of the structure and fixed equipment of building 36 at Bourlon barracks, Catterick, for the Royal Electrical and Mechanical Engineers light aid detachment; and if the final payment for that building has been made by his Department. [31612]

Mr. Soames: The total cost of the structure and fixed equipment of building 36, Bourlon barracks, REME LAD, was £524,179. The final payment for this building—that is, the release of retention—has not been made.

Mr. Home Robertson: To ask the Secretary of State for Defence what will be the cost of modifications to the crane, doors and exhaust ventilation system in the LAD building (No. 36) at Bourlon barracks, Catterick, to facilitate maintenance work on Warrior armoured personnel carriers. [31614]

Mr. Soames: The estimated cost for the modification of the crane from a single to a two-speed motor is £5,500. There are no plans to modify any of the doors in building 36. The exhaust extraction system was modified in January 1996 at an approximate cost of £2,500.

Sea Training

Sir Dudley Smith: To ask the Secretary of State for Defence which operational sea training facilities the United Kingdom will make available to the Western European Union, following the Birmingham declaration of 7 May. [31746]

Mr. Soames: We will make available, for national or collective participation by WEU nations, the Royal Navy's operational sea training facility at Plymouth, and the joint maritime courses which are run off the coast of Scotland.

Western European Union

Sir Dudley Smith: To ask the Secretary of State for Defence what plans he has to develop further the Western European Union's intelligence section. [31750]

Mr. Soames: The intelligence section agreed by Ministers in 1995 is not operational. Any further development of its capabilities would be undertaken by WEU in the light of experience.

Sir Dudley Smith: To ask the Secretary of State for Defence what progress has been made with the Western European Union mobility study following the Western European Union Ministerial Council meeting in Birmingham and the meeting of Western European Union Chiefs of Defence Staff in London. [31752]

Mr. Soames: Following endorsement of the strategic mobility concept by Chiefs of Defence Staff and by Ministers, a special WEU working group has begun examining the most effective means by which the concept might be implemented.

Sir Dudley Smith: To ask the Secretary of State for Defence what estimate he has made as to when the Western European Union will be in a position to conduct a full-scale Petersberg-type operation. [31747]

Mr. Soames: Our target is for the WEU to be capable of conducting a small-scale crisis management mission by the end of 1996. Achievement of this goal depends on the WEU making further progress on the operational improvements we have initiated during our presidency.

Sir Dudley Smith: To ask the Secretary of State for Defence which countries have not to date offered to provide intelligence data to the Western European Union's intelligence section. [31751]

Mr. Soames: This is a matter for the nations concerned.

Sir Dudley Smith: To ask the Secretary of State for Defence what measures will be taken to increase the involvement of the associate partner members in Western European Union's work on operational development with particular reference to Africa peacekeeping, exercise policy and humanitarian task force operations. [31749]

Mr. Soames: WEU associate partners have already taken part in discussions on the specific issues referred to by the hon. Member. They have also been invited to provide information on the forces that they might make available for WEU operations. We look forward to their further involvement in discussions on other operational matters.

Sir Dudley Smith: To ask the Secretary of State for Defence if he will encourage the Western European Union to add a public relations element to its current crisis exercises, Crisex 96. [31753]

Mr. Soames: The WEU intends to use this exercise to promote its operational role to the media, and plans a press visit to the exercise. The WEU will also be testing internally new procedures for operational public information policy, developed as a UK initiative.

Sea Harrier Aircraft

Mr. Home Robertson: To ask the Secretary of State for Defence how many Sea Harrier aircraft have been lost in the last year; how many new aircraft from the attrition batch whose procurement was announced in January 1994 have now been deployed in squadron service as replacements; and what navigation system was fitted to those replacement aircraft when they were delivered by British Aerospace. [31758]

Mr. Soames: In the year since 1 June 1995, there have been two major accidents involving Royal Navy Sea Harrier FA2 aircraft. The first was on 20 October, when an aircraft caught fire while preparing to take off from Royal Naval Auxiliary Service, Yeovilton; and the second on 13 February when an aircraft ditched into the Adriatic. Additionally, a Royal Navy Harrier T4 crashed near Wellington, Somerset on 23 February, tragically killing the two personnel on board.

Four Sea Harrier aircraft from the attrition batch whose procurement was announced in January 1994 have been deployed in squadron service. A further aircraft is currently in the maintenance group and will be delivered to a front-line squadron shortly. The replacement aircraft delivered by British Aerospace were fitted with the Navigation heading and attitudes reference system.

Mr. Home Robertson: To ask the Secretary of State for Defence what will be the cost to his Department of procuring new navigation systems for Sea Harrier aircraft; and what share of the value of that contract will be passed on to British Aerospace. [31757]

Mr. Arbuthnot: The total cost to my Department of procuring new navigation systems for the Sea Harrier aircraft is estimated to be in the order of £35 million at current prices inclusive of VAT. This includes the costs of equipment, its integration into the aircraft and flight trials to ensure system safety and airworthiness. It is not possible at this stage to quantify the precise value of the British Aerospace element of the programme because contract negotiations have not yet been concluded. Contract price values are, in any case, usually commercially confidential.

Torrejon Satellite Centre

Sir Dudley Smith: To ask the Secretary of State for Defence what plans the United Kingdom has to explore possible links between the Western European Union satellite centre in Torrejon and the Pentagon before the end of its presidency of the Western European Union. [31748]

Mr. Soames: The UK has no plans to explore such links.

Exports Licensing

Mr. Llew Smith: To ask the Secretary of State for Defence what assessment he has made of the impact on the current defence exports licensing policy of the recent agreement to join the Franco-German Arms Agency. [31986]

Mr. Arbuthnot: Exports licensing policy is the responsibility of the Department of Trade and Industry. However, there are no plans to change UK export licensing policy in the context of participation in the Franco-German armaments structure.

Trident D5 Missiles

Mr. Flynn: To ask the Secretary of State for Defence if he expects to place an order for further Trident D5 missiles from the United States of America before the summer adjournment. [32052]

Mr. Arbuthnot: Orders for Trident D5 missiles are placed on behalf of my Department by the United States Department of Defence. The next tranche of orders will not be placed before the start of the US fiscal year 1997, which commences on 1 October this year.

Mr. Flynn: To ask the Secretary of State for Defence for what reasons HMS Victorious is deployed with less than its full complement of Trident D5 missiles. [32054]

Mr. Soames: I refer the hon. Member to the answer my right hon. Friend the then Minister of State for Defence Procurement gave to the hon. Member for the Western Isles (Mr. Macdonald) on 18 January 1994, *Official Report*, column *505*.

Bett Review

Mr. Alfred Morris: To ask the Secretary of State for Defence when he now expects to make a statement on the outcome of Sir Michael Bett's review of conditions of service, including pension arrangements, in the armed forces. [32090]

Mr. Soames: I refer the right hon. Member to the answer I gave to my right hon. Friend the Member for Selby (Mr. Alison) on 20 February 1996, *Official Report*, columns *96–97*.

Menwith Hill Station

Mr. Madden: To ask the Secretary of State for Defence on what date he received a document entitled "Outbrief-Environmental Compliance Status Survey, Menwith Hill Station"; what action he took upon receipt of this document; if he will place a copy in the Library; and if he will make a statement. [31954]

Mr. Soames: The document referred to is an internal US report dating from 1992. Remedial action has been taken by the station in accordance with its recommendations and a rolling programme of improvements is underway. The document is for US official use only and as such will not be made available for public dissemination.

Mr. Madden: To ask the Secretary of State for Defence what records are maintained concerning the disposal of hazardous waste from RAF Menwith Hill; how and where such hazardous waste from RAF Menwith Hill; how and where such hazardous waste is disposed of; and if he will make a statement. [31958]

Mr. Soames: Records concerning the disposal of hazardous waste are maintained in accordance with US and UK legislative requirements. Hazardous waste is disposed of by licensed specialist contractors.

Mr. Madden: To ask the Secretary of State for Defence what action has been taken to ensure that the containment dykes for above-ground storage tanks at RAF Menwith Hill are sufficiently secure to ensure that no spilt material can escape; and what action is being taken to improve the health and safety standards in the storage and labelling of hazardous material, with particular reference to chlorofluorocarbons at RAF Menwith Hill. [31956]

Mr. Soames: The station continues to pay close attention to the containment facilities which are regularly inspected in order to verify their integrity and avoid spillages. The handling of hazardous materials at RAF Menwith Hill has improved and a project is under way to build a permanent segregated compound for the storage of these materials. A control of substances hazardous to health assessment of all chemicals is undertaken when materials arrive on site in order to ensure that proper labelling and user instructions exists. A staff hazard education programme has also been implemented. Significant progress has been made in the last four years limiting the use of CFCS and other class 1 substances in accordance with the requirements of the Montreal protocol and management of these substances now conforms to agreed international standards.

Mr. Madden: To ask the Secretary of State for Defence what systems are in place to monitor levels of radiation at RAF Menwith Hill; who is responsible for

such monitoring; if their reports are made available to the public; and what precautions and preventative measures are being taken to protect the health and safety of the base population, the local community and local environment from the effects of radiation emitted by operations at RAF Menwith Hill. [31953]

Mr. Soames: No monitoring systems are required since there are no ionising radiation emissions from any facility at RAF Menwith Hill. Radio frequency signals similar to those used in FM radio broadcasting are relayed through the station, but these signals have a very low energy level and do not cause molecular changes or "ionisation". Hence there is no risk to the base population, the local community or the local environment from emissions of this type of radiation.

Mr. Madden: To ask the Secretary of State for Defence what discussions and arrangements are taking place concerning the renewal of the security of tenure in May 1977 at National Security Agency, Menwith Hill station between the US army and the British Government; and if the renewal arrangements will be brought before the House. [31957]

Mr. Soames: None. The site at Menwith Hill has been made available to United States authorities by Her Majesty's Government under arrangements that exist for our mutual defence. The precise nature of these arrangements are confidential.

Suicides

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 16 May, *Official Report*, columns *559–60*, how many people who served in the Gulf war have committed suicide since 1991. [31789]

Mr. Soames: Since January 1991, the total number of personnel who served in the Gulf war and subsequently committed suicide, while still serving in the armed forces, is 10.

Exercise Purple Star

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 16 May, *Official Report*, column *559*, what was *(a)* the nationality of owners, *(b)* the nationality of crew and *(c)* the age of vessel of each of the merchant ships chartered by his Department for Exercise Purple Star. [31787]

Mr. Soames: The information requested is as follows:

Name of vessel and age	*Head owners nationality*	*Disponent owners nationality*	*Crew nationality*
Kidira (20 years)	Bermudan	British	Russian
Kapitan Mezentsyev (17 years)	Ukrainian	—	Ukrainian
Chodziez (8 years)	Polish	—	Polish
Arcade Eagle (16 years)	Norwegian	Spanish	Croatian
Arcade Falcon (16 years)	Norwegian	Spanish	Croatian
Norcliff (1 year)	Not Declared	Swedish	Polish
Sochi (new)	Russian	Swedish	Russian
Dana Hafnia (17 years)	Danish	—	Danish
Prince of Scandinavia (20 years)	Danish	—	Danish
Condock V (12 years)	German	—	Kiribati
Condock III (13 years)	German	—	Kiribati

Armed Services (Land)

Mr. Flynn: To ask the Secretary of State for Defence how many hectares of land have been occupied by each of the armed services in each of the past five years. [32095]

Mr. Soames: The information requested is published annually in table 3.5 in "UK Defence Statistics", a copy of which is in the Library of the House.

HEALTH

Accident and Emergency Units (London)

Ms Hodge: To ask the Secretary of State for Health if he will list the average time a patient in an accident and emergency unit has to wait before treatment in London hospitals, by local authority. [31324]

Mr. Horam: The information is not available centrally.

Ms Hodge: To ask the Secretary of State for Health on what basis need is assessed in accident and emergency units in London; and what system of prioritisation is employed. [31325]

Mr. Horam: Under the patients charter, all patients attending an accident and emergency department should be assessed by a nurse or doctor within five minutes. Patients are then treated according to their clinical priority.

European Union Flag

Mr. Redmond: To ask the Secretary of State for Health what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31504]

Mr. Horam: I refer the hon. Member to the reply the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Minister for Boothferry (Mr. Davis), gave him on 6 June, *Official Report*, column *518*.

Recruitment

Mr. Donohoe: To ask the Secretary of State for Health how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995-96 financial years; and how many staff were recruited in each of these years. [31398]

Mr. Horam: During 1994–95, the Department of Health and its agencies spent £233,482 recruiting 123 staff. Expenditure for 1995–96 was £707,292 when 265 staff were recruited.

Mr. Donohoe: To ask the Secretary of State for Health what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31413]

Mr. Horam: In 1994–95 and 1995–96, the following executive search agencies or employment companies were used by Department of Health and its executive agencies to recruit staff:

	Amount spent		*Number of staff*	
	1994–95	*1995–96*	*1994–95*	*1995–96*
Agency name	£	£		
RAS	37,431	166,956	6	37
Talentmark	—	4,888	—	2
Pax	—	2,748	—	1
Office Angels	—	7,558	—	2
Alfred Marks	—	6,448	—	2
Challoner James Task Force	—	6,163	—	2
Pro Libra Accountancy	—	1,410	—	1
Additions Angela	—	2,297	—	1
Mortimer Saxton	—	2,948	—	1
Bampfylde NB Selection and	—	107,889	—	4
Riley/Lopex	—	57,897	—	17
GNW	21,154	—	18	—
Total	58,585	367,202	24	70

Doncaster Health Authority

Mr. Redmond: To ask the Secretary of State for Health what representations he has had from the chairman of the Doncaster Royal Infirmary and Mexborough Montagu NHS trust concerning the level of management overheads and the need for further economies at *(a)* management and *(b)* staff level; and when he expects to receive a report on the future shape of the trust. [31434]

Mr. Malone: We have received no such representations from the chairman of the Doncaster Royal Infirmary and Mexborough Montagu national health service trust and no report is expected.

Community Health Councils

Sir Dudley Smith: To ask the Secretary of State for Health (1) if he will require community health councils to publish annually a list of achievements they have made on behalf of those they represent; [31742]

(2) what is the annual cost of community health councils; [31744]

(3) what assessment his Department has made of the usefulness of community health councils; and what plans he has to introduce changes to their role. [31745]

Mr. Horam: Community health councils were established by Parliament to represent the public interest in the health service in their districts. There are no plans to introduce changes to this statutory role.

Community health councils are required to publish an annual report on the performance of their functions and to ensure that the contents of the report are known to the public.

Expenditure on community health councils in 1995–96 was £17 million. The budget for CHCs for 1996–97 is £21.18 million.

Sir Dudley Smith: To ask the Secretary of State for Health what steps his Department has taken to inform the public that they may take complaints about health matters to their community health council. [31743]

Mr. Horam: Complaints about health services should be directed to the body which provided that service, for example a national health service trust or general practitioner practice.

A public information leaflet was produced by the Department on the new NHS complaints procedure which was introduced from 1 April this year. This mentions the important role community health councils can play in advising members of the public when they wish to complain about NHS services or treatment. Supplies of the leaflet were sent to all NHS outlets.

GP Fundholding

Mr. Meale: To ask the Secretary of State for Health if he will order the publication of the Audit Commission report on the performance of fundholding general practices; and for what reasons the report has not yet been published. [32091]

Mr. Malone: The publication of Audit Commission reports is the responsibility of the commission. Its report, "A study of GP Fundholders in England and Wales", was published on 22 May 1996.

Coffee (Health Implications)

Mr. Flynn: To ask the Secretary of State for Health what is his most recent assessment of the health implications of drinking coffee; and if he will make a statement. [32093]

Mr. Horam: In November 1994, the Department published the report of the Committee on the Medical Aspects of Food Policy on the nutritional aspects of cardiovascular disease. Its assessment was that coffee as drunk in the United Kingdom does not appear to affect coronary heart disease risk. A copy of that report is available in the Library.

The Department of Health's Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment last considered caffeine in 1983–94. COT concluded that, on the basis of the evidence available at that time, the consumption of caffeine either as an additive or naturally occurring in beverages would not cause any risk to health.

Bradford Hospitals NHS Trust

Mr. Sutcliffe: To ask the Secretary of State for Health what recent reports he has evaluated into the standard of care in Bradford NHS trust hospitals; and what action he proposes to take in respect of these reports. [32103]

Mr. Horam: I have received no such reports. This is a matter for the Bradford Hospitals national health service trust. The hon. Member may wish to contact the acting chairman of the trust, Mr. Richard Wilson, for details.

EDUCATION AND EMPLOYMENT

European Union Flag

Mr. Redmond: To ask the Secretary of State for Education and Employment what instructions were issued to her Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31503]

Mr. Robin Squire: I refer the hon. Member to the answer given to him by the Minister of State, Foreign and Commonwealth Office, the hon. Member for Boothferry (Mr. Davis), on 6 June, *Official Report*, column *518*.

School Funding

Mr. Blunkett: To ask the Secretary of State for Education and Employment what funding is provided by her Department to assist *(a)* local education authority maintained and *(b)* grant-maintained schools which have recently been inspected by the Office for Standards in Education; and, in each case, what requirements exist over how this may be spent. [31835]

Mr. Robin Squire: In respect of *(a)*, in addition to school effectiveness grants paid to all schools, and grants retained by local education authorities targeted especially towards the weakest schools, the Government have now introduced a new grant payable to all LEA-maintained schools inspected by Ofsted in the 1995–96 academic year. The grant typically amounts to some £17 per pupil. Schools are able to use the grant to address the key issues for action identified in the inspector's report. The intention is that, subject to Parliament's approval of the necessary regulations, grant will be available to support schools inspected in future years.

In respect of *(b)*, for grant-maintained schools, grants for education support and training activities are supported through the payment of a special purpose grant (development). The calculation and payment of special purpose grants is now the responsibility of the Funding Agency for Schools and I have asked the chairman of the Funding Agency for Schools to write to the hon. Member.

Mr. Blunkett: To ask the Secretary of State for Education and Employment if, under regulations issued by her Department, the local education authority contribution to grant for education support and training funding is included in the calculation of the relevant expenditure by a local education authority for the purposes of determining the level of central annual maintenance grant for grant-maintained schools. [31840]

Mr. Squire: Yes.

Mr. Blunkett: To ask the Secretary of State for Education and Employment what regulations or guidance she has issued in accordance with which the Funding Agency for Schools determines the current level of funding per pupil to grant-maintained schools through special purpose grant (development) and the conditions applied to its expenditure by the schools regarding the purposes for which it may be spent. [31842]

Mr. Squire: The level of special purpose grant (development) is a matter for the Funding Agency for Schools. The powers of the agency to pay special purpose grants to grant-maintained schools are set out in paragraph 54 of, and schedule 7 to, the Education (Grant-maintained and Grant-maintained Special Schools) (Finance) Regulations 1996.

Mr. Blunkett: To ask the Secretary of State for Education and Employment what is the current level of expenditure on grants for education support and training in local education authorities and local education authority maintained schools; what is the total number of pupils in local education authority maintained schools; how much of the total expenditure on GEST in the current year is provided by (i) her Department and (ii) local education authorities; what proportion of GEST expenditure (1) must be delegated to schools and (2) cannot be delegated to schools; and what conditions are applied to the expenditure of GEST funding regarding the purpose for which it may be spent. [31841]

Mr. Squire: In 1996–97, level of expenditure available to local education authorities under grants for education support and training will be £265.3 million. The total number of pupils in local education authority-maintained schools in England is 6,617,851, as at January 1995, the latest figure available. The total amount of expenditure on GEST in 1996–97 provided (i) by the Department of Education and Employment will be £163.5 million; and (ii) by the local education authorities will be £101.8 million. The proportion of GEST expenditure that must be devolved to schools is £153.5 million and the proportion that must not be devolved is £13.2 million. The purpose for which GEST may be spent is outlined in GEST circular 8/95 and subsequent letters to local education authorities. Copies of the circular and letters have been placed in the Library.

Local Authority Capital Receipts

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment in respect of which educational assets he proposes to allow local authorities to sell and retain 75 per cent. of the capital receipts. [31755]

Mr. Robin Squire: It is for local authorities to determine whether to take advantage of the reduction from 50 per cent. to 25 per cent. in the level of capital receipts to be set aside for debt redemption from sales of surplus educational assets obtained between 1 April 1996 and 31 March 1998. This reduction is intended primarily to facilitate and encourage private finance initiative activity in local government.

Women (Promotion)

Mr. Donhoe: To ask the Secretary of State for Education and Employment what measures her Department has implemented during the last 12 months to

encourage the promotion of women into senior positions with her Department and its executive agencies; and what progress her Department has made in encouraging the promotion of women over the last five years. [31555]

Mr. Robin Squire: Both former Departments had made significant progress in appointing women to senior posts. Since the merger on 5 July 1995, there has been wide consultation within DFEE on a set of values and an Equal opportunities strategy. The departmental values, among other things, stress the importance of valuing people and

"giving people equal opportunities to develop and progress as far as they can on merit".

The Department's equal opportunities strategy undertakes as one of its key priorities to look at strategies to enable women to progress on merit to senior posts. This includes reconstituting an advisory group for women — taking forward work previously under way before merger— with a specific remit to advise the DFEE board on strategic issues and on cultural barriers which can prevent women from reaching the most senior levels.

At present, 18 per cent. of the members of the senior civil service in DFEE are women. However, data prior to July 1995 relate to the former Employment Department group and the former Department for education and are not comparable.

Small Firms (Training Needs)

Mr. Roche: To ask the Secretary of State for Education and Employment what work has been commissioned by her Department on the training needs of small firms; and what recommendations have been made. [31890]

Mr. Paice: In 1995, the Department for Education and Employment commissioned the small business research centre at Kingston university to carry out a survey of training needs and practices in over 800 small firms. A report containing a range of recommendations for the Department to consider will be published by HMSO in August 1996 and a copy will be lodged in the Library.

Stephen Memorial First School, North Tyneside

Mr. Byers: To ask the Secretary of State for Education and Employment what steps she will take to ensure the provision of a new school building for Stephenson Memorial first school, North Tyneside; and if she will make a statement. [32157]

Mrs. Gillan: North Tyneside education authority is responsible for maintaining its school buildings and deciding when any of them should be replaced.

Learning Vouchers

Mr. Byers: To ask the Secretary of State for Education and Employment what plans she has to introduce learning vouchers or credits for 16-year-olds; and what funding mechanism is to be used. [32155]

Mr. Paice: The 1995 White Paper "Competitiveness: Forging Ahead", Cm 2867, made it clear that the Government are attracted to learning credits. The third competitiveness White Paper, to be published shortly, will declare the Government's intention to consult on the introduction from 1997 of a system of learning credits, setting out for all 16 to 19-year-olds their entitlement to the education or training they choose. This will not require any change to the existing funding mechanisms for schools, colleges or other education and training providers. But the Government will separately be consulting on how best to secure greater convergence of these arrangements in their own right.

National Vocational Qualifications

Mr. Byers: To ask the Secretary of State for Education and Employment how many organisations are approved to verify and assess NVQ portfolios and issue NVQ certificates. [32156]

Mr. Paice: There are currently 63 organisations, acting individually and in consortiums, accredited by the National Council for Vocational Qualifications to award national vocational qualification certificates. These accredited awarding bodies offer assessment through their approved NVQ centres, of which there are around 9,500 nationally.

WALES

Over-16 Education

Mr. Rowlands: To ask the Secretary of State for Wales what estimate he has made of the average cost of educating a child for *(a)* one year and *(b)* two years in school above the age of 16. [31353]

Mr. Jonathan Evans: Local education authority returns to the Welsh Office used to calculate pupil unit cost figures do not separately identify expenditure by age of pupil. As a consequence, no estimates are available on the average cost of educating a pupil aged 16 and above.

Mr. Rowlands: To ask the Secretary of State for Wales what percentage of 16-year-old children in each county who returned to school for one year left with *(a)* an additional qualification, *(b)* an improved grade at GCSE and *(c)* an alternative qualification. [31355]

Mr. Evans: The information requested is not collected centrally.

Mr. Rowlands: To ask the Secretary of State for Wales what estimate he has made of the sum received by schools for each child who returns to school after the age of 16 years; and on what basis and by what calculations such sums are made and paid. [31357]

Mr. Evans: No estimates of such sums are made. Local education authorities are responsible for the allocation of funds to schools.

Mr. Rowlands: To ask the Secretary of State for Wales what percentage of 16-year-olds in each county who returned to school for two years, left school without (i) an A-level *(a)* above grade C and *(b)* above grade E and (ii) an equivalent qualification. [31354]

Mr. Evans: The information requested is not collected centrally in the format requested.

Mr. Rowlands: To ask the Secretary of State for Wales what percentage of 16-year-olds returned to school for *(a)* one year, *(b)* two years and *(c)* three years in each county during the last school year. [31356]

Mr. Evans: The information requested is not collected centrally. Overall, in 1994–95 39.3 per cent. of 16-year-olds at maintained schools in Wales in the previous academic year returned to school.

Youth Training

Mr. Rowlands: To ask the Secretary of State for Wales what are the percentage completion rates for youth training *(a)* in each of the training and enterprise council areas and for *(b)* Wales. [31359]

Mr. Jonathan Evans: The figures requested are contained in the following table. They relate to the period April 1994 to March 1995, the last full year for which data are available.

Youth training/youth credits completion rates

April 1994 to March 1995

	Percentage
Gwent TEC	43
Mid Glamorgan TEC	47
North East Wales TEC	55
North West Wales TEC	52
Powys TEC	[1] —
South Glamorgan TEC	25
West Wales TEC	45
Wales	48

Source:

Follow-up survey of former youth training/credit trainees.

[1] Due to the small number of trainees in the Powys TEC area responding to the survey, the results are not considered to be statistically reliable.

Cattle Slaughter

Mr. Ron Davies: To ask the Secretary of State for Wales what action his Department is taking to ensure that cattle carcases submitted under the 30-month rule are subsequently destroyed; and what information he has about the number of carcases of such cattle which have either been disposed of by other means or are otherwise unaccounted for. [31580]

Mr. Hague: The over-30-month slaughter scheme is run by the Intervention Board executive agency. I understand that following slaughter carcases are stained and transported in sealed containers to renderers or for cold storage before rendering. The process is carefully monitored by the Meat Hygiene Service and state veterinary service and there are no carcases unaccounted for.

Fishery Projects Funding

Mr. Ainger: To ask the Secretary of State for Wales how much Pesca funding is available for fishery projects in Wales for 1996–97; how much was paid in 1995–96; and if he will list those projects funded and the amount each project received. [32161]

Mr. Jonathan Evans: The Pesca scheme will be launched in Wales at the end of this month. Some 0.146 mecu—approximately £125,000—Pesca funding will be available for Welsh fishery projects for 1996–97.

Sea Empress Oil Spill

Mr. Ainger: To ask the Secretary of State for Wales (1) what request for long-term funding he has received from the Sea Empress environmental evaluation committee; [31996]

(2) what funding he has allocated to the Sea Empress environmental evaluation committee; how much has been committed to date; and what is the committee's estimate of the funding required to complete its work. [31998]

Mr. Jonathan Evans: My right hon. Friend has provided £250,000 to the Countryside Council for Wales to help fund the work into the environmental effects of the Sea Empress oil spill. The Department of Transport is meeting the running costs of the Sea Empress environmental evaluation committee, and direct support for the work of the committee is being provided by MAFF and the Environment Agency. I am expecting proposals soon on the future work programme of the committee and its resource needs.

General Practitioners (Training)

Mr. Ainger: To ask the Secretary of State for Wales how many general practitioner trainees were on vocational training schemes in Wales in each year since 1990–91. [31997]

Mr. Gwilym Jones: Information on the number of general practitioner trainees on vocational training schemes in hospital is not available centrally. However, the number of trainees who were in training with general practitioners in each of the last six years is given in the following table:

Number of trainees in training with general medical practitioners at 1 October

1990: 148

1991: 138

1992: 133

1993: 124

1994: 118

1995: 104.

Recruitment

Mr. Donohoe: To ask the Secretary of State for Social Security (1) how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years; [31399]

(2) what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31414]

Mr. Burt: The information is not held centrally and could be obtained only at disproportionate cost.

SOCIAL SECURITY

State Pensions

Ms Lynne: To ask the Secretary of State for Social Security what would be the *(a)* gross and *(b)* net cost in each year from 1997 to 2002 of uprating state pensions by (i) the retail prices index and (ii) earnings in these years on the basis of current estimates. [30153]

Mr. Heald: The information is in the table:

The estimates are for uprating basic state retirement pension, additional pension and graduated retirement benefit. The calculations are based on assumptions of annual retail prices index and Rossi index—RPI less most housing costs—increases of 2.5 per cent. and annual earnings increases of 4 per cent. As RPI and Rossi are assumed to increase at the same rate, there is no net cost figure for price uprating.

Total state pension benefit expenditure

£ million cash prices

	Gross cost of price uprating	*Gross cost of uprating by earnings*	*Net cost of earnings uprating*
1997–98	840	1,350	1,220
1998–99	1,740	2,820	2,530
1999–00	2,680	4,380	3,920
2000–01	3,650	6,010	5,370
2001–02	4,660	7,730	6,900
2002–03	5,700	9,530	8,500

Source:
Government Actuary's Department estimates of annual expenditure on basic state pension and assumptions of annual increases in RPI, Rossi and earnings.

Notes:
1. Costs are calculated using 1996–97 rates as a baseline, eg; the cost quoted for 2002–03 is the cost of uprating by the relevant method, in that year, from 1996–97.
2. Uprating by higher of earnings or prices only applied to basic retirement pension.

Motability Finance Ltd.

Mr. Simpson: To ask the Secretary of State for Social Security what is the value of the reserves held by Motability Finance Ltd. to safeguard its lease and hire purchase schemes. [30239]

Mr. Burt: The value of reserves held by Motability Finance Ltd. at September 1994 was £4.8 million.

Source:
Motability's annual report 1994–95.

Bronchitis and Emphysema

Ms Walley: To ask the Secretary of State for Social Security if he will implement in full the recommendations of the report of the Industrial Injuries Advisory Council on chronic bronchitis and emphysema; what timetable he proposes for the Government's response; and if he will make a statement. [31481]

Mr. Roger Evans: I refer the hon. Member to the answer I gave to the hon. Member for Southport (Mr. Banks) on 21 May, *Official Report*, column *185*.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Social Security, pursuant to his answer of 3 April, *Official Report*, column *345*, how much his Department estimated it would have cost to provide the information requested. [31442]

Mr. Burt: More than £450, the current threshold above which answers are deemed to incur disproportionate cost.

Departmental Software

Mrs. Roche: To ask the Secretary of State for Social Security what is his Department's involvement in the development of a software package to allow pay-as-you-earn, national insurance contributions, value added tax, and Central Statistical Office requirements to be integrated; and when he expects this to be possible. [31903]

Mr. Heald: The Contributions Agency, Inland Revenue and Customs and Excise have a number of projects under way as part of their joint working programmes. The programmes are focused in particular on ways to ease burdens on business in meeting their obligations, but there are no plans to integrate the information technology systems.

Child Support Agency

Mr. Rendel: To ask the Secretary of State for Social Security (1) how many cases have been dealt with by the Newbury field office of the Child Support Agency since 1 June 1995; [31780]

(2) what geographical area is covered by the Newbury field office of the Child Support Agency. [31781]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Steve Hemingsley to Mr. David Rendel, dated 7 June 1996:

In the absence of Miss Chant, the Chief Executive, I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency field office in Newbury.

Between 1 June 1995 and 31 May 1996, the Newbury office has dealt with 351 cases requiring pre maintenance assessment work. The geographic area covered by the office falls within the following post code areas: RG7, RG8, RG14, RG17, RG18, RG19 and RG20.

I hope this is helpful.

Ms Walley: To ask the Secretary of State for Social Security what compensation his Department proposes to offer in respect of those who have been subject to breaches in the Data Protection Act 1984 by the Child Support Agency. [32001]

Mr. Andrew Mitchell: The agency's compensation scheme includes recompense for identifiable losses or harm suffered as a result of maladministration. Such payments could be made, in appropriate cases, to those affected by breaches in the Data Protection Act 1994.

In addition, it is a criminal offence under the Child Support Act 1991 to disclose information without lawful authority. The Child Support Agency is fully aware of its responsibilities and takes very seriously any suggestion that staff may have disclosed information unlawfully.

Actors (National Insurance)

Mr. Burden: To ask the Secretary of State for Social Security when he last met representatives of Equity to

discuss the eligibility of actors for class I national insurance status; and what conclusions he has reached in the light of these discussions. [31581]

Mr. Heald: I met representatives of Equity on 1 April and I am undertaking further consultation with other interested parties before we reach any conclusions.

SCOTLAND

Gemini Housing Association

Mr. Michael J. Martin: To ask the Secretary of State for Scotland what assessment he has made of the extent to which the Gemini Housing Association operated within the code of conduct during the stock transfer procedures. [31129]

Mr. Raymond S. Robertson: Scottish Homes operates separate codes of conduct for landlords seeking to acquire its houses and as regards the conduct of its own staff involved in transfer proposals. Any breaches of the codes would be investigated by Scottish Homes.

Mr. Martin: To ask the Secretary of State for Scotland from what public funds Gemini Housing Association provided bingo and raffle prizes during the period of the stock housing transfer. [31141]

Mr. Robertson: I understand that these prizes were not purchased from public funds.

Scottish Homes

Mr. Donohoe: To ask the Secretary of State for Scotland on how many occasions during the last five years staff from Scottish Homes have intervened to take over the running of a housing association; if he will name the associations involved; and why Scottish Homes took the action. [31568]

Mr. Raymond S. Robertson *[holding answer 7 June 1996]:* The information requested is a matter for Scottish Homes. I have asked the chairman, Mr. John Ward, to write to the hon. Member.

Health Service

Mr. Donohoe: To ask the Secretary of State for Scotland what procedures exist within the national health service in Scotland for resolving disputes between an NHS trust and a health board about an NHS trust's budget; and which Department within the Scottish Office oversees this. [31467]

Lord James Douglas-Hamilton *[holding answer 7 June 1996]:* I expect health boards, other purchasers, and NHS trusts to resolve contractual matters at local level, involving their senior officials and board members if necessary.

However, if they fail to reach agreement there is provision for either of the parties to refer the matter to my right hon. Friend for determination. The decision is communicated in writing to both parties concerned and is final and binding.

Mr. Donohoe: To ask the Secretary of State for Scotland if he will make a statement indicating what will be the impact on patient care of the cuts being proposed by the Ayrshire and Arran health board in the budget of the North Ayrshire and Arran NHS trust. [31469]

Lord James Douglas-Hamilton *[holding answer 7 June 1996]:* The statements issued by the trust and the health board following agreement on the contract negotiations for 1996–97 make it clear that every effort will be made to ensure that the existing high standards of patient care will be maintained.

Mr. Donohoe: To ask the Secretary of State for Scotland what measures he intends to take to ensure that no job losses or reductions in service occur as a result of the budget enforced on the North Ayrshire and Arran NHS trust. [31470]

Lord James Douglas-Hamilton *[holding answer 7 June 1996]:* It is for the trust to determine what measures it has to take to live within its contract income. The job losses involved are to be regretted but the cash savings released in the longer term will be available for re-investment in direct patient care.

Mr. Donohoe: To ask the Secretary of State for Scotland which Department within the Scottish Office has responsibility for approving the performance levels which a health board in Scotland will seek from an NHS trust as part of its discussions with that trust before agreeing its budget. [31471]

Lord James Douglas-Hamilton *[holding answer 7 June 1996]:* The performance and service requirements sought by each health board in advance of contract negotiations are set out in their annual purchasing intentions. These plans are produced and distributed by each board in January each year. They are not subject to approval by any Scottish Office Department.

Mr. Donohoe: To ask the Secretary of State for Scotland if he will make it his policy to refer the budget dispute between the North Ayrshire and Arran NHS trust and Ayrshire and Arran health board to the independent arbitration procedure operating within the NHS in Scotland. [31472]

Lord James Douglas-Hamilton *[holding answer 7 June 1996]:* It is for the relevant health board or NHS trust involved in contract negotiation to decide whether to refer a matter under dispute for arbitration.

I understand that the contract between Ayrshire and Arran health board and North Ayrshire and Arran NHS trust has now been agreed and signed.

Mr. Donohoe: To ask the Secretary of State for Scotland what discussions officials from his Department have had with the management of the North Ayrshire and Arran NHS trust and Ayrshire and Arran health board in relation to the proposed budget for the trust. [31473]

Lord James Douglas-Hamilton *[holding answer 10 June 1996]:* Officials of the Scottish Office Department of Health have been in regular contact with both the trust and the health board during the contract negotiations. While the Department is always ready to offer its assistance, we expect boards and trusts to reach agreement through local negotiation, as in this case.

Written Answers to Questions

Tuesday 11 June 1996

HOME DEPARTMENT

Probation Officers

Mr. Alex Carlile: To ask the Secretary of State for the Home Department (1) how many probation officers were on secondment working in prisons on 1 April in each year since 1989; and if he will make a statement; [30348]

(2) how many probation officers he estimates will be working on secondment in prisons on 1 April in *(a)* 1997, *(b)* 1998, and *(c)* 1999. [30347]

Miss Widdecombe: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Alex Carlile, dated 11 June 1996:

The Home Secretary has asked me to reply to your recent Questions about the numbers of probation officers working in prisons on secondment.

The requested information is given in the following table. Figures for 1989–1995 are for 31 March. The figures (rounded to the nearest whole number) are for whole-time equivalent seconded probation staff.

	Number
31 March 1989	530
31 March 1990	543
31 March 1991	550
31 March 1992	594
31 March 1993	625
31 March 1994	621
31 March 1995	646
1 April 1996	596
1 April 1997 (Estimated)	541
1 April 1998 (Estimated)	528
1 April 1999 (Estimated)	509

The Prison Service remains committed to its partnership with the Probation Service to deliver the custodial and non-custodial parts of a prisoner's sentence effectively. Governors are responsible for ensuring that prisons deliver the right services to the right levels; they are in the best position to judge whether staff in the prison are providing value for money.

Understandably, governors have difficulty forecasting their requirements for seconded probation staff for 1998 and beyond, because it is too early to tell what their budgets will be, and because staffing levels need to be flexible, to meet changing requirements. They have been asked to adhere to the principles of the National Throughcare Framework—signed by the Prison and Probation Services—in determining the number of seconded probation staff needed to deliver ex-offenders adequately prepared for post-release supervision.

Prison Escapes

Ms Janet Anderson: To ask the Secretary of State for the Home Department how many prisoners have escaped from escorts in each of the last three years; and what steps he is taking to reduce this number. [31063]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Janet Anderson, dated 11 June 1996:

The Home Secretary has asked me to reply to your recent Question about escapes from escort in the last 3 years and about steps being taken to reduce this number.

The table below shows the requested information.

Escapes from escort (financial years)

Year	*Escapes from escort*
1993–94	[1]125
1994–95	[1]66
1995–96	[1]70

[1] These figures include escapes from contractor's escorts which were previously the responsibility of the police. There were 23 such escapes in 1993–94; 15 in 1994–95; and 34 in 1995–96.

The prevention of escapes from escort is one of nine key performance indicators which are set out in the recently published Prison Service Corporate Plan, a copy of which is in the Library.

The Corporate Plan outlines a reduction in escapes from escort as one of six strategic aims for 1996–1999.

Steps being taken to reduce the number of escapes from escort include: the publishing of figures for all escapes, including escapes from escort, in the Service's monthly security briefing - this highlights any recurring problems; investigating escapes and passing, where appropriate, the findings to prisons and escort contractors; poster and other campaigns to prioritise security to staff; and the issuing of pocket handbooks on security in prisons and in escorting.

A revised security manual is being compiled and will be trialled this year for issue early in 1997.

Civil Defence Grant

Sir Irvine Patnick: To ask the Secretary of State for the Home Department if he will list for each local authority in Wales the total expenditure in 1996–97 approved as eligible for civil defence grant aid. [31086]

Mr. Sackville: The information available is as follows:

Authority	*Grant approval £*
Flintshire	70,000
Wrexham	70,000
Denbighshire	70,000
Powys	179,655
Newport	224,000
Blaneau Gwent	[1]—
Caerphilly	[1]—
Monmouth	[1]—
Torfaen	[1]—
Isle of Anglesey	100,000
Conwy	62,000
County of Gwynedd	62,000

[1] Newport acting as host authority.

I will write to the hon. Member about the other 10 authorities when the figures become available at the end of June.

Rehabilitation of Offenders Legislation

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department (1) if he will list those offences which people are not required to declare under rehabilitation of offenders legislation; [31605]

(2) what plans he has to review the Rehabilitation of Offenders Act 1974. [31604]

Mr. Maclean: The Rehabilitation of Offenders Act 1974 provides that convictions are deemed to be "spent" after varying periods of time. Spent convictions do not have to be declared other than in certain specified circumstances. The key determinant of when an offence becomes spent is the length of the sentence passed in each case, not the offence itself. Sentences of more than two and a half years imprisonment never become spent.

We have no plans to review the Act itself. However, we are reviewing the scope and scale of the exceptions to the Act as part of a wider review of employment vetting arrangements. A revised list will be published shortly as part of a White Paper setting out our proposals.

Doncaster Prison

Mr. Redmond: To ask the Secretary of State for the Home Department (1) if he will estimate the number of items that have been *(a)* smuggled into and *(b)* thrown over the fence of Doncaster prison since it was opened; and what estimate he has made of the proportion of total smuggling caused by items being (i) brought in and (ii) thrown over the prison fence; [31496]

(2) if he will make a statement on the training given to prison officers at Doncaster prison in suicide awareness; and if he will list the dates when this training has been reviewed; [31440]

(3) how many hours of education and training were available to prisoners and those on remand at Doncaster prison during the last 12 months; how many hours were used by inmates; and if he will make a statement. [31485]

Miss Widdecombe: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Martin Redmond, dated 11 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Questions about education and training; training in suicide awareness; and estimates of smuggling at Doncaster prison.

Over the last 12 months, 179,419 hours of education and training were made available to prisoners at Doncaster prison, including those on remand, of which 127,623 hours were used by prisoners.

Every prison custody officer at Doncaster prison receives a minimum of four hours suicide awareness training before they take up post. This is supplemented with a minimum of four further training sessions as part of the annual training plan in the prison. The suicide awareness training is reviewed monthly by the establishment's suicide awareness management group.

It is not possible to estimate the number of items that have either been smuggled into or thrown over the wall at Doncaster prison. A total of 87 visitors have been arrested for attempting to smuggle either money or drugs into the prison and nearly 500 prisoners have been charged for possession of drugs.

Any contraband found in Doncaster will have been smuggled in as it is not possible to throw items over the wall. This is because the prison operates a system of enclosed secure walkways and prisoners do not have access to areas next to the wall. The wall is also continually monitored internally and externally by closed circuit television.

Mr. Redmond: To ask the Secretary of State for the Home Department what rehabilitation courses are currently held at Doncaster prison; how many applications have been made to attend these classes; what has been the number of places available in each month since the opening of the prison; and if he will make a statement. [31564]

Miss Widdecombe: Responsibility for this matter have been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Martin Redmond, dated 11 June 1996:

The Home Secretary has asked me to reply to your recent Question about rehabilitation courses at Doncaster prison.

Doncaster prison runs a selection of rehabilitation courses which are available to all prisoners there. They are provided over a two to three month period to meet the changing needs of prisoners. There is a major emphasis on cognitive thinking skills as a generic programme which is appropriate for all prisoners.

Doncaster prison runs courses on alcohol misuse, drug rehabilitation, anger management, relationships, lifer groups, social skills, life skills (personal development) and parenting. There are also pre-release/employment courses, presentation workshops and gamblers anonymous and alcoholics anonymous courses. Probation staff also advise prisoners about employment, housing, training and unemployment benefits.

In May 1996 there were 267 applications for rehabilitation courses at Doncaster prison. Between January 1995 and May 1996, 1910 prisoners applied for and have received individual guidance interviews concerning employment, education, training, housing and state benefits.

The numbers of places available for rehabilitation courses since the prison has opened are shown in the attached table.

Numbers of places available on rehabilitation courses at Doncaster prison since the prison opened

	1994	*1995*	*1996*
January	—	81	228
February	—	69	284
March	—	89	314
April	—	115	326
May	—	185	324
June	37	132	—
July	57	147	—
August	49	156	—
September	85	225	—
October	37	165	—
November	37	305	—
December	49	230	—

Mr. Redmond: To ask the Secretary of State for the Home Department what consideration is being given to making Doncaster prison a mixed prison; and if he will make a statement. [31563]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Martin Redmond, dated 11 June 1996:

The Home Secretary has asked me to reply to your recent Question about consideration being given to making Doncaster a mixed prison.

Although Doncaster holds both adult and young offenders, there are no plans to change it to a mixed-sex prison.

Ethnic Minority Employees

Mr. Steinberg: To ask the Secretary of State for the Home Department what percentage of those serving in *(a)* the police forces and *(b)* the Prison Service, are from ethnic minority groups. [32188]

Mr. Maclean: The latest figures available show that the percentage of members from ethnic minority groups serving in police forces in England and Wales was 1.75 per cent. as at September 1995, and 2.96 per cent. in the Prison Service as at December 1995.

Euro 96

Mr. Touhig: To ask the Secretary of State for the Home Department what is his estimate of the extra cost of policing the Euro 96 competition in respect of visitors *(a)* during transit and *(b)* during their stay in the United Kingdom. [32257]

Mr. Maclean: The information is not available in the form requested. The Association of Chief Police Officers has estimated that the cost of policing for the European football championships could be around £5.5 million.

Buckley Hall Prison

Ms Lynne: To ask the Secretary of State for the Home Department (1) how many prison officers were required to work a double shift at Buckley Hall prison on 29 April; and what were the reasons for the requirement; [31921]

(2) how many prison officers were transferred from Wolds prison to Buckley Hall prison in April; what was the total number of shifts carried out by the transferred staff; and if Her Majesty's inspectorate of prisons was informed of temporary prison officers working at Buckley Hall prison when it visited the prison following the escape of four prisoners on 23 April. [31922]

Miss Widdecombe: Responsibility for these matters have been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 11 June 1996:

The Home Secretary has asked me to reply to your recent Questions about the doubling of prison custody officer shifts at Buckley Hall prison on 29 April 1996 and about the use of detached duty staff at Buckley Hall prison.

On 29 April one member of staff was asked to work a double shift and one member of staff was asked to extend his shift, both for operational reasons.

Four members of staff from the Wolds prison performed detached duty at Buckley Hall prison in April. They were deployed to support their colleagues at Buckley Hall prison and to gain experience in a different work environment. Each member of staff worked a total of five shifts each; these shifts were worked on a supernumerary basis.

Although an inquiry was commissioned into the escape of four prisoners on 23 April 1996, there was a no visit by Her Majesty's Inspectorate of Prisons at this time.

Re-convictions

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what are the latest re-conviction rates in the *(a)* one year and *(b)* two years following (i) release from custody and (ii) completion of community supervision for each police authority in England and Wales; if he will indicate the methodology used and the associated research; and if he will make a statement. [31387]

Miss Widdecombe: With respect to (i), the most recent available information relates to a sample of sentenced prisoners discharged from custody during 1992. The table additionally contains re-conviction rates within one and two years of commencement of probation or community service based on a sample of offenders commencing orders in 1992.

Differences between re-conviction rates cannot simply be taken to show that one disposal is better than another. For example, the type of offenders will vary between disposals and there are other important factors discussed later in my answer.

Re-conviction rates within one and two years of discharge from prison or of commencement of probation or community service orders in 1992.
Figures in brackets give the range above and below the estimate that rates are likely to vary according to change[1]

	Discharged from custody			*Commencing probation or community service*		
Police authority	*Number sampled*	*1 year percentage re-convicted*	*2 year percentage re-convicted*	*Number sampled*	*1 year percentage re-convicted*	*2 year percentage re-convicted*
Avon and Somerset	338	47(7)	65(7)	360	44(6)	56(6)
Bedfordshire	197	31(9)	44(9)	111	37(11)	52(11)
Cambridgeshire	191	40(9)	52(9)	129	50(11)	61(11)
Cheshire	351	43(7)	55(7)	206	49(7)	57(7)
Cleveland	253	41(8)	62(8)	236	46(8)	61(8)
Cumbria	172	48(10)	64(9)	178	51(9)	64(9)
Derbyshire	325	34(7)	49(7)	189	44(8)	53(8)
Devon and Cornwall	354	40(7)	54(6)	335	41(7)	57(7)
Dorset	136	34(11)	46(11)	150	40(10)	49(10)
Durham	205	44(9)	55(9)	185	39(9)	53(9)
Essex	427	27(6)	47(6)	253	46(7)	59(7)
Gloucestershire	106	46(12)	59(13)	190	44(9)	58(9)

Re-conviction rates within one and two years of discharge from prison or of commencement of probation or community service orders in 1992.
Figures in brackets give the range above and below the estimate that rates are likely to vary according to change[1]

	Discharged from custody			Commencing probation or community service		
Police authority	*Number sampled*	*1 year percentage re-convicted*	*2 year percentage re-convicted*	*Number sampled*	*1 year percentage re-convicted*	*2 year percentage re-convicted*
Greater Manchester	1,313	45(4)	59(4)	928	49(4)	65(4)
Hampshire	425	39(6)	52(6)	369	45(6)	56(6)
Hertfordshire	236	34(8)	44(8)	158	40(9)	52(9)
Humberside	383	33(6)	52(6)	268	41(7)	61(7)
Kent	420	33(6)	49(6)	296	39(7)	55(7)
Lancashire	555	42(5)	60(5)	403	42(6)	59(6)
Leicestershire	348	37(7)	54(7)	174	41(8)	57(9)
Lincolnshire	125	40(11)	52(11)	157	47(9)	59(9)
London City of[2]	51	16(15)	20(15)	—	—	—
Merseyside	641	44(5)	60(5)	427	54(5)	68(5)
Metropolitan	4,256	25(2)	39(2)	1,310	33(3)	47(3)
Norfolk	220	42(9)	51(9)	146	42(10)	55(10)
Northamptonshire	210	42(9)	65(9)	124	47(10)	54(10)
Northumbria	597	42(5)	59(5)	382	42(6)	57(6)
North Yorkshire	182	42(10)	63(9)	169	50(9)	63(9)
Nottinghamshire	516	34(6)	48(6)	197	42(7)	54(7)
South Yorkshire	469	34(6)	55(6)	358	44(6)	59(6)
Staffordshire	341	38(7)	58(7)	286	36(7)	53(7)
Suffolk	190	31(9)	49(9)	130	40(10)	54(10)
Surrey	148	30(10)	39(10)	157	39(9)	58(9)
Sussex	473	31(6)	43(6)	268	48(7)	61(7)
Thames Valley	434	31(6)	45(6)	385	43(6)	57(6)
Warwickshire	154	40(10)	53(10)	84	40(11)	53(12)
West Mercia	282	34(7)	51(8)	225	40(8)	53(8)
West Midlands	1,466	36(3)	51(3)	829	43(4)	56(4)
West Yorkshire	903	38(4)	55(4)	740	44(4)	56(4)
Wiltshire	108	40(13)	48(12)	167	43(10)	61(9)
Dyfed Powys	95	33(11)	45(13)	114	47(11)	57(11)
Gwent	165	33(9)	56(10)	151	43(10)	56(10)
North Wales	209	37(8)	56(9)	114	41(10)	55(11)
South Wales	535	43(5)	61(5)	536	50(6)	62(5)
England and Wales	19,509	36(1)	51(1)	12,591	43(1)	57(1)

[1] This range for chance variation is based on a 95 per cent. confidence interval, ie. the interval in which the true value is likely to lie for 19 out of 20 occasions. For example, the two-year rate for custody in Avon and Somerset is 60 per cent. and the 95 per cent. confidence interval has upper and lower bounds of 72 and 58 per cent. respectively.
[2] Figures are not provided for the City of London police for the probation and community service sample because rates would be based on only 13 offenders.

The methodology used to produce the rates for custody is described in the "Prison Statistics, England and Wales, 1994", Cm. 3087; a similar methodology was used to produce the rates for community supervision, described in "Probation Statistics, England and Wales, 1994". Some categories of offender were sampled more intensively than others to obtain better estimates for sub-groups.

The Police Authority was identified by reference to records relating to the last conviction for a standard list offence prior to release from prison or commencement of an order; usually this is the conviction that gives rise to the custodial sentence or the community supervision.

The samples for analysis were drawn with the purpose of producing results at the England and Wales level. Reconviction rates at the local level need to be interpreted with some caution as the size of the samples can be relatively small. For this reason, information on the numbers of offenders on which rates are based is included in the table, as well as information on the likely range of chance variation for estimates.

It should also be noted that comparisons between reconviction rates are affected by differences in the age, sex, previous convictions and other characteristics of offenders receiving the sentences, as described in detail in Home Office research study No. 136, "Explaining reconviction rates; a critical analysis".

This study mainly discusses reconviction rates within two years of release from prison or commencement of an order. A two year follow-up period is more usual than a one year follow-up as a significant number of offenders are usually reconvicted in the period between the one and two year points.

It should be noted that an ex-prisoner discharged from prison is less likely to be convicted of offences committed before the release date—such offences could be dealt with while an offender is in prison—than an offender commencing community supervision would be in respect of offences committed before the commencement date for his or her order. Results in the study indicate that removing such offences from consideration is likely to decrease reconviction rates within two years of commencement of an order relative to those for immediate custody by about 4 percentage points.

Factors such as police clear-up rates are likely to be related to regional variations in reconviction rates. It is also known that the recording of convictions by the Metropolitan police between 1987 and 1992 was not complete and this will have had some effect on the results. This is discussed in appendix 2 of "Criminal Statistics, England and Wales, 1994", Cm 3010.

With respect to (ii) the most recently available information relates to a sample of offenders commencing probation or community service during 1987.

Reconviction rates that are usually quoted relate to reconviction within a set period following commencement of an order. Completion of an order does not necessarily imply completion without reoffending and a proportion of those completing orders will be reconvicted on the date of termination. For this reason, the following table quotes rates that both include and exclude reconvictions on the termination date. The overall reconviction rate within two years of completion is 45 per cent. if one excludes reconvictions on the termination date, but rises to 40 per cent. when they are included.

Re-conviction rates within one and two years of completion of probation or community service based on a sample of offenders commencing orders in 1987.
Figures in brackets give the range above and below the estimate that rates are likely vary according to chance[1].

		Excluding reconvictions on termination date		*Including re-convictions on termination date*	
Police authority	*Number sampled*	*1 year percentage reconvicted*	*2 year percentage reconvicted*	*1 year percentage reconvicted*	*2 year percentage reconvicted*
Avon and Somerset	469	32(6)	48(6)	43(6)	54(6)
Bedfordshire	115	25(10)	44(12)	33(11)	50(12)
Cambridgeshire	228	20(8)	41(10)	39(10)	49(10)
Cheshire	173	30(8)	45(8)	40(8)	50(9)
Cleveland	155	34(9)	55(9)	51(9)	62(9)
Cumbria	182	48(10)	61(10)	53(10)	64(10)
Derbyshire	128	32(8)	45(9)	43(9)	51(9)
Devon and Cornwall	266	33(7)	51(8)	46(8)	58(7)
Dorset	155	29(10)	48(10)	39(10)	53(10)
Durham	153	27(9)	42(10)	36(9)	47(10)
Essex	253	34(8)	43(8)	36(8)	44(8)
Gloucestershire	172	28(9)	54(11)	43(11)	60(11)
Greater Manchester	980	35(4)	50(4)	43(4)	54(4)
Hampshire	398	24(5)	40(6)	33(6)	47(6)
Hertfordshire	203	23(8)	35(9)	31(9)	40(9)
Humberside	183	33(8)	45(9)	45(9)	53(9)
Kent	253	26(6)	40(7)	35(7)	45(7)
Lancashire	514	33(6)	51(6)	44(6)	57(6)
Leicestershire	96	29(10)	46(11)	38(11)	51(11)
Lincolnshire	92	47(11)	60(11)	56(11)	65(10)
London City of [2]	—	—	—	—	—
Merseyside	447	35(6)	50(6)	45(6)	54(6)
Metropolitan	1,069	25(3)	36(3)	30(3)	40(3)
Norfolk	117	45(11)	64(11)	55(11)	70(10)
Northamptonshire	140	38(11)	52(11)	52(11)	60(11)
Northumbria	305	31(6)	44(6)	37(6)	48(7)
North Yorkshire	129	35(10)	45(10)	43(10)	50(10)
Nottinghamshire	153	29(7)	45(8)	40(8)	53(8)
South Yorkshire	397	32(5)	48(6)	43(6)	54(6)
Staffordshire	190	28(7)	48(8)	38(8)	53(8)
Suffolk	95	35(11)	52(11)	48(12)	60(11)
Surrey	169	28(10)	39(11)	29(10)	40(11)
Sussex	336	22(6)	37(7)	31(7)	42(7)
Thames Valley	323	24(5)	36(6)	34(6)	43(6)
Warwickshire	70	32(12)	47(13)	37(12)	51(12)
West Mercia	165	37(8)	50(8)	45(8)	56(8)
West Midlands	497	25(5)	42(5)	39(5)	49(5)
West Yorkshire	544	26(4)	41(5)	36(5)	47(5)
Wiltshire	108	26(10)	47(11)	33(11)	52(12)
Dyfed Powys	98	28(13)	42(14)	32(13)	45(14)
Gwent	69	40(12)	58(12)	45(12)	61(12)
North Wales	93	37(10)	60(10)	43(11)	62(10)
South Wales	383	35(6)	54(7)	45(7)	59(7)
England and Wales	11,083	30(1)	45(1)	39(1)	50(1)

[1] This range for chance variation is based on a 95 per cent. confidence interval, ie., the interval in which the true value is likely to lie for 19 out of 20 occasions.

[2] Figures are not provided for the City of London police because rates would be based on only 15 offenders.

TREASURY

Smuggling

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer how many Customs and Excise anti-drug smuggling officers there were in *(a)* the west midlands and *(b)* the United Kingdom in each year since 1990; and what plans he has to decrease the number during *(a)* 1996–97 and *(b)* 1997–98. [31096]

Mr. Heathcoat-Amory: Anti-smuggling officers are not confined to the detection of drugs. It would not be in the public interest to reveal the number of officers deployed in the west midlands.

As some anti-smuggling activity is performed on overtime and some is performed by multi-functional staff, resources are recorded in staff years rather than numbers of posts.

The number of staff years allocated each year since 1990–91 was as follows:

1990–91: 3,630

1991–92: 3,558

1992–93: 3,420

1993–94: 3,100

1994–95: 3,347

1995–96: 3,170.

There are no plans to decrease the number of officers in 1996–97.

The 1994 Customs fundamental expenditure review of prohibitions and restrictions recommended that staff reductions could be made, subject to enhanced targeting, and 292 posts were withdrawn in 1995–96, including 50 diverted into additional intelligence activity. The effects of this reduction are being carefully monitored in 1996–97 before a decision is taken as to whether further reduction of 300 or some lesser amount should take place in 1997–98.

Departmental Software

Mrs. Roche: To ask the Chancellor of the Exchequer what is his Department's involvement in the development of a software package to allow PAYE/NICS/VAT/CSO requirements to be integrated; and when he expects this to be possible. [31902]

Mr. Jack *[holding answer 10 June 1996]:* The Inland Revenue, Contributions Agency and Customs and Excise have a number of projects under way as part of their joint working programmes, as indicated in the reply of 21 May, *Official Report*, column *358*. The programmes are focused in particular on ways to ease business burdens in meeting their obligations, but there are no plans to integrate information technology systems.

Value Added Tax

Dr. Lynne Jones: To ask the Chancellor of the Exchequer what has been the total revenue from VAT in each of the last three years for which figures are available; and what it would have been if the level and scope of VAT remained unchanged since *(a)* May 1979, *(b)* March 1991 and *(c)* April 1992. [31600]

Mr. Heathcoat-Amory: Net receipts of VAT for financial years 1993–94, 1994–95 and 1995–96 are as follows:

1993—94: 38.9 billion

1994–95: 41.8 billion

1995–96: 43.1 billion (provisional).

Estimated net VAT receipts if the level and scope of VAT had remained unchanged since *(a)* May 1979, *(b)* March 1991 and *(c)* April 1992 are as follows:

(£ billion)

	1993–94	*1994–95*	*1995–96*
(a)	18	19	20
(b)	33	35	36
(c)	39	41	42

These estimates take account only of the main changes in the scope and level of VAT. They make no allowance for the behavioural changes which would result from changes to the tax regime.

Income Tax

Dr. Lynne Jones: To ask the Chancellor of the Exchequer how much revenue was raised from one penny of the basic rate of income tax in each of the last three years for which figures are available. [31601]

Mr. Jack: Information is available in table 6 of the tax ready reckoner, copies of which are available in the Library.

LORD CHANCELLOR'S DEPARTMENT

Child Abduction

Sir John Stanley: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will state for the latest year for which figures are available the number of abducted children returned to the United Kingdom from other EU countries and the number of abducted children returned by the United Kingdom to other EU countries. [32292]

Mr. Streeter: Figures are available only for the number of cases or requests for the return of children dealt with by the child abduction unit with respect to England and Wales. The number of cases dealt with in respect of children *(a)* brought to England and Wales from other EU states; and *(b)* taken to other EU states from England and Wales, in 1995, the latest year for which figures are available, is given in the table. The table distinguishes between those cases in which children were returned under judicial direction and those where they were returned voluntarily, and also shows the number of cases in which an application to a court for the return of children was unsuccessful.

1995—The Hague and European convention cases
European Union contracting states

	Judicial return	*Voluntary return*	*Judicial refusal*
Children brought to England and Wales	42	11	7

1995—The Hague and European convention cases
European Union contracting states

	Judicial return	*Voluntary return*	*Judicial refusal*
Children taken from England and Wales	16	27	2

Sir John Stanley: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will state the number of requests for return to the United Kingdom of abducted children made to each country under The Hague convention by his Department in the latest year for which figures are available [32303]

Mr. Streeter: Applications made by the Central Authority for England and Wales for the return to the United Kingdom of abducted children under The Hague convention are not separately recorded. The number of applications made under both The Hague and European conventions for the return of children and the enforcement of access orders in 1995, the latest year for which figures are available, is given in the table:

Country application made to	*Number of applications made*
Australia	9
Belgium	2
Canada	7
Cyprus	3
Denmark	8
Finland	1
France	15
Germany	17
Greece	4
Ireland	35
Israel	2
Italy	5
Netherlands	9
New Zealand	6
Norway	3
Portugal	2
Spain	17
Sweden	2
Switzerland	1
USA	38
Total	186

Sir John Stanley: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will state the expenditure on legal aid in child abduction cases in the latest year for which figures are available and the estimated amount of that expenditure that was paid to legal aid claimants from overseas who were seeking the return of their children from the United Kingdom to a country overseas. [32293]

Mr. Streeter: The net cost to the legal aid fund of child abduction cases closed in the year 1995–96—that is, cases where the final bills were received—was £1.6 million. This does not include payments made on account in respect of cases that were not closed in 1995–96. Of the expenditure on child abduction cases in 1995–96, £905,000 was applied to overseas residents.

Information on cases involving legal aid claimants resident overseas is not collected centrally. Many claimants from abroad will be United Kingdom citizens. Nationality is not a factor in determining qualification for legal aid; legal aid is available to anyone having a justiciable cause falling within the jurisdiction of England and Wales, provided they satisfy the statutory requirements governing financial means and legal merit.

Sir John Stanley: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the number of children known to his Department to have been abducted out of the United Kingdom in each of the last five years. [32302]

Mr. Streeter: This information is not readily available in the form requested and could be obtained only at disproportionate cost.

Sir John Stanley: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) what assessment he has made in relation to his Department's responsibilities of whether The Hague convention of the civil aspects of international child abduction requires either amendment or clarification of the working practices under the convention; and what steps he will take to try to secure improvement; [32301]

(2) what assessment he has made in relation to his Department's responsibilities of whether The Hague convention on the civil aspects of international child abduction requires either amendment or clarification of the working practices under the convention; and what steps he will take to try to secure improvements. [32299]

Mr. Streeter: Assessments were made in advance of meetings of the convention states at The Hague in October 1989 and January 1993 to review the operation of the convention. In general, the convention has operated satisfactorily from this country's point of view. A new area of difficulty has arisen, however, and this is being pursued with the country concerned. There is to be another review meeting at The Hague early next year.

Sir John Stanley: To ask the Parliamentary Secretary, Lord Chancellor's Department in how many new cases his Department's child abduction unit carried out work relating to The Hague convention on child abduction and the European custody convention in each year since 1990. [32300]

Mr. Streeter: The number of new cases in which the chid abduction unit for England and Wales *(a)* received applications for the return of children or applications for the enforcement of an access order from other states, and *(b)* made applications to other states for the return of children or for the enforcement of an access order, in each year since 1990, is given in the table:

Year	*Applications received*	*Applications made*
1990	62	109
1991	83	106
1992	118	117
1993	128	145
1994	161	163
1995	188	186
Total	740	826

PRIME MINISTER

European Union (Non-co-operation)

Mr. Austin Mitchell: To ask the Prime Minister if he will make it his policy not to relax the policy of non-co-operation with the EU and its institutions until the EU world-wide ban on exports of British beef has been lifted. [32181]

The Prime Minister: I made it clear in my statement of 21 May, *Official Report*, columns 99–101, that progress would not be possible in the intergovernmental conference or elsewhere until we had agreement on the lifting of the ban on beef derivatives—which we have now achieved—and a clear framework for the lifting of the wider ban.

Mr. Kirkwood: To ask the Prime Minister if he will list the membership of the group set up to oversee the policy of non-co-operation with the EU; how often it is planned that it should meet; and if he will make a statement. [31221]

The Prime Minister *[holding answer 7 June 1996]:* A committee meets regularly under my chairmanship to oversee the policy of non-co-operation. Members of the Committee include the Foreign Secretary and the Minister of State for Agriculture. Other Ministers are invited as appropriate.

I welcome the decision taken by the Commission on 5 June to lift the ban on beef derivatives with effect from 10 June. We now need early progress on agreement on a framework to lift the wider ban.

Mr. Kirkwood: To ask the Prime Minister if he will list the occasions on which the United Kingdom has not co-operated with the European Union nations since he made his oral statement on 21 May, *Official Report*, columns 99–101; and if he will make a statement. [31222]

The Prime Minister *[holding answer 7 June 1996]:* I made it clear in my statement of 21 May, *Official Report*, columns 99–101, that we would not be able to agree decisions requiring unanimity until the ban on beef derivatives was lifted and we have an agreement on a framework for the lifting of the wider ban.

I welcome the decision taken by the Commission on 5 June to lift the ban on beef derivatives with effect from 10 June. We now need early progress on agreement on a framework to lift the wider ban.

Since my statement on 21 May we have withheld agreement on over 60 measures at various EC meetings.

Health Risks (Tobacco and Beef)

Mr. Austin Mitchell: To ask the Prime Minister if he will discuss with Chancellor Köhl the health risk to Germans from *(a)* smoking tobacco and *(b)* eating British beef; and if he will instruct the United Kingdom representative to raise that issue at the European Court of Justice as evidence of discrimination against the United Kingdom. [32083]

The Prime Minister: No. I have no plans to do so.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 11 June. [31176]

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 11 June. [31177]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Lockerbie

Mr. Dalyell: To ask the Prime Minister, pursuant to the answer to the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) of 17 May, *Official Report*, column *720*, what assessment he has made of the adequacy of co-ordination between Government Departments in respect of the issuing of public interest immunity certificates in relation to the Lockerbie case; and what factors underlay their issue. [32291]

The Prime Minister: I understand that the interested Government Departments consulted with each other in connection with the signing of public interest immunity certificates by their respective Ministers. Public interest immunity was claimed in these certificates where the relevant Minister considered that it would be injurious to the public interest for particular matters to be the subject of evidence.

Mr. T. T. Tsui

Mr. Byers: To ask the Prime Minister on what dates in August 1991 he met in his official capacity Mr. T. T. Tsui at 10 Downing street; how many civil servants were present at the meeting; and what subjects were discussed. [32159]

The Prime Minister *[holding answer 10 June 1996]:* So far as I am aware, none.

Uniformed Services (Compensation)

Mr. Marlow: To ask the Prime Minister if he will review the circumstances in which damages or compensation are payable to *(a)* the police and *(b)* other uniformed services. [31827]

The Prime Minister *[holding answer 7 June 1996]:* No. Where someone claims negligence, it is for the courts to decide whether damages are payable, taking into account all relevant circumstances, which will sometimes include the applicant's occupation.

TRADE AND INDUSTRY

Research Councils

Mr. Miller: To ask the President of the Board of Trade (1) what was the total number of applications claiming post-transfer staff costs on behalf of research councils; and what was the total number of these that were awarded for each of the financial years 1990–91 to 1995–96; [31587]

(2) what was the total of staff costs awarded for pre-transfer and post-transfer staff groups involving research councils for each of the financial years 1990–91 to 1995–96; what was the breakdown of staff numbers by staff group; and if he will list those groups, supported as direct costs involving research councils for each of the financial years 1990–91 to 1995–96. [31586]

Mr. Ian Taylor: I refer the hon. Member to my answer of 18 March 1996, *Official Report*, columns *47–50*, which contains schedules covering allocations to the research councils, the number of awards and a breakdown of the main components of these awards under various categories of cost. Information on the further breakdown of staff costs and numbers now sought could be obtained only through an analysis of paper records at a disproportionate cost to each of the six research councils.

Recruitment

Mr. Donohoe: To ask the President of the Board of Trade in what circumstances his Department or its executive agencies uses an executive search or employment agency to recruit staff in preference to using personnel staff within his own Department or its executive agencies. [31529]

Mr. John M. Taylor: This Department uses executive search agencies under the supervision of its personnel staff to help recruit staff to the senior civil service to improve the effectiveness of the DTI in meeting its objectives and to broaden the skills base at senior management levels. Such agencies work strictly in accordance with the code of practice drawn up by the civil service commissioners. Recruitment at other levels has been negligible.

Child Labour

Mr Meacher: To ask the President of the Board of Trade if he will write to FIFA and UEFA to urge them to investigate whether their officially licensed merchandise is produced by child labour. [32251]

Mr. John M. Taylor: It is not my intention to do so.

Mr. Meacher: To ask the President of the Board of Trade if he will support the adoption of a code of conduct, using internationally recognised standards, for all manufacturers and sub-contractors of licensed products to ensure that products are not made by child labour. [31790]

Mr. Nelson *[holding answer 10 June 1996]:* The Government deplore any exploitation of children and we press all countries which have signed labour conventions to meet their obligations. It is for firms themselves to consider whether to operate according to a code of good practice. Some already do.

Motor Bikes

Mr. Chidgey: To ask the President of the Board of Trade what is the value of after-market components for motor bikes *(a)* sold in the United Kingdom and *(b)* exported; and how many people are employed in the after-market component industry in the UK. [32197]

Mr. Eggar *[holding answer 10 June 1996]:* There are no official figures available for this sector.

Cars (Trade Balance)

Mrs. Beckett: To ask the President of the Board of Trade what has been the deficit in the United Kingdom trade in cars in real terms in each of the last four years; and what estimate he has made of future trends in the balance of trade. [32089]

Mr. Lang *[holding answer 10 June 1996]:* The information requested is given in the table. The depressed level of consumer demand for cars in Europe has slowed improvements in the United Kingdom's balance of trade in cars. However, in the longer term, the decision by major manufacturers to expand production in the UK should boost exports.

Year	*Deficit in trade in cars, at 1990 prices (£ billion)*
1992	–1.9
1993	–2.7
1994	–2.4
1995	–1.4

Industrial Tribunals

Mr. Ian McCartney: To ask the President of the Board of Trade what safeguards are applied by his Department to ensure diversity of ethnic origin in the appointments to lay membership of industrial tribunals. [32026]

Mr. John M. Taylor: In making appointments, the Secretary of State is required to consult organisations representative of employers and employees. In the 1995 appointments exercise, as previously, such organisations were notified of the criteria for appointment and asked to encourage applications from the ethnic minorities. The Commission for Racial Equality was also asked to propose names for the organisations consulted to consider. The percentage of ethnic minority lay members rose to 4.6 per cent. after the 1995 appointments round, from 4.1 per cent. previously.

Mr. McCartney: To ask the President of the Board of Trade if he will give a breakdown of those people who applied for, but were not appointed to, lay membership of industrial tribunals in the 1995 round of appointments, by nominating body. [32023]

Mr. Taylor: The breakdown is as follows:

Bodies	*Numbers*
Association of British Chambers of Commerce	78
Confederation of British Industry	236
Convention of Scottish Local Authorities	4
NHS Management Executive	85
Engineering Employers Federation	56
Federation of Small Businesses	20
Forum of Private Business	21
Association of Independent Businesses	0
Institute of Directors	18
Local Government Management Board	52
British Retail Consortium	30
Employers Forum on Disability	4
Union of Independent Companies	5
Institute of Personnel and Development	32
Council of Managerial and Professional Staffs	26
Association of Teachers and Lecturers	33
Federation of Managerial, Professional and General Associations	37
Royal College of Midwives	1
Royal College of Nursing	3
Trades Union Congress	609
National League of the Blind and Disabled	15
Union of Democratic Mineworkers	5
Total	1,370

In addition, there were 59 unsuccessful applications by temporary London, North members who had been nominated in 1992 by the following bodies:

Bodies	*Numbers*
Association of British Chambers of Commerce	6
Confederation of British Industry	10
NHS Management Executive	2
Institute of Directors	1
Local Government Management Board	3
British Retail Consortium	1
Council of Managerial and Professional Staffs	1
Federation of Managerial, Professional and General Associations	1
Trades Union Congress	34
Total	59

Mr. McCartney: To ask the President of the Board of Trade how many people who were nominated by the local government management board and who served as temporary lay members of the London, North industrial tribunal between 14 November 1994 and 24 October 1995 have been subsequently re-appointed. [32019]

Mr. Taylor: One.

Mr. McCartney: To ask the President of the Board of Trade how many people applied to become lay members of industrial tribunals in the 1995 round of appointments. [32021]

Mr. Taylor: In the 1995 round of appointments, 2,087 people applied to become lay members of industrial tribunals.

Mr. McCartney: To ask the President of the Board of Trade how many people were appointed to lay membership of industrial tribunals in the 1995 round of appointments. [32022]

Mr. Taylor: In the 1995 round of appointments, 658 people were appointed to lay membership of industrial tribunals.

Mr. McCartney: To ask the President of the Board of Trade if he will give a breakdown of those people who applied for, but were not appointed to, lay membership of industrial tribunals in the 1995 round of appointments, by ethnic origin. [32025]

Mr. Taylor: The information is not readily available at the moment, but I will write to the hon. Member when it is.

Mr. McCartney: To ask the President of the Board of Trade if he will give a breakdown of those people who were appointed to lay membership of industrial tribunals in the 1995 round of appointments, by ethnic origin. [32024]

Mr. Taylor: The information is as follows:

Ethnic group (Office of Population Censuses and Surveys Classification) of industrial tribunals lay membership—October 1995

Ethnic group	*Number*	*Per cent. of total membership*
White	2,362	94.6
West Indian	33	1.32
Indian	43	1.72
Pakistani	10	0.4
Bangladeshi	4	0.16
Chinese	2	0.08
African	4	0.16
Arab	0	0
Mixed	6	0.24
Other	12	0.48
Not Known	21	0.84
Total	2,497	100.00

"Tackling Cartels and the Abuse of Market Power"

Mrs. Beckett: To ask the President of the Board of Trade if he will list all the companies, organisations and individuals that have been sent a copy of his Department's consultation paper "Tackling Cartels and the Abuse of Market Power". [31369]

Mr. Lang *[holding answer 7 June 1996]:* My officials have sent the consultation paper to a wide range of interested parties. The document has also been available for collection from DTI headquarters. A list of those who have been sent the document has been complied. A copy of that list is being placed in the Library of the House.

WALES

Local Government Archives

Mr. Alan Williams: To ask the Secretary of State for Wales what action he is taking to monitor conformity with his "Guidance on the Care, Preservation and Management of Records," June 1995. [31100]

Mr. Gwilym Jones: I refer the right hon. Member to the reply given to the hon. Member for Cynon Valley (Mrs. Clwyd) on 4 June, *Official Report*, column *372*.

Recruitment

Mr. Donohoe: To ask the Secretary of State for Wales how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31394]

Mr. Hague: The information is as follows:

	Amount spent	*Staff recruited* [1]
1994–95	£162,478.22	23
1995–96	£166,453.88	27

[1] Does not include staff engaged for a year or less.

Mr. Donohoe: To ask the Secretary of State for Wales what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31409]

Mr. Hague: The Welsh Office and Cadw, the Welsh Historic Monuments agency, did not use executive search agencies or employment companies to fill vacancies in the 1994–95 and 1995–96 financial years. They would consider doing so if this offered a cost-effective means of recruitment consistent with the principles of fair and open competition and selection on merit.

Public Appointments

Mr. Morgan: To ask the Secretary of State for Wales how many *(a)* women and *(b)* men have been appointed to public bodies in the past year; and to which public bodies (i) women and (ii) men have been appointed. [32495]

Mr. Hague: This information is contained in "Appointments by the Secretary of State for Wales, 1 June 1996", copies of which are available in the Library of the House.

Mr. Morgan: To ask the Secretary of State for Wales (1) how many women *(a)* applied to be on the public appointments register and *(b)* were placed on the public appointments register, in each year since 1993–94; [32491]

(2) what assessment he has made of the success of his Department's campaign, Diary 1995–96, to persuade more women to apply for inclusion on the public appointments register; [32493]

(3) what measures he intends to take to increase the participation of women on public bodies; and if he will make a statement; [32494]

(4) what assessment he has made of the success of the 1995–96 campaign of the NHS Opportunity 2000 unit to persuade more women to apply for inclusion on the public appointments register. [32492]

Mr. Hague: The Welsh Office has taken a number of steps, including involvement in the NHS Opportunity 2000 campaign, to encourage more women to volunteer for public appointment.

The number of women on the register has increased from 470 in April 1993—749 in April 1994 and 983 in April 1995—to 1,068 in April 1996. The percentage of appointments made by the Secretary of State held by women has risen from 18 per cent. in 1990 to 24 per cent. as at 1 June 1996.

The Welsh Office is committed to a policy of equal opportunities for all candidates; all candidates are considered on their merits and suitability for a particular post. We will continue to encourage women to volunteer for public appointment.

Wheelchairs

Mr. Morgan: To ask the Secretary of State for Wales what representation he has received on the lack of provision of indoor/outdoor wheelchairs for severely disabled people by the NHS in Wales; and what plans he has on this matter. [32503]

Mr. Hague: In addition to representations from hon. Members, I have received representations from five voluntary organisations representing the disabled. My officials, in discussion with NHS representatives are identifying possible means of improving the provision of wheelchair services in Wales.

Ambulance Service

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 4 June, *Official Report*, column *373*, what representations he has received from chief ambulance officers and the chairmen of the Welsh ambulance trusts concerning *(a)* financial viability, *(b)* revisions of boundaries, *(c)* mergers and *(d)* potential efficiency savings; and if he will make a statement. [32504]

Mr. Hague: None. The Welsh Office discusses these issues, and others, with ambulance NHS trusts as part of the regular monitoring process.

OVERSEAS DEVELOPMENT ADMINISTRATION

Street Children

Mr. Martyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* the amount of grants to the Consortium for Street Children from the Overseas Development Administration in (i) 1994–95 and (ii) 1995–96 and *(b)* the projected grant for the financial year 1996–97; and if he will make a statement. [32189]

Mr. Hanley: During the financial years 1994–95 and 1995–96, the ODA provided a total of £30,000 to the Consortium for Street Children in support of the production of a resource directory. In addition, in 1995–96, £16,100 was provided for the development of a pilot project on girl street children. A further project proposal is currently under consideration.

Mr. Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department will be represented at the European conference on street children worldwide in Amsterdam on 20 to 23 June. [32186]

Mr. Hanley: The ODA will not be represented at the European conference on street children worldwide. We understand that this is a conference for non-governmental organisations to exchange information on the problems facing street children.

Mr. Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs how many and which non-governmental organisations are being funded by the Overseas Development Administration for street children rehabilitation projects; in which countries they are based; what are these projects; what is the amount of funding granted; and for what length of time. [32185]

Mr. Hanley: Details of the joint funding scheme—JFS—grants provided to non-governmental organisations for current street children projects are shown in the table:

Agency	*Country*	*Project name:*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Childhope	Brazil	Casa De Passagem	26.287	53.738	—	—	—
Childhope	Philippines	Development of Education in the Street—an Appropriate Response	15,645	34,920	19,275	—	—
Childhope	Brazil	Projeto Ibeji for the Street Children	—	54,642	50,684	50,077	47,182
Cleveland Council for Voluntary Service	Peru	Care, Education, etc. for Street Children	—	32,683	32,683	—	—
Homeless International	India	Support for Street Children	—	22.562	22,619	23,101	—
International Childcare Trust	Kenya	Street Children's Project	31,512	36,250	30,227	35,352	—
International Children's Trust	Ecuador	Street Children of Guayaquil	58,986	85,500	88,200	99,000	—
Toybox Charity	Guatemala	The Tower—Rehabilitation Centre for Street Childen	15,428	16,750	18,500	—	
Total			147,858	337,045	262,188	207,530	47,182

Funding has also been provided to those agencies which receive block grants through the JFS in support of a variety of small-scale street children projects in Brazil, Angola, India, Bangladesh and the Philippines. The level of funding in 1995–96 was:

Catholic Fund for Overseas Development : £17,347

Christian Aid: £18,535

OXFAM: £2,444

Save the Children Fund: £359,779

The year 1995–96 is the latest for which information is available in respect of the block grant agencies.

Prisoners of Conscience (Ghana)

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on prisoners of conscience in Ghana; and what recent representations he has received on this subject. [31981]

Mr. Hanley: We are not aware of any prisoners of conscience in Ghana and have received no representations on this subject recently.

TRANSPORT

Vehicle Emissions (Prosecutions)

Mr. Janner: To ask the Secretary of State for Transport how many owners or operators of cars and lorries have been prosecuted for emitting noxious fumes, in each of the past five years for which records are available; how many of such prosecutions have led to convictions; and what penalties were imposed. [32170]

Mr. Norris: Very few emission offences are taken to court because most offenders rectify defects quickly when faced with the prospect of prohibition or prosecution.

The precise information requested is not available because the records kept by the Home Office do not separately identify any emissions offences prosecuted by the police.

Oceanic Air Traffic Control System

Mr. Nicholls: To ask the Secretary of State for Transport what plans he has to change the terms of the competition for the new oceanic air traffic control system from those set out in the invitation to tender; and what is the timetable for the final decision. [32469]

Mr. Norris: The Civil Aviation Authority, which will let the tender, has no plans to change the terms of competition for the new oceanic air traffic control centre from those set out in the invitation to participate which was issued in July 1995. The timetable for the final decision—January 1997—remains unchanged.

Fatal Accidents (Foreign Licensees)

Mr. Spearing: To ask the Secretary of State for Transport if he will list the names of drivers of motor vehicles not holding driving licences in the United Kingdom but holding licences of nations whose licences are recognised, who have been found guilty of driving offences where fatalities were involved since 1990; and if he will inform the relevant Governments of the name and licence number of the persons convicted, together with the circumstances of the accident. [32349]

Mr. Norris: Information from the national driver licensing register is treated in strict confidence under the provision of the Data Protection Acts. Except for law enforcement purposes, information is not disclosed without the consent of the individual.

The Driver and Vehicle Licensing Agency informs other driver licensing authorities of the details whenever driving licences are revoked.

Ramsgate Harbour Approach Road

Mr. Aitken: To ask the Secretary of State for Transport if he has received the report of his inspector on the compulsory purchase orders for the Ramsgate harbour approach road; when he expects to reach his decision on the inspector's report; and if he will make a statement. [32424]

Mr. Norris: We still await the report. I am not able to say when the decision on the orders will be issued. My officials are fully aware of the need for an early decision and I can assure my right hon. Friend that matters will be brought to a conclusion as quickly as possible.

Vehicle Testing Station (Purfleet)

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) what discussions his Department has had with the Health and Safety Executive in relation to the Vehicle Inspectorate and the Driving Standards Agency at the heavy goods vehicle testing station at Purfleet; and what action is planned by his Department; [32403]

(2) what action his Department has taken to replace the boundary fence surrounding the heavy goods vehicle testing station at Purfleet; and what warning signs and traffic management barriers have been erected to separate the Driving Standards Agency and Vehicle Inspectorate traffic routes. [32402]

Mr. Norris: I have asked the chief executive of the Vehicle Inspectorate to write to the hon. Member.

Letter from Ron Oliver to Mrs. Gwyneth Dunwoody, dated 11 June 1996:

The Secretary of State has asked me to reply to your questions about replacement of the boundary fence at Purfleet Goods Vehicle Testing Station and discussions with the Health and Safety Executive.

A replacement fence was erected on three of the boundaries in March. There have been no further complaints of children using the site as a short cut, since this action has been taken. The fence on the final front boundary requires planning permission and is affected by highway alternations needed by the Channel Tunnel Link. A planning application has been submitted and it is anticipated that it will take 6 weeks to process.

A traffic management barrier has also been erected on the site to assist segregation of the Vehicle Inspectorate and Driving Standards Agency's work.

Further works to be undertaken this summer include additional tarmacking to ease traffic movement and parking within the site, and renewing directional signs. Discussions on the latter will involve the Driving Standards Agency to establish their particular requirements. Discussions have been held with the Health and Safety Executive regarding the proposed improvements and we are advising them of progress as it occurs.

British Rail (Objectives)

Mr. Lidington: To ask the Secretary of State for Transport what objectives he has set for the chairman of British Rail for 1996–97. [32644]

Sir George Young: I have written to the chairman formally recording the objectives that had been agreed for the period 1 April 1996 to 31 March 1997. Copies of the letter have been placed in the Library.

Light Dues

Mr. Austin Mitchell: To ask the Secretary of State for Transport what plans he has to change the light dues system when the Decca navigation system comes to an end. [32499]

Mr. Norris: No decisions have yet been made regarding the future of the Decca navigator system. We have no plans to change the light dues system.

Northolt Airport

Mr. Harry Greenway: To ask the Secretary of State for Transport if he will make it his policy not to increase permitted aircraft movements from Northolt airport; and if he will make a statement. [30992]

Mr. Norris *[holding answer 4 June 1996]:* The station continues to operate on the basis of 7,000 civil movements a year.

In its recent report on UK airport capacity, the House of Commons Transport Committee included a number of conclusions and recommendations relating to increased civil use of RAF Northolt. The Government will respond in due course to these and to the other recommendations of the Committee.

DEFENCE

Colchester Military Training Centre

13. **Mr. Whittingdale:** To ask the Secretary of State for Defence if he will make a statement on the defence implications of the Colchester military corrective and training centre becoming a young offenders' institution; and if he will make a statement. [30895]

Mr. Soames: The creation of a young offenders institution within the military corrective training centre will have no implications for Britain's defence.

Joint Rapid Deployment Force

14. **Mr. Dunn:** To ask the Secretary of State for Defence what will be the role of the joint rapid deployment force; and if he will make a statement. [30896]

Mr. Portillo: The joint rapid deployment force will strengthen the UK's capability effectively and rapidly to deploy military forces worldwide in support of our interests. It will be capable of fulfilling a wide range of combat or non-combat missions.

24. **Mr. Alison:** To ask the Secretary of State for Defence what assessment he has made of the improvement to Britain's defence capability from the introduction of the joint rapid deployment force. [30907]

Mr. Soames: The military response to future challenges will almost certainly be on a joint service basis. The joint rapid deployment force will enhance the UK's ability to respond very rapidly to future crises, drawing from all three services. The core of the JRDF will be three Commando Brigade and five Airborne Brigade, but it will also draw on other elements across the services.

Tomahawk Cruise Missiles

15. **Mr. Allason:** To ask the Secretary of State for Defence what plans he has to procure Tomahawk cruise missiles. [30897]

Mr. Arbuthnot: My right hon. Friend the Secretary of State for Defence announced in the House on 13 July 1995, *Official Report*, column 1092, that we were proceeding with the procurement of Tomahawk. On 16 October 1995 my right hon. Friend the Secretary of State for Defence announced during the defence debate *Official Report*, column 51, that an order had been placed that day for 65 conventionally armed Tomahawk cruise missiles with the US Department of Defence. There are currently no plans to purchase further missiles.

Polaris

16. **Mr. Bennett:** To ask the Secretary of State for Defence what steps are being taken to decommission Polaris submarines. [30898]

Mr. Arbuthnot: The process of decommissioning the Polaris submarines involves de-fuelling, de-equipping and laying up the vessels for storage afloat before their final disposal. This process has been completed for HMS Revenge, but not yet for the other Polaris submarines.

Former Yugoslavia

17. **Mr. Sumberg:** To ask the Secretary of State for Defence if he will make a statement on NATO's peace implementation force in the former Yugoslavia. [30899]

Mr. Portillo: I refer my hon. Friend to the oral answer that I gave earlier today to the hon. Member for Walsall, North (Mr. Winnick).

Land Mines

18. **Mrs. Helen Jackson:** To ask the Secretary of State for Defence when he expects to replace his Department's stocks of anti-personnel land mines. [30900]

Mr. Arbuthnot: We plan to destroy nearly half our current stocks of anti-personnel mines without replacement. We have reached no decisions on our future requirements.

Procurement Projects

19. **Mr. Touhig:** To ask the Secretary of State for Defence what is the total expenditure his Department has identified in the last year which is due to cost overruns on procurement projects. [30901]

Mr. Arbuthnot: Information on Defence equipment cost control performance was published in December 1995 in the MoD's performance report, Cm 3055, a copy of which is in the Library of the House.

RAF Aircraft Crashes

20. **Ms Eagle:** To ask the Secretary of State for Defence how many RAF aircraft crashed in 1996; and if he will make a statement. [30903]

Mr. Soames: A total of nine RAF aircraft have crashed in eight accidents. Separate RAF boards of inquiry are carrying out thorough investigations to determine the causes of seven of the accidents and to consider what action may be necessary to minimise the risk of recurrence. In line with normal policy, a summary of the findings of each of these inquiries will be placed in the Libraries of both Houses in due course. An investigation into the most recent accident, which occurred on 26 May in Portugal, is being carried out by the Portuguese authorities in line with the NATO standard agreement on such matters.

Surface Ships

21. **Mr. David Martin:** To ask the Secretary of State for Defence if he will make a statement about present procurement plans for new surface ships for the Royal Navy. [30904]

Mr. Arbuthnot: A number of new surface ships are planned. These include the helicopter carrier HMS Ocean; five type 23 frigates, seven Sandown class mine-hunters, and the survey vessel HMS Scott, all currently on order. In addition, we are in negotiations with VSEL over a contract for up to two assault ships; we continue to make good progress on the common new generation frigate; and we have issued an invitation to tender for up to two auxiliary oilers.

Married Housing Stock

22. **Mr. Kevin Hughes:** To ask the Secretary of State for Defence what consultation he had with members of the armed forces before he announced his plans for the married housing stock. [30905]

Mr. Arbuthnot: The proposal to transfer ownership of the married quarters estate in England and Wales to the private sector has been developed over many months in full consultation with the services. We have also had regular contract with the service wives' organisations and have taken their views fully into account.

Joint and Combined Exercises

23. **Mr. Evennett:** To ask the Secretary of State for Defence what priority he attaches to joint and combined exercises; and if he will make a statement. [30906]

Mr. Soames: I attach the very highest priority to both joint and combined exercises. We have recently completed the highly successful exercise, Purple Star, with the Americans, which saw a major amphibious landing and the largest parachute drop since the second world war. Key elements of the joint rapid deployment force, which becomes operational on 1 August this year, were involved including three Commando Brigade and five Airborne Brigade, an aircraft carrier and amphibious group as well as RAF front line and supporting aircraft. Responsibility for planning and conducting joint and combined exercises now rests with the new permanent joint headquarters at Northwood, which has been formed as a centre of excellence in preparing for and executing joint operations.

Propeller Factories

25. **Mr. French:** To ask the Secretary of State for Defence when he next proposes to visit a propeller factory. [30909]

Mr. Arbuthnot: My right hon. Friend the Secretary of State for Defence visited Dowty Aerospace recently. The company is involved in supplying propellers for the RAF's C-130J programme, and is also a member of the Lockheed Martin team offering the Orion 2000 in response to the invitation to tender for RMPA. All three tenders for RMPA are currently being assessed and we are working towards letting a contract with the selected prime contractor later this year. I cannot comment on the bid at this stage, but I can assure my hon. Friend that all the bids are receiving full and equal consideration.

School Cadet Forces

27. **Mr. Harry Greenway:** To ask the Secretary of State for Defence how many *(a)* boys and *(b)* girls are currently enrolled in school cadet forces; at what cost; and if he will make a statement. [30911]

Mr. Soames: There are currently *(a)* 33,300 boys and *(b)* 6,100 girls enrolled in the combined cadet force in schools. My Department's contribution to the cost of the combined cadet forces in 1994–95 was £7.4 million.

In addition, more than 200 units of the sea cadet corps, Army cadet force, and the air training corps meet in local education authority school property.

My colleagues and I are very much aware of the immense benefit that the cadet forces can bring to the education and well-being of the young people of this country. Parents and teachers alike recognise the value that cadet membership can bring to the broad education of young people.

Small Arms

Mr. Redmond: To ask the Secretary of State for Defence how many small-arms weapons declared surplus to requirements by each of the armed services have been sold on the open market; and if he will make a statement. [31428]

Mr. Arbuthnot: This is a matter for the Disposal Sales Agency under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from Keith Ellender, to Mr. Martin Redmond, dated 7 June 1996:

I am replying to your Question to the Secretary of State for Defence about the sale of surplus small-arms weapons on the open market, as this matter falls within my area of responsibility as Chief Executive of the Disposal Sales Agency.

A total of 40,700 surplus small-arms weapons were sold in the 3 years since June 1992. 40,000 of these were to Section 5 Licenced firearms dealers for export, and 700 were directly to overseas governments. These figures were given to your parliamentary colleague Dr David Clark, MP by Mr Arbuthnot in a written answer on 10 July 1995, Official Report, column 468. There have been no further sales since then. We are unable to give a breakdown between armed services, because the weapons are declared by a single service source on behalf of the other services, but they would be predominantly of Army origin.

Great Care is exercised in the sales of surplus small arms to ensure that they do not fall into the wrong hands. To this end the long standing policy of the MOD is not to sell weapons to UK traders for stock. Mr Arbuthnot explained the full current policy in another written answer on 10 July 1995. This appeared in the same column as the answer referred to earlier.

Mr. Redmond: To ask the Secretary of State for Defence if he will list for each of the last four years, for each of the armed services, the number of small-arms weapons declared surplus to requirements that have been *(a)* destroyed and *(b)* sold; and if he will make a statement. [31427]

Mr. Arbuthnot: Our records are not maintained in the format requested and could be provided only at disproportionate cost. However, in the last four years a total of 150,200 small arms have been destroyed and 40,700 sold.

SHL Software

Mr. Redmond: To ask the Secretary of State for Defence if he will list the contracts his Department and his agencies have with SHL software computer system; what is the current cost; when each contract ends; and what are the penalties involved should he seek early termination of the contract. [31435]

Mr. Arbuthnot: I assume that the company referred to is SHL Systemhouse UK Ltd., a member of the Canadian SHL Systemhouse Inc. group. While the MOD procurement executive has direct dealings with this company, there are only a few contracts and to divulge the cost and termination date details would be a breach of commercial confidence.

Ministry of Defence contracts generally contain a standard "break" condition which enables the Ministry to terminate a contract after a given period without penalty. There may also be other termination provisions, but these would be tailored to the circumstances of the particular contract.

Where chief executives of my Department's agencies exercise their responsibilities for this matter under the terms of their framework documents, I have asked them to write to the hon. Member direct.

Letter from John Chisholm to Mr. Martin Redmond, dated 11 June 1996:

You recently asked the Secretary of State for Defence for details of contracts his Department and Agencies have with SHL software computer system. I am replying on behalf of the Defence Evaluation and Research Agency (DERA).

I can confirm that DERA has no current contracts with SHL. We have, in the past, had a number of small value contracts with the company but these are all now completed.

I hope this is helpful.

Letter from J. C. R. Hunt to Mr. Martin Redmond, dated 11 June 1996:

I am replying to your question to the Defence Secretary concerning SHL computer systems, as this falls within my area of responsibility as Chief Executive of the Meteorological Office.

We currently have no contracts with the company.

I hope this is helpful.

Letter from S. Parnell to Mr. Martin Redmond, dated 11 June 1996:

1. You recently asked the Secretary of State for Defence a Parliamentary Question about contracts the Ministry of Defence or its agencies have with SHL software computer system. As the issues raised fall within the responsibility of the Chief Executive your question has been referred to the Hydrographic Office for the provision of a response.

2. In the normal course of events my Chief Executive, Rear Admiral Clarke, would reply to you personally but unfortunately he is at present on official business overseas. In light of this I have been asked to respond.

3. In answer to your question the Hydrographic Office does not have any form of contract with SHL software computer system.

4. I hope this has been helpful.

Women (Promotion)

Mr. Donohoe: To ask the Secretary of State for Defence what measures his Department has implemented during the last 12 months to encourage the promotion of women into senior positions with his Department and its executive agencies; and what progress his Department has made in encouraging the promotion of women over the last five years. [31539]

Mr. Arbuthnot: My Department and its agencies continue to strive to improve the opportunities for women at all levels in the organisation, and though we recognise that we still have far too few women in senior positions, there are clear signs that the position is improving. For example, in each of the last three years almost a quarter of those promoted to grade 5 level in the administration group were women, compared with 9 per cent. in 1991 an nil in 1992.

Initiatives aimed at improving opportunities for women in my Department and its agencies include: the provision of nursery facilities; career breaks and flexible working; equal opportunities training for promotion board members; positive action training for women staff; and—newly established this year—a working group chaired by the chief scientist to advise on the recruitment, retention and promotion of women engineers.

BMARC

Mr. Purchase: To ask the Secretary of State for Defence what was the cost of his investigation into the BMARC affair; and if he will publish the findings of the investigation. [32198]

Mr. Arbuthnot: Work undertaken by my Department to examine allegations that BMARC supplied naval guns to Iran via Singapore in the mid to late 1980s, including the work involved to assist the Trade and Industry Committee with its current BMARC inquiry, necessarily involved a number of officials in different parts of the MOD to varying degrees over the past 15 months. Records have not been routinely kept on time spent on this activity by officials and it is not therefore possible to provide the information requested.

My Department has submitted a written memorandum to the Committee and officials have appeared to provide oral evidence relevant to the inquiry. We stand ready to provide any further assistance that the Committee may require.

Explosives (Lunan Bay)

Mr. Welsh: To ask the Secretary of State for Defence how many explosive devices have been found at Lunan bay; what is their origin; and how they came to be at Lunan bay. [32536]

Mr. Soames: Some 600 world war two practice bombs have been discovered at Lunan bay. Their presence is consistent with the beach being used as a practice bombing range. Complete records of wartime activity are not available, but a surviving 1940 RAF air navigation chart indicates a bombing range at Lunan bay.

Mr. Welsh: To ask the Secretary of State for Defence what assessment he has made of the numbers of explosive devices still to be uncovered at Lunan bay; and if he will make a statement. [32539]

Mr. Soames: A reconnaissance is to be conducted at Lunan bay by 33 Engineer Regiment to assess the situation.

Mr. Welsh: To ask the Secretary of State for Defence what types of explosive devices have been found at Lunan bay; and if he will list the number and purpose of each type of explosive device. [32537]

Mr. Soames: Remnants of some 600 101b, 11.51b and 251b world war two practice bombs have been uncovered at Lunan bay. The practice bombs were used to test aircraft and crews for all aspects of bombing operations.

Mr. Welsh: To ask the Secretary of State for Defence how many of the explosive devices found at Lunan bay have been live; and how they were disposed of. [32538]

Mr. Soames: Explosive ordnance disposal teams have treated all remnants of world war two practice bombs as if they may have some residual active component, and disposed of them by controlled detonation using standard procedures.

Radiation, Menwith

Mr. Madden: To ask the Secretary of State for Defence what action his Department took in respect of the report to the senior police officer at Menwith on radiation around radome 4—No. 512-91—dated 29 September 1991. [32354]

Mr. Soames: There was no need for action by my Department. The comments regarding radiation around radome 4 were written in error. There is a zone around

the radomes which is fenced off for security reasons to deter protesters and activists, who have regularly targeted the site, from damaging the equipment. There is no reason for any personnel employed at RAF Menwith Hill to avoid any particular radome for health and safety reasons.

Trident D5 Missiles

Mr. Flynn: To ask the Secretary of State for Defence what estimate he has made of the unit cost of purchasing Trident D5 missiles from the United States of America. [32053]

Mr. Arbuthnot *[holding answer 10 June 1996]:* For commercial and other reasons, it is not our practice to speculate about future prices. For estimates of the cost of the total Trident missile buy, I refer the hon. Member to the reply given by my right hon. Friend the Secretary of State on 14 March 1996, *Official Report*, column 678.

NATIONAL HERITAGE

National Lottery Funds

Mr. Simon Hughes: To ask the Secretary of State for National Heritage if she will list the projects within the London boroughs of *(a)* Camden, *(b)* Islington, *(c)* Hackney, *(d)* Kensington and Chelsea, *(e)* Lambeth, *(f)* Southwark, *(g)* Tower Hamlets and *(h)* Westminster, that have received funding from each of the national lottery funds. [31491]

Mr. Sproat: There have been 120 awards to date, totalling £196.4 million, made to projects in the London boroughs listed. The information is as follows:

Distributing body	*Recipient*	*Award amount* £
Camden		
Arts Council	Calthorpe Project	13,500.00
Arts Council	The Place	19,000.00
Arts Council	Interchange Studios (The Hamden Trust)	22,500.00
Arts Council	Survivors Poetry	61,802.00
Arts Council	Artsline	85,947.00
Arts Council	W.A.V.E.S.	97,200.00
MC	British Museum	30,000,000.00
NLCB	Bengali Women's Association	3,000.00
NLCB	Camden Volunteer Bureau	58,020.00
NLCB	Camden Family Service Unit	117,179.00
NLCB	Cancer Research Campaign	201,800,00
NLCB	Scope	314,867.00
Sports Council	Castlehaven community Association	60,700.00
Hackney		
Arts Council	London Fields School	5,830.00
Arts Council	Hackney Festivals Support Group Ltd.	31,030.00
Arts Council	Quicksilver Theatre for Children	48,379.00
NHMF	Stoke Newington Boundary Scheme	34,500.00
NHMF	Geffrye Museum	3,750,000.00
NLCB	City and Hackney Alcohol Counselling Services	94,150,000
NLCB	Stamford Hill Playgroup	5,000.00
NLCB	Hackney Law Centre	28,500.00
NLCB	Disability, Education, Play, Resource Project	35,927.00
NLCB	Hackney Coalition of Disabled People	59,870.00
NLCB	African Welfare and Education Centre	60,200.00
NLCB	Lower Clapton Community Nursery	4,905.00
Sports Council	London Borough of Hackney	4,895,000.00
Islington		
Arts Council	The Sam Collins Theatre	27,000.00
Arts Council	Out of Joint	87,449.00
Arts Council	Raw Material Music and Media	97,423.00
Arts Council	The Pleasance Theatre Trust	97,741.00
Arts Council	Sadler's Wells Foundation	30,000,000.00
NHMF	St. Luke's Churchyard	112,791.00
NHMF	New River Walk, Cannonbury Grove	175,000.00
NLCB	Islington Women's Advice Group	3,600.00
NLCB	Mitford Under 5s	6,397.00
NLCB	King Square Playgroup	15,000.00
NLCB	Islington Victim Support	36,448.00
NLCB	Chance	115,000.00
NLCB	St. Mary's Church and Community Centre	166,191.00
NLCB	North Islington Law Centre	9,000.00
Kensington and Chelsea		
Arts Council	The Tabernacle	150,000.00
Arts Council	The European Theatre Company Ltd.	19,347.00
Arts Council	Ebony Steelband Trust	60,519.00
NHMF	Chelsea Physic Garden	100,000.00
NHMF	National History Museum	6,058,000.00
NLCB	Handicapped Children's Pilgrimage Trust	3,000.00
NLCB	Women's Education in Building	9,500.00
NLCB	Many Hands	15,000.00
NLCB	Chelsea Social Council	87,783.00
NLCB	Action Disability Kensington and Chelsea	89,520.00
NLCB	Crossroads Care—Kensington and Chelsea	95,447.00
NLCB	Maxilla Nursery Centre	126,495.00
NLCB	The Pepper Pot Club	525,000.00
Sports Council	North Kensington Amenity Trust	329,689.00
Lambeth		
Arts Council	The Young Vic Theatre	13,500.00
Arts Council	The Institute for Performing Arts	99,000.00
Arts Council	Musicworks Music Resource Centre Ltd.	1,155,885.00
Arts Council	Royal National Theatre Board	31,590,000.00
NHMF	Anti-Slavery International	88,000.00
NLCB	Colombo Street Playgroup	6,000.00
NLCB	Waterloo Breakaway	10,000.00
NLCB	Incognito Theatre Company	34,000.00
NLCB	Streatham Youth Centre	50,400.00
NLCB	The Brix at St. Matthew's	85,246.00
NLCB	Lambeth Accord	103,700.00
NLCB	Oasis Children's Venture	31,956.00
Southwark		
Arts Council	Bankside Gallery Ltd.	17,000.00
Arts Council	William Penn Steel Band	29,357.00

Distributing body	Recipient	Award amount £
Arts Council	Opera Factory	41,470.00
Arts Council	Strathcona Theatre Company	44,059.00
Arts Council	Method and Madness	411,375.00
Arts Council	Shakespeare's Globe Trust	12,400,000.00
MC	Tate Gallery of Modern Art	50,000,000.00
NLCB	Amott Road Pre-School Nursery	800.00
NLCB	Edward Henry Housing Co-op	4,500.00
NLCB	Pelican Estate Tenants and Residents Association	5,000.00
NLCB	Dachwyng Supplementary School	12,000.00
NLCB	Bird in the Bush Community Centre	21,414.00
NLCB	Phoenix House Glasgow Project	25,000.00
NLCB	12th Camberwell Scouts	27,406.00
NLCB	Downtown Community Project	30,000.00
NLCB	Elephant Jobs Charity	57,850.00
NLCB	The Lorrimore	172,000.00
NLCB	The Southwark Branch of Arthritis Care	3,000.00
NLCB	Southwark Victim Support scheme	25,500.00
Sports Council	London Borough Southwark	350,000.00
Tower Hamlets		
Arts Council	City of London Sinfonia	98,990.00
Arts Council	Spitalfields Arts Projects	235,000.00
MC	Mile End Park	12,322,010.00
NLCB	Bangladeshi Sports Association	9,000.00
NLCB	Island Neighbourhood Project	35,518.00
NLCB	Youth Action Scheme	53,000.00
NLCB	Globe Town Community Association	56,500.00
NLCB	Island House Community Centre	75,000.00
NLCB	St. Hilda's East Community Centre	75,145,00
NLCB	Training and Development Consortium	220,000.00
NLCB	Stepney Settlement	357,500.00
NLCB	5th Tower Hamlets Cub Scouts	997.00
Sports Council	London Borough of Tower Hamlets	962,470.00
Sports Council	London Borough of Tower Hamlets (Bethnal Green High School)	801,520.00
Westminster		
Arts Council	The Other Cinema/Metro Cinema	22,288.00
Arts Council	Yaa Asantewaa Arts and Community Centre	52,855.00
Arts Council	Institute of Contemporary Arts Limited	344,540.00
Arts Council	Flamboyan Community Association	100,000.00
Arts Council	City Screen (Exeter) Limited	577,173.00
Arts Council	City Screen (Exeter) Limited	692,250.00
Arts Council	Union Pictures Limited	795,846.00
MC	The Zoological Society of London	2,200,000.00
NLCB	The Westminster Society for people with learning disabilities	5,000.00
NLCB	North Westminster Victims Support Scheme	21,000.00
NLCB	St. John's Housing Association	30,000.00
NLCB	Westminster Childrens Society	42,000.00
NLCB	The Bayswater Hotels Homelessness Project	50,000.00
NLCB	Catholic Children's Society (Westminster)	58,190.00
NLCB	Westminster Volunteer Bureau	61,367.00
NLCB	Soho Family Centre Trust	89,559.00
NLCB	Age Concern Westminster	108,000.00
NLCB	Westminster Advocacy Service For Senior Residents	131,893.00
NLCB	Westminster Cathedral—St. Vincent de Paul	35,000.00
NLCB	Westminster Women's Aid	73,133.00

European Union Flag

Mr. Redmond: To ask the Secretary of State for National Heritage what instructions were issued to her Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31508]

Mr. Sproat: I refer the hon. Member to the reply given by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs on 6 June 1996 *Official Report*, column *518*.

National Lottery

Dr. Wright: To ask the Secretary of State for National Heritage when the figures for the distribution of national lottery grants will be made available on a constituency or local authority basis. [32046]

Mr. Sproat: We estimate that constituency and local authority based information will be available by early July.

Mr. William Powell: To ask the Secretary of State for National Heritage if she will list each of the grants made by each of the lottery boards for projects in Northamptonshire. [32239]

Mr. Sproat: There have been 32 awards to date, totalling £4.4 million, made to projects in Northamptonshire. The full list is as follows:

Body	Announced	Recipient	Location	Amount £
Arts	21 September 1995	Moulton Players	Northampton	60,000.00
Arts	24 May 1995	Northamptonshire County Council	Northamptonshire	7,500.00
MC	11 September 1995	Countryside Access for All	Northamptonshire	736,000.00
NHMF	14 February 1996	English Heritage: Pool Farm	Malvern Hills	300,000.00
NHMF	20 December 1995	St. Andrews and All Saints Church	Northampton	19,000.00

Body	Announced	Recipient	Location	Amount £
NLCB	19 December 1995	Hartville Playgroup	Ashton	500.00
NLCB	19 December 1995	Teamwork Woodbridge	Corby	230,000.00
NLCB	19 December 1995	Rural Support Group	Harksome Hill	2,195.00
NLCB	20 November 1995	Northampton Active Group	Northampton	5,000.00
NLCB	20 November 1995	Northampton Unwaged Training Resource and Advice Centre	Northampton	57,591.00
NLCB	20 November 1995	Northampton Womens Aid	Northampton	52,488.00
NLCB	19 December 1995	Be Positive, Northampton	Northampton	90,000.00
NLCB	19 December 1995	Northampton and District CAB	Northampton	24,354.00
NLCB	19 December 1995	Northampton Physically Handicapped and Able-Bodied	Northampton	28,600.00
NLCB	19 December 1995	Northampton Youth Counselling and Information Service	Northampton	56,300.00
NLCB	19 December 1995	Council On Addiction For Northamptonshire	Northamptonshire	242,000.00
NLCB	19 December 1995	Northamptonshire Victims Support Scheme	Northamptonshire	28,820.00
Sports	11 March 1996	Bringtons and Nobottle Cricket Club	Northampton	2,500.00
Sports	3 April 1996	Harpole Bowls Club	Northampton	27,650.00
Sports	13 May 1996	Northamptonshire Association of Youth Clubs	Northampton	714,825.00
Sports	4 May 1995	Kislingbury Bowls Club	Northamptonshire	42,500.00
Sports	4 May 1995	Moulton Football Club	Northamptonshire	35,067.00
Sports	4 May 1995	Western Favell Upper School	Northamptonshire	505,000.00
Sports	4 May 1995	Potterspury Sports and Social Club	Northamptonshire	23,300.00
Sports	5 July 1995	Bugbrook Playing Fields Association	Northamptonshire	205,000.00
Sports	5 July 1995	Daventry District Council	Northamptonshire	614,000.00
Sports	9 August 1995	Long Buckley Community Centre	Northamptonshire	7,200.00
Sports	8 November 1995	Scaldwell Sports Club	Northamptonshire	9,871.00
Sports	6 December 1995	Brackley Tennis Club	Northamptonshire	91,000.00
Sports	10 January 1996	Nether Heyford PC	Northamptonshire	52,000.00
Sports	10 January 1996	Northampton Sailing Club	Northamptonshire	35,000.00
Sports	10 January 1996	Wellingborough Rugby Football Club	Northamptonshire	131,690.00

Millennium Exhibition

Mr. Winnick: To ask the Secretary of State for National Heritage in what circumstances she would reconsider the national exhibition centre in Birmingham for the millennium exhibition. [32501]

Mrs. Virginia Bottomley: The Selection of the site for the millennium exhibition is a matter for the Millennium Commission. I have no independent role in this matter as Secretary of State.

Mr. Winnick: To ask the Secretary of State for National Heritage if she will meet officials of the NEC in Birmingham to discuss their proposed plans to hold the millennium exhibition there. [32500]

Mrs. Bottomley: The selection of site for the millennium exhibition is a matter for the Millennium Commission. As chairman of the commission, I met representatives of the NEC together with other commissioners on 3 April.

SCOTLAND

Cairngorm Funicular Railway

Mr. Galbraith: To ask the Secretary of State for Scotland what research his Department has *(a)* commissioned and *(b)* evaluated into the (i) economic viability and (ii) likely passenger numbers in respect of the proposed funicular railway on Cairngorm; if he will list the costs to his Department of the research and indicate if it is in the public domain. [31300]

Mr. Kynoch: None. Questions regarding the economic viability of the proposed funicular railway on Cairngorm, including the related issue of the likely passenger numbers, are essentially matters for the applicant to address in consultation with those organisations from whom it is seeking funding.

Mr. Galbraith: To ask the Secretary of State for Scotland when he expects to receive from the Cairngorms Partnership Board its proposed management strategy for the area; if he has requested proposals to conserve the montane zone; and what assessment he has made of the main threats to the successful conservation of this zone. [31304]

Mr. Kynoch: When my right hon. Friend the then Secretary of State for Scotland established the Cairngorms Partnership last year he asked it to produce within 12 months a draft management strategy for the area including, as a priority, proposals for the conservation of the montane zone. I understand that the Cairngorms Partnership Board will shortly issue for consultation a draft management strategy which will include a section dealing specifically with the montane zone.

Mr. Galbraith: To ask the Secretary of State for Scotland what representations he has received from the Cairngorms Partnership Board concerning the proposed construction of a funicular railway on Cairngorm; and if he will make a statement. [31302]

Mr. Kynoch: My right hon. Friend has received two letters from the Cairngorm Partnership Board. The chief executive wrote on 4 July 1995 asking that he issue a direction requiring the planning authority to notify the application to him if they were minded to grant consent.

A further letter, dated 13 February 1996 was received from the board's chairman, Mr. David Laird, in which he advised my right hon. Friend of how the partnership viewed the way matters were developing.

Mr. Galbraith: To ask the Secretary of State for Scotland, pursuant to his answer of 29 April, *Official Report*, column *375*, what is the predicted cost per job *(a)* created and *(b)* retained in the application by

Highlands and Islands Enterprise to incur expenditure on the proposed funicular railway on Cairngorm, currently being considered; and how these costs per job compare with the average in the highlands and islands area.[31340]

Mr. Kynoch: The overall cost per job of the proposed Highlands and Islands Enterprise assistance as recorded in the request for the approval of my right hon. Friend is £7,616. Such a figure is comparable with that for similar large capital-intensive projects to which Highlands and Islands Enterprise has contributed.

Mr. Galbraith: To ask the Secretary of State for Scotland, pursuant to his answer of 29 April, *Official Report*, column 375, if the application by Highlands and Islands Enterprise to incur expenditure on the proposed funicular railway on Cairngorm takes account of the redundancies recently announced by the chairlift company. [31339]

Mr. Kynoch: The request for the approval of my right hon. Friend of the proposed financial contribution by Highlands and Islands Enterprise to the funicular railway project takes account of a range of factors, including the employment consequences, which in its view justify its proposed assistance to the project. No decision has yet been taken on the request.

Mr. Galbraith: To ask the Secretary of State for Scotland what research has been commissioned by *(a)* his office and *(b)* the Highlands and Islands Enterprise, to compare the value for money of grant aid to the proposed Cairngorm funicular railway with grants to other options for modernising the skiing facilities. [31303]

Mr. Kynoch: No research into such matters has been commissioned by the Scottish Office. The research commissioned by Highlands and Islands Enterprise is an operational matter for that organisation and I have asked the chairman of its board to write to the hon. Member.

Planning Applications

Mr. Galbraith: To ask the Secretary of State for Scotland in what circumstances he requires notification of planning applications where a planning authority is minded to grant permission that would constitute a departure from an approved structure plan. [31301]

Mr. Kynoch: Under the current planning legislation, it is entirely a matter for the authority to determine what constitutes a significant departure from the structure plan thus requiring an application to be notified to my right hon. Friend.

Recruitment

Mr. Donohoe: To ask the Secretary of State for Scotland how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31396]

Mr. Michael Forsyth: My Department and its executive agencies, excluding the Scottish Prison Service, spent approximately £429,000 in the 1994–95 financial year to recruit 144 staff and £436,000 in 1995–96 to recruit 201 staff.

Mr. Donohoe: To ask the Secretary of State for Scotland what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31411]

Mr. Forsyth: My Department used executive search agencies on three occasions in 1994–95. The agencies employed were Goddard Kay Rogers and Associates Ltd., Korn Ferry International and Thompson Partners Ltd. The total cost was £82,884.35. The value of individual contracts is a matter for the companies themselves and is regarded as commercial in confidence. Neither my Department nor its executive agencies used executive search agencies during 1995–96.

Lockerbie

Mr. Dalyell: To ask the Secretary of State for Scotland, pursuant to his answer in the Scottish Grand Committee in Dunfermline on 20 May, if the Crown Office will ask Professor Brian Caddy to include in his report, an assessment of the work of Dr. Fereday and Dr. Hayes at Royal Armament Research and Development Establishment in relation to Lockerbie. [31882]

Lord James Douglas-Hamilton: No. The review being conducted by Professor Brian Caddy is directed towards determining in which cases contamination might have occurred and to make recommendations for further action in order that a recurrence might be avoided. The terms of Professor Caddy's review did not invite him to undertake a general scrutiny of the work of any employees, or former employees, engaged in work at the forensic explosives laboratory in relation to any particular case or cases.

Mr. Dalyell: To ask the Secretary of State for Scotland, pursuant to his answer of 20 May, *Official Report*, column *71*, about the implications for the Lockerbie inquiry of developments in respect of the forensic science laboratory in Kent, on what evidence the charges against the two Libyans depend. [31944]

Lord James Douglas-Hamilton *[holding answer 7 June 1996]:* My noble and learned Friend the Lord Advocate cannot discuss details of evidence while criminal proceedings are pending.

Legal Service (Tayside and Fife)

Mr. Welsh: To ask the Secretary of State for Scotland on how many occasions the interim procurator fiscal has appeared in the sheriff court at Arbroath since his appointment. [32527]

Lord James Douglas-Hamilton: The interim procurator fiscal at Arbroath has not appeared personally in the sheriff court there since his appointment.

Mr. Welsh: To ask the Secretary of State for Scotland how many trials were fixed and how many and what percentage of trials proceeded with evidence led in respect of (i) the sheriff courts of Arbroath and Forfar and district

courts of Arbroath, Brechin and Forfar and (ii) the remainder of the sheriff courts and district courts within the sheriffdom of Tayside Central and Fife between *(a)* January and December 1994, *(b)* January and December 1995 and *(c)* December 1995 and April 1996. [32508]

Lord James Douglas-Hamilton: Figures for the district courts are not held centrally. Figures for the sheriff courts are as follows.

	Trial fixed	*Trials evidence led*	*Percentage of trials evidence led to trials fixed*
January to December 1994			
Arbroath	578	147	25
Forfar	438	100	23
Remaining courts	9,314	2,390	26
January to December 1995			
Arbroath	486	90	19
Forfar	398	68	17
Remaining courts	8,768	1,916	22
December 1995 to April 1996			
Arbroath	175	18	10
Forfar	75	25	33
Remaining courts	3,379	733	22

NHS Trusts (Staff Compensation)

Mrs. Ewing: To ask the Secretary of State for Scotland what were the costs to each NHS trust from *(a)* damages, *(b)* legal fees and *(c)* administration and management time arising from compensation claims by members of staff in each of the last three financial years. [32505]

Mr. Michael Forsyth: This information is not held centrally.

Health Service (Lifting and Handling Regulations)

Mrs. Ewing: To ask the Secretary of State for Scotland which Scottish hospitals have not had appropriate lifting equipment for use by nursing staff in continuous use since the introduction of EU lifting and handling regulations; and what action has been taken in each case. [32507]

Lord James Douglas-Hamilton: This information is not held centrally.

New Car Assessment Programme

Mr. Donohoe: To ask the Secretary of State for Scotland when his Department expects to make a statement on the reliability of the information collated as part of the research on the feasibility of a new car assessment programme; and when this information will be published. [32426]

Mr. Norris: I have been asked to reply. The work is not yet finished. An announcement will be made as soon as possible after the report on this work is completed.

SOCIAL SECURITY

Benefit Claimants (Personal Details)

Mr. Chris Smith: To ask the Secretary of State for Social Security what plans he has to pass on the personal details of benefit claimants to advertisers and direct mail companies. [30397]

Mr. Heald: None. There is a standard clause in contracts awarded by this Department that information obtained for the administration of social security benefits remains the property of the Department. All information is held in confidence and used only for the purpose for which it is collected.

Private Investigators

Mr. Donohoe: To ask the Secretary of State for Social Security what use his Department has made of private detective agencies or investigators during 1995–96 and 1994–95; which agencies have been employed for what purposes; and at what cost to his Department. [30569]

Mr. Burt: None.

Housing Benefit

Mr. Barry Field: To ask the Secretary of State for Social Security how many unitary authorities are failing to make the first payment of housing benefit within 14 days of the completed forms. [30971]

Mr. Roger Evans: The information is not yet available.

Apart from the Isle of Wight, which commenced unitary status in April 1995, no other new unitary authorities commenced operations before April 1996. The most recent information available centrally is for 1994–95.

Mr. Field: To ask the Secretary of State for Social Security what is the total sum paid out in any readily available period of housing benefit on account. [30973]

Mr. Evans: This information is not available.

Mr. Field: To ask the Secretary of State for Social Security how many visits his officials have made to unitary authorities to monitor the payment of housing benefit. [30969]

Mr. Evans: None.

Mr. Field: To ask the Secretary of State for Social Security how many local authorities are making payments on account of housing benefit. [30972]

Mr. Evans: This information is not collected centrally. Regulations provide that all local authorities shall make payments on account when appropriate.

Mr. Field: To ask the Secretary of State for Social Security if he will list the sums paid on account of housing benefit for each authority and the average delay in completing the formal claims and estimate for each authority at the latest available date. [30974]

Mr. Evans: This information is not available.

Mr. Field: To ask the Secretary of State for Social Security what plans he has to instruct his officials to visit unitary authorities to monitor the payments of housing benefit. [30970]

Mr. Evans: None. However, the need to visit new unitary authorities will be taken into account when planning future visits.

Reduced Earnings Allowance

Mrs. Anne Campbell: To ask the Secretary of State for Social Security what is the estimated annual saving from reducing the reduced earnings allowance for people with disabilities over retirement age. [30834]

Mr. Roger Evans: I refer the hon. Member to the reply I gave to the hon. Member for Manchester, Withington (Mr. Bradley) on 28 February 1996, *Official Report*, column *625*.

Family Credit

Ms Walley: To ask the Secretary of State for Social Security if he will list for each of the last five years the amount claimed in respect of family credit; and if he will make a statement on the effect of the abolition of the wages council on the amount claimed. [31352]

Mr. Roger Evans: The information is set out in the table.

	£ million
1991–92	626
1992–93	929
1993–94	1,208
1994–95	1,441
1995–96	1,682 (estimated outturn)

Source: 1996 Departmental Report

We have no evidence to suggest that the abolition of wages councils has had a direct impact on the amount of family credit claimed.

Christmas Bonus

Mr. Wigley: To ask the Secretary of State for Social Security what would be the cost to public funds of increasing the Christmas bonus to regain the purchasing value which obtained when it was first introduced.[31306]

Mr. Heald: The estimated additional gross cost would be £790 million in 1996–97.

Women (Promotion)

Mr. Donohoe: To ask the Secretary of State for Social Security what measures his Department has implemented during the last 12 months to encourage the promotion of women into senior positions with his Department and its executive agencies; and what progress his Department has made in encouraging the promotion of women over the last five years. [31537]

Mr. Burt: All business units have action plans covering a range of personnel procedures to encourage the recruitment, retention, development and promotion of women, such as the setting of numerical goals across the Department for improving the representation of women at middle management levels and above and self development programmes aimed specifically at women.

Women make up 68 per cent. of the Department's work force, a proportion which has not changed since 1992. The percentage of women in management positions has, however, continued to grow. The proportion of women in junior and middle management positions has increased from 51 per cent. to 58 per cent. in the past five years, and 28 per cent. of senior management positions are now held by women, an increase of 5 per cent. in the past 12 months.

National Insurance

Dr. Lynne Jones: To ask the Secretary of State for Social Security what has been the total revenue raised from national insurance in each of the last three years for which figures are available; and what the figures would be if the rate had remained unchanged since April 1992. [31602]

Mr. Heald: The information requested is in the table.

Total class 1 contribution revenue for employers and employees

(£ billion)

	1993–94	*1994–95*	*1995–96*
Actual revenue[1]	38.70	41.55	43.10
April 1992 rates[2]	37.65	39.50	41.20

[1] Figures show the amount due for each tax year and will differ slightly from the amount actually paid by employers and employees during the tax year due to the normal delays inherent in the collection system.

[2] Assumes that the contribution rates and level of contracted-out rebates in force in April 1992 remained in force from 1993–94 to 1995–96, but the lower and upper earnings limits and earnings bands for those years still apply.

Note:

Estimates of rates other class 1 have not been provided as the effect will be negligible.

Source:

Government Actuary's Department.

Rehabilitation of Ex-offenders

Ms Lynne: To ask the Secretary of State for Social Security what assessment his Department has made of the impact on the rehabilitation of ex-offenders seeking accommodation for the first time after leaving a prison institution of the change to housing benefit being paid in arrears under the Housing Benefit (General) Amendment Regulations 1996; and what consultation his Department has had with *(a)* the Home Office and *(b)* organisations representing ex-offenders on the impact of these regulations. [31884]

Mr. Roger Evans: Ex-offenders seeking accommodation in the private rented sector will be treated in exactly the same way for housing benefit purposes as any other claimant. Housing benefit will be paid in arrears in respect of all new claims made on or after 7 October 1996, rather than wholly or partly in advance as at present.

Our proposals for the change, which is expected to reduce the number of overpayments of benefit, were subject to consideration by other Departments, and my right hon. and learned Friend the Secretary of State for the Home Department was also involved. Our proposals were, in addition, referred to the local authority associations and to the Social Security Advisory

Committee, SSAC, which consulted widely with interested organisations. The SSAC report drew attention to the position of ex-offenders, but none of the several organisations concerned with the rehabilitation of ex-offenders which responded to the SSAC consultation exercise reported fears that their prospects of rehabilitation would be damaged or unduly affected by the change.

Child Support Agency

Mr. Neil Hamilton: To ask the Secretary of State for Social Security what steps he will take to ensure that Mr. S. Sadler of 57 Central road, Rudheath, North received the regular maintenance payments due from his wife as the Child Support Agency. [32204]

Mr. Andrew Mitchell: The Child Support Agency has been successful in securing maintenance for Mr. Sadler. As it does in all such cases, the agency will make every effort to ensure this continues.

The chief executive, Miss Ann Chant, will write to the hon. Member separately with a further update on the details of this case.

HEALTH

Prescribing Research Unit, Leeds

Mr. Morgan: To ask the Secretary of State for Health, pursuant to his letter of 1 April, when he expects the publication of the report of the prescribing research unit at Leeds university based on a large cohort study of general practitioners both fundholding and non-fundholding. [31201]

Mr. Malone: The report is currently in preparation. No date has been set for publication.

Nutrition

Mr. Martyn Jones: To ask the Secretary of State for Health if he will estimate the annual cost to the national health service of dietary related diseases stemming from insufficient and inappropriate nutritional intake, for each year since 1990, and give this figure as a percentage of the overall annual health care budget; and if he will make a statement. [31851]

Mr. Horam: Diseases and conditions to which nutrition is a contributory factor include coronary heart disease and stroke, obesity, osteoporosis, bowel disorders, diabetes, dental caries, and a number of cancers. The contribution of diet to these conditions is variable and information on which to base an estimate of costs is not available.

Women (Promotion)

Mr. Donohoe: To ask the Secretary of State for Health what measures his Department has implemented during the last 12 months to encourage the promotion of women into senior positions with his Department and its executive agencies; and what progress his Department has made in encouraging the promotion of women over the last five years. [31538]

Mr. Horam: The Department has a plan to improve under representation of women in certain grades. Measures include the development of stock targets for women by grade, development and implementation of a comprehensive policy on flexible working patterns and development and implementation of a programme of positive action training for women. The numbers of women in management grades overall has increased since 1992 as shown in the table.

Women in the Department of Health

1992		*1996*	
Grade	*Percentage*	*Grade*	*Percentage*
3	22	3	25
4	30	4	37
5	33	5	30
6	33	6	37
7	30	7	35
SEO	25	SEO	27
HEO	46	HEO	46
EO	54	EO	53

Recruitment

Mr. Donohoe: To ask the Secretary of State for Health in what circumstances his Department or its executive agencies uses an executive search or employment agency to recruit staff in preference to using personnel staff within his own Department or its executive agencies. [31526]

Mr. Horam: The Department of Health and its agencies use executive search or employment agencies to fill appointments requiring specialist skills which may not be available internally.

Skin Cancer

Mr. Martyn Jones: To ask the Secretary of State for Health if he will estimate the annual cost to the national health service of treating *(a)* skin cancer and *(b)* any other conditions resulting from over-exposure to ultra-violet light, for each year since 1990, and give this figure as a percentage of the overall annual health care budget; and if he will make a statement. [31852]

Mr. Horam: Information is not available centrally on which to base such an estimate.

Homelessness

Mr. Martyn Jones: To ask the Secretary of State for Health what plans his Department has to tackle the specific problems of health care provision for the homeless; and if he will make a statement. [31850]

Mr. Bowis: Homeless people are entitled to the full range of health service provision and the weighted capitation formula used to calculate health authorities' allocations takes into account the number of officially homeless. From 1996–97, a new adjustment to the formula takes account of rough sleepers.

Homeless people can experience difficulty in accessing services to which they are entitled. The Department is therefore funding 26 projects in England to address this problem by providing general practitioner sessions in hostels and other places where homeless people gather. In addition, the homeless mentally ill initiative is providing

a high level of care and support for rough sleepers with mental health problems in London. In February the Government announced that a further £2 million a year was being made available to expand the initiative in London and a number of other centres.

Private Patients

Mr. Bayley: To ask the Secretary of State for Health how many private patients in NHS pay beds underwent surgery in *(a)* total and *(b)* each chapter of the Office of Population Censuses and Surveys operation short list in 1990–91 and each year since then. [31935]

Mr. Horam: The information available centrally relates to finished consultant episodes. The table shows the number of episodes where a private patient had an operation in their first episode of care within a spell in hospital, for each chapter heading of the Office of Population Censuses and Surveys operation short list.

Ordinary admissions and day cases: number of first order episodes indicating that an operation has been performed on private patients, Category code 20–22, for each chapter heading of the OPCS Classification of Surgical Operations and Procedures NHS Hospitals, England, 1990–91 to 1994–95

OPCS–4 Chapter	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*
A Nervous system	1,851	2,479	2,232	2,619	2,452
B Endocrine system and breast	1,185	1,197	994	1,101	1,146
C Eye	6,790	7,487	7,198	7,915	8,309
D Ear	1,523	1,534	1,341	1,230	1,044
E Respiratory tract	2,893	3,035	3,012	3,347	2,780
F Mouth	2,948	2,554	2,109	2,151	2,094
G Upper digestive tract	3,722	4,299	3,980	4,262	4,570
H Lower digestive tract	3,297	3,760	3,668	4,055	3,945
J Other abdominal organs	1,239	1,910	1,851	1,925	1,920
K Heart	3,093	4,010	4,464	4,923	4,873
L Arteries and veins	2,228	2,370	2,336	2,740	2,703
M Urinary	3,106	3,459	3,937	4,350	4,828
N Male genital organs	1,938	1,829	1,312	1,173	1,065
P Lower female genital tract	675	586	597	620	675
Q Upper female genital tract	6,010	5,575	5,510	5,302	5,250
R Female genital associated with pregnancy and childbirth	1,572	1,783	1,918	1,545	1,711
S Skin	2,529	2,412	2,162	1,884	2,022
T Soft tissue	2,888	3,231	3,070	3,367	3,302
V Bones and joints of skull and spine	1,572	1,693	1,592	1,899	1,898
W Other bones and joints	5,379	5,931	5,666	6,798	6,081
X Miscellaneous	1,448	1,989	2,822	3,308	3,709
Operation not known	572	413	454	799	1,041
Total	58,458	63,536	62,225	67,313	67,418

Source: Hospital episode system.
Data in this table is grossed for both coverage and unknown/invalid clinical data.

Mental Illness

Dr. Lynne Jones: To ask the Secretary of State for Health what steps he is taking to ensure that the Royal College of Psychiatrists publishes a consensus statement agreed with other professional groups on discharge and aftercare procedures for mentally ill patients, as recommended in 1988 by the inquiry into the care and aftercare of Miss Sharon Campbell (Cm 440). [31943]

Mr. Bowis: The agreement and publication of such a statement is a matter for the royal college and the other professional organisations.

Dr. Jones: To ask the Secretary of State for Health what estimate he has made of the number of hospital beds which will continue to be needed for some patients for periods of over one year; and, of those, how many will be in *(a)* ordinary psychiatric hospitals and *(b)* medium secure units. [31941]

Mr. Bowis: It is the responsibility of health authorities to assess the needs of their population and to ensure that sufficient beds are available to meet those needs.

Asthma

Mr. Martyn Jones: To ask the Secretary of State for Health how many new cases of asthma have been recorded so far in 1996; what were the annual figures for newly reported asthma cases for the previous five years; and if he will make a statement. [31853]

Mr. Horam: The information is not available in the form requested. However, according to data collected by the Royal College of General Practitioners, the mean weekly incidence of new episodes of asthma per 100,000 population was as follows:

1991: 46.3

1992: 48.3

1993: 50.3

1994: 49.2

1995: 40.3

1996: 38.5 (first 21 weeks)

The encouraging recent reduction in general practitioner episodes is mirrored by a fall in the number of hospital admissions and day cases.

Cystic Fibrosis

Sir Ivan Lawrence: To ask the Secretary of State for Health if he will make it his policy that health authorities should routinely screen all babies at birth for cystic fibrosis; and if he will make a statement. [31549]

Mr. Horam: A systematic review of screening for cystic fibrosis has been commissioned. The findings, which are expected in 1997, will guide decisions on the introduction of a national screening programme.

Poverty

Mr. Martyn Jones: To ask the Secretary of State for Health what plans his Department has to incorporate ill health due to poverty in future statistics; and if he will make a statement. [31849]

Mr. Horam: Through its public health information strategy, the Department of Health has agreed a common information framework to ensure that information about the health status of the population is collected and analysed in a consistent way. That framework includes a number of socio-economic variables, to enable analysis of the association between health and socio-economic status.

Water Tower Mental Hospitals

Dr. Lynne Jones: To ask the Secretary of State for Health, pursuant to his answer of 30 April, *Official Report*, column *501*, which water tower mental hospitals are currently open; and when he expects to receive information on *(a)* their planned closure dates and *(b)* the number of patients at each hospital on 31 March 1995 and 31 March 1996. [32463]

Mr. Bowis: I refer the hon. Member to the reply that I gave her on 1 April at columns *48–50*. The National Health Service Executive will shortly be undertaking a further national survey of the closure of the water tower mental hospitals in England.

Breast Screening

Ms Lynne: To ask the Secretary of State for Health what factors explain the *(a)* fall in the total amount and *(b)* fall in the percentage of the total budget of the money spent by his Department under the national health service breast screening programme on screening women aged 65 years and over between 1993–94 and 1994–95. [31883]

Mr. Horam: Under the national health service breast screening programme, women aged 65 and over are not invited routinely for screening. However, some women who should be screened at 64 may not in fact be invited for screening until they have reached the age of 65. There was a fall in the number of these women invited for screening between 1993–94 and 1994–95, provisional figures. A factor which may explain the fall in 1994–95 is that more women of 64 were screened on schedule before they reached their 65th birthday.

Women aged 65 and over may continue to be screened every three years on request. The number of women requesting screening remained constant between 1993–94 and 1994–95.

Residential Care

Mr. Denham: To ask the Secretary of State for Health what estimate he has made of the percentage of people in long-term residential care who are self-funding. [32200]

Mr. Bowis: We estimate that around 25 per cent. of people in residential care currently meet their own costs in full.

Mr. Denham: To ask the Secretary of State for Health what estimate he has made of the total annual cost to public funds of raising the capital disregards for long-term residential care from 1 April. [32201]

Mr. Bowis: With regard to the cost to English local authority social services departments, I refer the hon. Member to the reply that my right hon. Friend the Secretary of State gave to my hon. Friend the Member for Worcester (Mr. Luff) on 5 March at column *189*.

The cost to the Department of Social Security of raising the capital disregards in relation to income support for residential accommodation is a matter for my right hon. Friend the Secretary of State for Social Security.

Mr. Denham: To ask the Secretary of State for Health what estimate he has made of the total annual cost to public funds of raising the lower and upper capital disregards for long-term residential care from £10,000 to £15,000 and from £16,000 to £21,000. [32202]

Mr. Bowis: No such estimate has been made.

AIDS Conference

Ms Harman: To ask the Secretary of State for Health if representatives from his Department will be attending the 11th international conference on AIDS in Vancouver in July. [32203]

Mr. Horam: I refer the hon. Member to the reply that I gave her on 29 April at column *342*. In addition, the Medical Devices Agency may also be represented.

Safety of Medicines

Mr. Simon Hughes: To ask the Secretary of State for Health on how many occasions in *(a)* 1995 and *(b)* 1996 the United Kingdom has made written requests that the Committee on Proprietory Medicinal Products consider matters relating to the safety of medicines. [27358]

Mr. Malone *[holding answer 30 April 1996]:* On one occasion in 1995; there have been no such occasions in 1996.

NORTHERN IRELAND

Northern Ireland Forum

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland where the Northern Ireland forum will meet. [30837]

Mr. Ancram: The forum will meet in the Interpoint Centre, York street, Belfast.

Cattle Exports

Mr. Heppell: To ask the Secretary of State for Northern Ireland how many of the cattle exported for slaughter from Northern Ireland in 1995 were *(a)* under six months and *(b)* certified as destined for EU abattoirs. [31116]

Sir John Wheeler: In 1995, no cattle under six months of age were exported for slaughter from Northern Ireland.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Northern Ireland (1) pursuant to his answer of 1 April, *Official Report*, column *68*, how much his Department estimated it would have cost to provide the information requested; [31443]

(2) pursuant to his answer of 27 March, *Official Report*, column *613*, how much his Department estimated it would have cost to provide the information requested. [31456]

Sir John Wheeler: More than £450, the current threshold above which answers are deemed to incur disproportionate cost.

Paramilitary Arsenals

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what estimate has been made of the scale of the IRA and loyalist paramilitary arsenals. [30884]

Sir John Wheeler: There is continuing public speculation about the nature and extent of illegal weapons holdings and supplies. However, it is not in the public interest to comment on or record information based on intelligence reporting.

School Meals

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many schoolchildren in Northern Ireland currently receive *(a)* free and *(b)* subsidised school meals; and what were the figures (i) five and (ii) 10 years ago. [32174]

Mr. Ancram: The information is provided in the following table:

Year	*Pupils receiving free school meals*	*Pupils receiving subsidised school meals*
1995[1]	83,073	99,549
1991	77,005	87,189
1986	98,233	66,600

[1] Latest year available.

ENVIRONMENT

European Union Flag

Mr. Redmond: To ask the Secretary of State for the Environment what instructions were issued to his Department's offices and agencies in respect of flying the European Union Flag on 8 May; and if he will make a statement. [31506]

Sir Paul Beresford: I refer the hon. Member to the reply given by my hon. Friend the Minister of State, Foreign and Commonwealth Office on Thursday 6 June *Official Report*, column *518*.

Landfill Tax

Sir David Steel: To ask the Secretary of State for the Environment if he will make a statement outlining the respective roles of his Department and the new Environment Agency in implementing the landfill tax, with special reference to what new steps will be taken to prevent illegal dumping and fly tipping in the countryside, and to relieve landowners on whose property such waste is deposited from liability to pay the tax when they transport it to designated landfill sites. [31616]

Mr. Gummer: My Department is responsible for the overall regulatory framework for waste management in England and Wales. Regulations implemented on 1 May 1994 introduced a new waste management licensing system. The associated duty of care for waste came into force on 1 April 1992. The penalties that can be imposed for offences relating to waste are already severe, and these controls provide a strong regulatory framework to support the introduction of the landfill tax. My Department will also write to the courts before the start of the tax on 1 October 1996, to draw their attention to the financial gains that can be made by those who dispose of waste illegally.

The Environment Agency is the competent authority for the purposes of waste management licensing. The agency has the resources and the expertise to advise on the legal and sound management of waste, to investigate offences and to carry out enforcement action. The Government's guidance to the agency on its objectives and contribution to sustainable development, which will be laid before Parliament very shortly, will clarify its role in this area. Ministers will expect the agency to act upon its powers and to review procedures for preventing and handling cases of fly tipping.

The Government have no plans to relieve the occupiers of land on which waste is deposited illegally from liability to pay landfill tax where they dispose of the waste to licensed landfill sites.

Disabled People (Water Supplies)

Ms Lynne: To ask the Secretary of State for the Environment what guidance his Department gives to water companies in *(a)* identifying in advance and *(b)* providing alternative water supplies for customers with mobility problems, when due to exception circumstances, water is available only from standpipes or bowsers. [31874]

Mr. Clappison: The Department has issued two formal directions under the Water Industry Act 1991 to all water and sewerage companies whereby they are required to formulate plans to provide an essential water supply at all times and notify the relevant local authority and district health authority during water supply emergencies. The arrangements made by water companies under these provisions cover supplies to all the affected householders, with particular emphasis on providing for vulnerable members of the community, including those with mobility problems.

Disabled People (Housing)

Ms Lynne: To ask the Secretary of State for the Environment what plans he has to issue guidance to local authorities and housing associations on the maintenance of a list of their accessible properties for disabled people; and if he will make a statement. [31875]

Mr. Clappison: Paragraph 13(f) of the annex to Department of the Environment circular 10/92 "Housing and Community Care" advises local authorities to consider maintaining a record of special needs or adapted

housing in their areas to help match those available against an assessment of individuals' needs. I understand that the Housing Corporation has recently commissioned research into the use of databases of adapted properties with a view to issuing advice to housing associations on good practice in this area.

Housing Associations

Mr. Llew Smith: To ask the Secretary of State for the Environment what plans he has to introduce legislation to provide for the compulsory inclusion of tenants on the boards of housing associations. [31983]

Mr. Clappison: The appointment of board members to housing associations is for individual associations to determine in accordance with their rules. The Government encourage associations to involve tenants in all aspects of the management of their associations, but they do not consider it appropriate to legislate for the inclusion on the board members from any single interest group.

Water Consumption

Mrs. Helen Jackson: To ask the Secretary of State for the Environment (1) what was the estimated average domestic household water consumption in each water company area *(a)* in the last year, *(b)* two years ago and *(c)* five years ago; [32496]

(2) what was the estimated average water consumption per household in *(a)* England, Wales and *(b)* Scotland in each year since 1986; [32497]

(3) what was the overall water consumption by water company for each of the past 10 years. [32498]

Mr. Clappison: The water delivered to each household in England and Wales over the past three years, and the number of households in each water company area, are given in the Office of Water Services' reports on the "Cost of Water Delivered and Sewage Collected". Figures prior to 1992–93 are not available on a comparable basis. Estimates and projections of household water consumption for Scotland are contained in the Scottish Office research report "Domestic Water Consumption in Scotland in 1991".

Copies of these reports are in the House Library.

Estimates of the total water put into public supply in England and Wales between 1983–84 and 1994–95 are given in the table. Individual water company estimates are available from their respective associations.

Public water supplied 1983–84 to 1994–95 (million litres/day)

England and Wales[1]

	Unmetered	*Metered*	*Non-potable*	*Total*
1983–84	11,842	3,996	516	16,354
1984–85	11,956	3,990	558	16,504
1985–86	12,036	3,965	575	16,576
1986–87	12,195	4,088	571	16,854
1987–88	12,216	4,059	604	16,879
1988–89	12,177	4,114	605	16,896
1989–90	12,424	4,135	714	17,273
1990–91	12,549	4,256	576	17,381
1991–92	12,399	4,258	552	17,209
1992–93	11,669	4,457	503	16,629
1993–94	11,999	4,034	521	16,554
1994–95	12,350	4,139	526	17,015

[1] Includes water supply companies.

Home Energy Efficiency Scheme

Mr. Wallace: To ask the Secretary of State for the Environment (1) what steps he is taking to monitor the take-up of grants under the home energy efficiency scheme, following changes to eligibility criteria on 1 April; and if he will make a statement; [32042]

(2) how many claimants over the age of 60 years registered for a 100 per cent. grant under the home energy efficiency scheme before the change in eligibility criteria on 1 April. [32043]

Mr. Robert B. Jones: We receive regular reports on the operation of this successful scheme, which has helped almost 2 million vulnerable householders to keep their homes warmer with less fuel, from the company which manages it for us.

By 1 April, 372,000 applicants had registered their claims under the special arrangements we set up following the Budget statement. Between 1 April and 31 May, 112,000 grants were paid.

Opencast Coal, Sharlston

Mr. William O'Brien: To ask the Secretary of State for the Environment when he expects to receive the report on the public inquiry on the proposals for opencast coal operations in the village of Sharlston. [32261]

Sir Paul Beresford: The report of the inspector who conducted the public inquiry into the proposed opencast coal mining operations at Sharlston, West Yorkshire has been received in the Department. A decision by the Secretary of State on the case will be announced as soon as possible.

Menwith Hill Station

Mr. Madden: To ask the Secretary of State for the Environment what action has been taken to ensure that the stormwater system at Menwith hill station meets environmental protection standards; when the last inspection was carried out, and by whom; if the previous high quantities of oil have been removed from the oil/water separators; what action has been taken to ensure that these levels will not be repeated; what centralised listing of above and underground tank locations, history, and records now exists; and what action has been taken to ensure that the management of underground petroleum oil and lubrication tanks meet necessary standards and requirements. [31951]

Mr. Clappison *[holding answer 10 June 1996]:* I understand that the stormwater system has been refurbished and that the Environment Agency has consented to the associated discharge. An inspection of the site by the agency earlier this month indicated that the oil interceptors in the system are removing oil from stormwater and that the quantity of oil evident in the separator was not substantial. The station now keeps records of underground tanks, which are regularly maintained and inspected.

Mr. Madden: To ask the Secretary of State for the Environment if he will commission an analysis of the soil, air and water at RAF Menwith Hill. [31955]

Mr. Clappison *[holding answer 10 June 1996]:* I have no plans to do so.

EDUCATION AND EMPLOYMENT

Recruitment

Mr. Donohoe: To ask the Secretary of State for Education and Employment what use her Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within her Department or executive agencies administered by her Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31419]

Mr. Robin Squire: The Department and its executive agencies have used the following executive search agencies or employment companies to fill the following posts:

(i) St. James's Management Recruitment was used to fill the post of head of financial services branch and head of the accountancy profession for the former Department of Education group in 1994–95.

(ii) Price Waterhouse was used to fill the post of permanent secretary to the former Department of Employment group in the same year.

(iii) Korn/Ferry Carré/Orban International is currently being used to fill the post of chief executive of the Employment Service.

Details of the individual contracts concerned are commercially confidential.

Mr. Donohoe: To ask the Secretary of State for Education and Employment how much her Department spent in recruiting staff to her Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31404]

Mr. Squire: The Department and its executive agencies spent a total of £119,366 on staff recruitment during 1994–95, and £85, 484 on staff recruitment during 1995–96. In 1994–95, 734 permanent staff, 59 fixed-term appointees and 1,482 casual staff were recruited by the Department and its executive agencies. In 1995–96, 212 permanent staff, 284 fixed-term appointees and 4,227 casual staff were recruited.

Mr. Donohoe: To ask the Secretary of State for Education and Employment in what circumstances her Department or its executive agencies uses an executive search or employment agency to recruit staff in preference to using personnel staff within her own Department or its executive agencies. [31532]

Mr. Squire: The Department uses executive search agencies primarily to fill senior vacancies. Once a decision has been made to fill such a vacancy by open competition, the decision whether to use an executive search agency is taken on a case-by-case basis, depending on the nature of the post, the type of person being sought and whether advertisement alone would produce a satisfactory field of candidates. For members of the senior civil service, the Department follows advice in "Guidance on Civil Service Commissioners' Recruitment to Senior Posts", a procedural guide to Departments produced by the civil service commissioners.

Apart from occasional use of employment agencies to provide agency staff, other recruitment is handled by internal personnel staff and line managers involving the civil service recruitment and assessment services where appropriate.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Education and Employment (1), pursuant to her answer of 25 March, *Official Report*, column *433*, how much her Department estimated it would have cost to provide the information requested; [31464]

(2), pursuant to her answer of 26 March, *Official Report*, column *484*, how much her Department estimated it would have cost to provide the information requested. [31462]

Mr. Robin Squire: More than £450, which is the current threshold above which answers are deemed to incur disproportionate cost.

School Meals

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment how many local education authorities have awarded their school meals contracts to Rentokil. [32074]

Mrs. Gillan: The Department does not collect this information centrally.

Student Loans Company

Mr. Redmond: To ask the Secretary of State for Education and Employment if she will make it her policy that answers to parliamentary questions that are referred to the chief executive of the Student Loans Company to answer are published in the *Official Report;* and if she will make a statement. [31492]

Mr. Forth: Arrangements for publishing chief executive letters responding to parliamentary questions in the *Official Report* apply only to the next steps agencies and Defence agencies. The Student Loans Company is a non-departmental public body—NDPB. There is no approval by the House authorities for broadening the scope of the *Official Report* to include letters from chief executives of NDPBs. Copies of replies from NDPB chief executives are, however, placed in the House of Commons Library.

Grant-maintained Schools

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many *(a)* primary and *(b)* secondary schools voted to become grant maintained during each financial year since 1993–94; and, in each case, what proportion of parental ballots ended in a yes vote. [31844]

Mrs. Gillan: The information requested is given in the table:

	1993–94		1994–95		1995–96	
	Number of ballots	Number (proportion) of yes votes	Number of ballots	Number (proportion) of yes votes	Number of ballots	Number (proportion) of yes votes
Primary	274	201 (73 per cent.)	94	55 (59 per cent.)	61	37 (61 per cent.)
Secondary	171	107 (63 per cent.)	43	13 (30 per cent.)	31	13 (42 per cent.)

Mr Blunkett: To ask the Secretary of State for Education and Employment how many *(a)* primary and *(b)* secondary schools voted to become grant maintained during the academic years 1992–93, 1993–94 and 1995–96, and in each case, what proportion of parental ballots ended in a "yes" vote. [31843]

Mrs. Gillan: The information requested is given in the tables:

	1992–93	
	Number of ballots	Number (proportion) of yes votes
Primary	310	252 (81 per cent.)
Secondary	392	291 (74 per cent.)

	1993–94	
	Number of ballots	Number (proportion) of yes votes
Primary	165	105 (64 per cent.)
Secondary	104	52 (50 per cent.)

	1994–95	
	Number of ballots	Number (proportion) of yes votes
Primary	59	37 (63 per cent.)
Secondary	26	13 (50 per cent.)

	1995–96	
	Number of ballots	Number (proportion) of yes votes
Primary	56	34 (61 per cent.)
Secondary	35	13 (37 per cent.)

Local Education Authorities (Delegation)

Mr. Blunkett: To ask the Secretary of State for Education and Employment what *(a)* mechanism and *(b)* requirement exists for schools to be consulted by their local education authorities over the level of delegation within the local management of schools scheme. [31838]

Mr. Squire: The precise level of delegation to schools in any local education authority—(LEA)—is not a matter upon which consultation is required, although an LEA would be required to consult upon a proposal to amend any scheme provision which sets a minimum delegation requirement. The method by which an LEA consults schools on changes to local management of schools schemes is for the authority itself to determine.

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list the items of local education authority expenditure on schools that her Department considers impracticable or undesirable for delegation as stated in the 1996 departmental report; on what criteria each is considered impracticable or undesirable for delegation; and if she will make a statement. [31834]

Mr. Squire: Items excluded from the potential schools budget—PSB—are conveniently listed in schedule 1 to the Education (School Financial Statements) (Prescribed Particulars etc.) Regulations 1995 (SI 1995 No 208). Reasons for their exclusion were set out in part 4 of the Department's circular 2/94, except in the case of three items, the removal of which from the PSB was the subject of subsequent decisions. These items are: expenditure on inspections carried out by local education authorities for the Office for Standards in Education, which self-evidently cannot be delegated to schools; expenditure on the insurance of LEAs against liability in negligence, which it seemed reasonable to place on the same footing as governors' liability insurance; and expenditure on provision for ethnic minority pupils, much of which was previously excluded from the PSB by virtue of being supported by section 11 grant. The Government have been reviewing policy on delegation, and their conclusions will be set out in the forthcoming White Paper on self-government for schools.

School Funding

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list for each local education authority in England the percentage of the potential schools budget which has been delegated in the aggregated schools budget in each year since 1990, ranked according to the highest levels of delegation. [31837]

Mr. Robin Squire: The information requested for the financial years 1994–95 to 1996–97 is shown in the table. Information on earlier years is contained in the answer given on 5 July 1993 to my hon. Friend the Member for Billericay (Mrs. Gorman), *Official Report*, columns *16–20*.

	1996–97	1995–96		1994–95	
Rank Local Education Authority	Percentage Potential schools budget delegated	Percentage Potential schools budget delegated	Rank	Percentage Potential schools budget delegated	Rank
1. Dudley	96.1	95.8	(1)	92.5	(1)
2. Brent	94.6	93.5	(7)	90.0	(6)
3. Solihull	94.4	94.0	(3)	90.4	(4)
4. Waltham Forest	93.9	93.9	(4)	89.8	(9)
5. Sunderland	93.8	92.3	(15)	88.0	(28)

Rank Local Education Authority	1996–97 Percentage Potential schools budget delegated	1995–96 Percentage Potential schools budget delegated	1995–96 Rank	1994–95 Percentage Potential schools budget delegated	1994–95 Rank
6. Leeds	93.7	93.4	(8)	89.9	(8)
7. Hertfordshire	93.6	94.1	(2)	91.3	(3)
8. Berkshire	93.5	93.1	(9)	90.0	(7)
9. Rochdale	93.3	92.9	(11)	88.7	(21)
10. Greenwich	93.1	92.6	(14)	89.3	(12)
11. Knowsley	93.1	93.9	(6)	89.1	(13)
12. Staffordshire	93.0	92.8	(12)	87.9	(30)
13. Northamptonshire	92.9	92.9	(10)	89.3	(11)
14. Wigan	92.9	92.7	(13)	86.9	(44)
15. Liverpool	92.7	92.2	(16)	86.5	(60)
16. Islington	92.6	93.9	(5)	92.5	(2)
17. Suffolk	92.6	90.6	(38)	87.6	(37)
18. Bury	92.5	91.8	(20)	88.3	(27)
19. Bedfordshire	92.4	91.2	(27)	88.7	(18)
20. Wolverhampton	92.2	91.9	(19)	88.7	(19)
21. Havering	92.1	91.7	(23)	88.3	(26)
22. North Tyneside	92.0	91.8	(21)	85.9	(81)
23. Isles of Scilly	91.9	85.1	(109)	86.3	(68)
24. Bexley	91.9	91.2	(28)	87.6	(36)
25. Oxfordshire	91.8	91.6	(24)	88.7	(20)
26. Shropshire	91.8	88.2	(91)	85.4	(91)
27. Manchester	91.8	92.0	(17)	89.1	(14)
28. Redbridge	91.4	90.6	(40)	87.0	(41)
29. Sutton	91.4	90.2	(47)	86.0	(79)
30. Croydon	91.3	90.0	(51)	90.1	(5)
31. Birmingham	91.3	90.3	(44)	86.8	(49)
32. Cumbria	91.3	91.8	(22)	86.5	(59)
33. Richmond	91.3	90.4	(41)	88.9	(15)
34. Cheshire	91.3	90.9	(31)	88.7	(22)
35. Gloucestershire	91.2	91.1	(29)	86.4	(64)
36. Hammersmith/Fulham	91.2	90.8	(35)	86.6	(57)
37. Devon	91.2	91.9	(18)	87.8	(31)
38. Norfolk	91.2	91.4	(25)	87.8	(33)
39. Somerset	91.2	91.1	(30)	86.2	(72)
40. Stockport	91.2	90.9	(32)	89.3	(10)
41. Hampshire	91.1	88.6	(84)	86.6	(56)
42. Northumberland	91.1	90.8	(36)	88.9	(16)
43. Essex	90.9	89.0	(73)	85.9	(82)
44. Coventry	90.9	91.3	(26)	87.1	(40)
45. Bristol	90.8	—	—	—	—
46. Kingston	90.8	89.2	(67)	85.5	(89)
47. Oldham	90.7	90.6	(39)	86.8	(50)
48. Wirral	90.7	90.3	(42)	86.3	(67)
49. Kensington/Chelsea	90.7	90.0	(50)	85.6	(85)
50. Salford	90.6	90.7	(37)	87.8	(32)
51. North Yorkshire	90.5	89.8	(54)	86.9	(45)
52. Barking/Dagenham	90.5	89.1	(72)	85.3	(93)
53. Surrey	90.5	89.8	(55)	86.9	(46)
54. Ealing	90.5	89.9	(53)	86.1	(75)
55. Stockton on Tees	90.4	—	—	—	—
56. Hereford/Worcester	90.3	90.8	(34)	88.3	(25)
57. Enfield	90.2	89.4	(62)	87.9	(29)
58. Hillingdon	90.2	89.9	(52)	86.6	(52)
59. Harrow	90.1	90.1	(49)	88.8	(17)
60. Hounslow	90.0	88.8	(80)	86.4	(65)
61. Wiltshire	90.0	89.6	(58)	86.0	(77)
62. St. Helens	89.9	89.5	(59)	85.5	(88)
63. East Sussex	89.9	88.9	(77)	86.2	(69)
64. Walsall	89.9	90.3	(43)	87.7	(35)
65. Tameside	89.9	89.3	(64)	86.0	(80)
66. Corporation of London	89.9	88.9	(75)	87.0	(43)
67. North East Lincolnshire	89.8	—	—	—	—
68. Isle of Wight	89.8	90.2	(45)	86.9	(47)
69. Hull	89.8	—	—	—	—
70. Warwickshire	89.8	88.4	(89)	85.7	(84)
71. Lewisham	89.8	87.6	(99)	84.6	(104)
72. South Gloucestershire	89.8	—	—	—	—
73. Bath and North East Somerset	89.7	—	—	—	—
74. Bradford	89.7	88.5	(86)	86.5	(58)
75. Dorset	89.7	89.7	(56)	86.6	(54)

Rank Local Education Authority	1996–97 Percentage Potential schools budget delegated	1995–96 Percentage Potential schools budget delegated	1995–96 Rank	1994–95 Percentage Potential schools budget delegated	1994–95 Rank
76. Merton	89.7	89.2	(69)	88.3	(24)
77. East Riding	89.6	—	—	—	—
78. North Somerset	89.6	—	—	—	—
79. Rotherham	89.6	89.4	(63)	86.2	(71)
80. Cambridgeshire	89.5	89.3	(66)	86.2	(70)
81. Wandsworth	89.5	85.4	(108)	82.4	(109)
82. Barnet	89.4	90.2	(48)	86.6	(55)
83. Westminster	89.4	90.2	(46)	88.5	(23)
84. Hackney	89.4	86.9	(104)	83.5	(107)
85. Sefton	89.4	88.7	(82)	87.0	(42)
86. Southwark	89.3	88.0	(94)	86.1	(74)
87. Lincolnshire	89.3	89.5	(60)	86.9	(48)
88. Derbyshire	89.2	89.3	(65)	85.0	(99)
89. West Sussex	89.2	88.9	(78)	87.2	(38)
90. Sandwell	89.2	88.1	(92)	86.5	(62)
91. Calderdale	89.1	89.1	(71)	87.7	(34)
92. Buckinghamshire	89.1	88.4	(87)	85.1	(96)
93. Hartlepool	89.1	—	—	—	—
94. Tower Hamlets	89.0	90.9	(33)	86.2	(73)
95. Newcastle	89.0	88.2	(90)	85.4	(90)
96. Kirklees	89.0	87.1	(103)	84.2	(106)
97. Kent	89.0	87.5	(100)	85.2	(95)
98. Nottinghamshire	88.9	88.8	(79)	86.7	(51)
99. South Tyneside	88.9	89.2	(68)	86.5	(61)
100. Lancashire	88.9	87.7	(98)	85.3	(94)
101. North Lincolnshire	88.8	—	—	—	—
102. Barnsley	88.7	89.1	(70)	85.0	(103)
103. Bolton	88.5	88.9	(76)	85.0	(101)
104. Trafford	88.5	88.6	(83)	86.6	(53)
105. Durham	88.3	88.5	(85)	86.0	(78)
106. Cornwall	88.3	89.0	(74)	87.1	(39)
107. Camden	88.2	87.4	(101)	83.0	(108)
108. Middlesbrough	88.0	—	—	—	—
109. Leicestershire	88.0	88.4	(88)	86.4	(66)
110. Doncaster	87.9	89.7	(57)	85.0	(100)
111. Lambeth	87.4	86.4	(107)	84.2	(105)
112. Sheffield	87.4	87.8	(96)	85.0	(98)
113. Wakefield	87.2	87.9	(95)	85.4	(92)
114. Bromley	86.9	87.8	(97)	86.4	(63)
115. Gateshead	86.8	86.6	(105)	86.1	(76)
116. Haringey	86.4	87.2	(102)	85.1	(97)
117. Newham	85.1	86.5	(106)	85.0	(102)
Redcar and Cleveland	n/a	—	—	—	—
York	n/a	—	—	—	—

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list the representations her Department has received *(a)* for and *(b)* against increasing the minimum proportion of the potential schools budget which must be delegated to school governing bodies by local education authorities; and if she will make a statement. [31833]

Mr. Squire: We discuss all aspects of local management of schools—LMS—with a range of interests from time to time. In particular, the Department has held meetings in recent weeks with representatives from local authority associations, chief education officers, teacher associations, GM organisations and other national bodies, about LMS delegation levels, among other things. The Government will set out their policy on LMS delegation in the forthcoming White Paper on self-government for schools.

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many *(a)* primary and *(b)* secondary schools voted to become grant maintained during each calendar year since 1993; and, in each case, what proportion of parental ballots ended in a yes vote. [31845]

Mrs. Gillan: The information requested is given in the table:

	1993 Number of ballots	1993 Number (proportion) of yes votes	1994 Number of ballots	1994 Number (proportion) of yes votes	1995 Number of ballots	1995 Number (proportion) of yes votes
Primary	308	239 (78 per cent.)	130	83 (64 per cent)	56	35 (63 per cent.)
Secondary	237	169 (71 per cent.)	70	26 (37 per cent.)	30	14 (47 per cent.)

National Curriculum

Dr. Wright: To ask the Secretary of State for Education and Employment how many appeals, by local education authority areas, have been made by parents to date about failures to deliver the national curriculum in schools. [32045]

Mr. Paice: To date, the Department has collected information on formal complaints about failure to comply with the national curriculum for the school years 1989–90, 1990–91 and 1991–92 in the case of local education authority-maintained schools, and 1993–94 in the case of both LEA-maintained and grant-maintained schools. The numbers, where supplied, are as follows. There were nil returns for 75 LEAs across all years. The data do not distinguish parents from other complainants.

	1989–90	*1990–91*	*1991–92*	*1993–94*
Avon	—	—	—	6
Bedfordshire	—	—	1	—
Berkshire	—	—	2	2
Birmingham	'—	—	'—	1
Bradford	—	—	—	10
Bromley	—	—	—	1
Buckinghamshire	'—	—	—	1
Camden	—	—	—	1
Cheshire	—	—	1	—
Derbyshire	—	—	1	—
Devon	—	—	1	—
Dudley	—	—	—	1
East Sussex	—	—	2	1
Essex	—	—	—	3
Greenwich	-	2	—	1
Hereford and Worcester	—	—	—	3
Kensington and Chelsea	'—	—	—	1
Kent	—	—	—	3
Lancashire	—	'—	1	—
Leicestershire	—	—	—	1
Lewisham	—	—	—	1
Northamptonshire	—	—	—	1
North Tyneside	—	—	—	1
North Yorkshire	2	—	—	1
Nottinghamshire	—	—	—	1
St. Helens	—	1	—	—
Sheffield	—	—	1	—
Shropshire	—	—	—	1
Somerset	—	—	—	1
Staffordshire	1	—	—	—
Surrey	—	—	—	2
Walsall	—	—	—	1
Warwickshire	3	—	—	—
Wiltshire	—	2	—	—

' No response received from the LEA that year.

Correspondence

Mr. William O'Brien: To ask the Secretary of State for Education and Employment when she will respond to the letters on training of 6 March and 10 May from the hon. Member for Normanton. [32263]

Mr. Robin Squire: We do not appear to have received the letters on training of 6 March or of 10 May. However, if the hon. Member will send me copies of the letters, I shall ensure that they are answered.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for Education and Employment how much her Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from her Department on official duties abroad. [32414]

Mr. Robin Squire: The information is not available in the form requested and could be obtained only at disproportionate cost.

School Places

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many appeals were made by parents on the ground of non-admission of their child to the school of their choice in the latest year for which figures are available *(a)* in each local education authority and *(b)* nationally. [31960]

Mrs. Gillan: The information requested is shown in the table:

Appeals lodged by parents against non-admission of their children to maintained, including grant-maintained, primary and secondary schools in each local education authority area in England

Academic Year 1993–95

Local education authority area	*Total appeals lodged*
Corporation of London	1
Camden	394
Greenwich	507
Hackney	261
Hammersmith and Fulham'	56
Islington	182
Kensington and Chelsea	63
Lambeth	395
Lewisham	685
Southwark	256
Tower Hamlets'	525
Wandsworth	207
Westminster	223
Barking and Dagenham	259
Barnet	694
Bexley	443
Brent	90
Bromley'	806
Croydon	883
Ealing	413
Enfield	631
Haringey	389
Harrow	632
Havering	518
Hillingdon	381
Hounslow	412
Kingston upon Thames	299
Merton	236
Newham	176
Redbridge	494
Richmond upon Thames	171
Sutton	625
Waltham Forest	782
Birmingham	2,261
Coventry	468
Dudley	185
Sandwell	178
Solihull	388
Walsall	62
Wolverhampton	160
Knowsley	21
Liverpool	858
St. Helens	98

Appeals lodged by parents against non-admission of their children to maintained, including grant-maintained, primary and secondary schools in each local education authority area in England

Academic Year 1993–95

Local education authority area	*Total appeals lodged*
Sefton	185
Wirral	445
Bolton	225
Bury	674
Manchester	872
Oldham	268
Rochdale	158
Salford	101
Stockport	123
Tameside	245
Trafford	414
Wigan	173
Barnsley	114
Doncaster	44
Rotherham	80
Sheffield	295
Bradford	1,739
Calderdale	152
Kirklees[1]	122
Leeds	2,925
Wakefield	93
Gateshead	77
Newcastle-upon-Tyne	207
North Tyneside[1]	12
South Tyneside	62
Sunderland	154
Isles of Scilly	0
Avon	1,365
Bedfordshire	184
Berkshire	792
Buckinghamshire	601
Cambridge	278
Cheshire	136
Cleveland	103
Cornwall	98
Cumbria	128
Derbyshire	280
Devon	460
Dorset	398
Durham[1]	310
East Sussex	274
Essex	434
Gloucestershire	338
Hampshire[1]	188
Hereford and Worcester	260
Hertfordshire	1,156
Humberside	575
Isle of Wight	36
Kent[1]	1,879
Lancashire	2,610
Leicestershire	295
Lincolnshire	326
Norfolk	322
North Yorkshire	509
Northamptonshire	344
Northumberland	12
Nottinghamshire[1]	297
Oxfordshire	343
Shropshire	447
Somerset	323
Staffordshire	185
Suffolk	81
Surrey	1,182
Warwickshire	339
West Sussex	231
Wiltshire	84
England	45,876

[1] LEAs which did not submit a complete return.

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many letters she has received in the past year from parents failing to obtain a place for their child in the school of their choice; what were the figures in each of the last five years; and what advice she offers such parents. [31916]

Mrs. Gillan: The Department receives many inquiries from parents about school admissions, both in writing and by telephone. No central register of such inquiries is kept. Parents who have failed to secure a place for their child in the school of their choice are advised of their statutory right to an independent appeal.

Schools (Selection)

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list those *(a)* grant-maintained, *(b)* voluntary-aided and *(c)* other schools, which have had a significant change of character approved since 1989 to become (i) wholly or (ii) partially selective, stating in each case the extent of selection approved. [31914]

Mrs. Gillan: The following list shows the schools that have had statutory proposals approved since 1989 to become wholly or partially selective, stating the extent of selection approved.

Schools approved to become wholly selective

LEA area	*School name*	*Selection*
Grant maintained		
Cumbria	Queen Elizabeth grammar school	100 per cent.
Barnet	Queen Elizabeth boys' school	100 per cent. including 10 per cent. by aptitude for music
Kent	Chaucer technology school	100 per cent. by aptitude for technology
Voluntary aided		
Liverpool	The Blue Coat school	100 per cent.
County		
Wandsworth	Battersea technology college	100 per cent. by ability in technology

Schools approved to become partially selective

LEA area	*School name*	*Selection*
Grant maintained		
Barnet	Mill Hill County high school	30 per cent. by aptitude for technology
Berkshire	Southlands school	One selective form of entry (18 per cent.)
Dorset	Budmouth GM school	10 per cent. selection by ability
Hammersmith and Fulham	London Oratory school	20 boys at age seven on musical and general ability
Hertfordshire	Watford grammar school for girls	50 per cent. selection by ability
Hertfordshire	Watford grammar school for boys	50 per cent. selection by ability
Hertfordshire	Parmiters school	50 per cent. selection by ability

Schools approved to become partially selective

LEA area	*School name*	*Selection*
Hertfordshire	Rickmansworth school	50 per cent. selection by ability
Kent	Homewood school	20 per cent. selection by ability
Kingston	Holy Cross school	15 per cent. selection by ability
Lambeth	Archbishop Tenison's GM school	banding including 40 per cent. above average ability
Lambeth	St. Martin in the Fields high school	
Wandsworth	Graveney GM school	50 per cent. selection by ability
Wandsworth	Burntwood school	50 per cent. selection by ability
County		
Wandsworth	The Ernest Bevin school	50 per cent selection by ability
Wandsworth	Chestnut Grove school	30 pupils by ability in languages and30 by ability in arts (38 per cent)

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list, by local education authority, those schools which select more than 10 per cent. of their pupils, stating in each case *(a)* the percentage of intake selected, *(b)* the selection criteria and *(c)* whether the school is a county, voluntary-aided, voluntary-controlled, special agreement or grant-maintained school. [31913]

Mrs. Gillan: The information provided in the table covers only those schools which classified themselves as selective in the 1995 performance tables. The Department does not hold comprehensive information on partially selective schools. Most selective schools allocate places on the basis of performance in tests.

LEA	*School*	*Status*
Barnet	Queen Elizabeth's boys' school	GM
Barnet	St. Michael's Catholic grammar school	GM
Berkshire	Herschel grammar school	GM
Berkshire	Kendrick Girl's grammar school	County
Berkshire	Langley grammar school	GM
Berkshire	Reading school	GM
Berkshire	Slough grammar school	GM
Bexley	Bexley grammar school	County
Bexley	Bexley-Erith technical high school for boys	GM
Bexley	Chislehurst and Sidcup grammar school	County
Bexley	Townley road grammar school for girls	County
Birmingham	Bishop Vesey's grammar school	VA
Birmingham	Handsworth grammar school	County
Birmingham	King Edward VI Aston school	GM
Birmingham	King Edward VI Camp Hill girls' school	GM
Birmingham	King Edeward VI Camp Hill school boys	GM
Birmingham	King Edward VI Five Ways school	GM
Birmingham	King Edward VI Handsworth school	GM
Birmingham	Sutton Coldfield girl's school	County
Bristol	Cotham grammar school	County
Bristol	Fairfield grammar school	County
Bromley	Newstead Wood school for girls	GM
Bromley	St. Olave's and St. Saviour's grammar school	GM
Buckinghamshire	Aylesbury grammar school	VC
Buckinghamshire	Aylesbury high school	County
Buckinghamshire	Beaconsfield high school	GM
Buckinghamshire	Burnham grammar school	County
Buckinghamshire	Chesham high school	County
Buckinghamshire	Dr. Challoner's grammar school	VC
Buckinghamshire	Dr. Challoner's high school	County
Buckinghamshire	John Hampden grammar school	County
Buckinghamshire	Sir Henry Floyd grammar school	County
Buckinghamshire	Sir William Borlase's grammar school	VC
Buckinghamshire	The Royal Latin school	VC
Buckinghamshire	Wycombe high school	VC
Calderdale	Crossley Heath school	GM
Calderdale	The North Halifax grammar school	GM
Cambridgeshire	The King's school	GM
Cumbria	St. Bernard's convent school	COUNTY
Devon	Churston grammar school	COUNTY
Devon	Colyton grammar school	GM
Devon	Devonport high school for boys	COUNTY
Devon	Devonport high school for girls	COUNTY
Devon	Plymouth high school for girls	COUNTY
Devon	Torquay boys' grammar school	GM
Devon	Torquay grammar school for girls	COUNTY
Dorset	Bournemouth school	GM
Dorset	Bournemouth school for girls (GM)	GM
Dorset	Budmouth technology college	GM
Dorset	Parkstone grammar schools (girls)	GM
Dorset	Poole grammar school	GM
Enfield	The Latymer school	GM
Essex	Chelmsford county high school for girls	GM
Essex	Colchester county high school for girls	GM
Essex	Colchester royal grammar school	GM
Essex	King Edward VI grammar school	GM
Essex	Royal grammar school	GM
Essex	Southend high school for boys	GM
Essex	Southend high school for girls	GM
Essex	Westcliff high school for boys	GM
Essex	Westcliff high school for girls	GM
Gloucestershire	Denmark road high school for girls	COUNTY
Gloucestershire	Marling school	GM
Gloucestershire	Pate's grammar school	GM
Gloucestershire	Ribston Hall high school	GM
Gloucestershire	Sir Thomas Rich's school	County
Gloucestershire	Stroud high school	GM
Gloucestershire	The Crypt school	GM
Hertfordshire	The Henrietta Barnett school	County
Kent	Barton Court grammar school	GM
Kent	Bordon grammar school	VC
Kent	Chatham boy's grammar school	County
Kent	Chatham girls' grammar school	GM
Kent	Chatham House grammar school for boys	GM
Kent	Claredon House girls' grammar school	County
Kent	Cranbrook school	GM
Kent	Dane Court grammar school	GM
Kent	Dartford grammar school	GM
Kent	Dartford grammar school for girls	GM
Kent	Dover grammar school for boys	GM
Kent	Dover grammar school for girls	County
Kent	Fort Pitt grammar school	County
Kent	Gravesend grammar school for boys	GM
Kent	Gravesend grammar school for girls	GM
Kent	Highsted school	County

LEA	School	Status
Kent	Highworth grammar school for girls	County
Kent	Invicta grammar school for girls	County
Kent	Maidstone grammar school	VC
Kent	Maidstone grammar school for girls	VC
Kent	Oakwood Park grammar school	GM
Kent	Rainham Mark grammar school	GM
Kent	Simon Langton girls' school	VC
Kent	Simon Langton grammar school for boys	GM
Kent	Sir Joseph Williamson's mathematical school	VC
Kent	The Folkestone school for girls	GM
Kent	The grammar school for girls, Wilmington	GM
Kent	The Harvey grammar school	County
Kent	The Judd school	VA
Kent	The Norton Knatchbull school	County
Kent	The Rochester girls' grammar school	GM
Kent	The Skinners' school	GM
Kent	Tonbridge grammar school for girls	GM
Kent	Tunbridge Wells girls' grammar school	County
Kent	Tunbridge Wells grammar school for boys	County
Kent	Weald of Kent grammar school	County
Kent	Wilmington grammar school for boys	GM
Kingston	The Tiffin girls' school	County
Kingston	Tiffin school	GM
Kirklees	Heckmondwike grammar school	GM
Lancashire	Bacup and Rawtenstall grammar school	GM
Lancashire	Clitheroe Royal grammar school	GM
Lancashire	Lancaster Girls' grammar school	GM
Lancashire	Lancaster Royal grammar school	GM
Lincolnshire	Boston grammar school (boys)	GM
Lincolnshire	Boston high school for girls	County
Lincolnshire	Bourne grammar school	County
Lincolnshire	Caistor grammar school	GM
Lincolnshire	Carre's grammar school	GM
Lincolnshire	Kesteven and Grantham girls' school	County
Lincolnshire	Kesteven and Sleaford high school	County
Lincolnshire	King Edward VI school	GM
Lincolnshire	Queen Elizabeth's GM grammar school (Gainsborough)	GM
Lincolnshire	Queen Elizabeth's GM grammar school (Alford)	GM
Lincolnshire	Queen Elizabeth's grammar school (Horncastle)	GM
Lincolnshire	Queen Elizabeth's high school	County
Lincolnshire	Skegness grammar school	GM
Lincolnshire	Spalding grammar school	County
Lincolnshire	Spalding high school	County
North Yorkshire	Ermysted's grammar school	County
North Yorkshire	Ripon grammar school	County
North Yorkshire	Skipton girls' high school	VC
Redbridge	Ilford county high school	County
Redbridge	Woodford county high school	County
Shropshire	Adams' grammar school	GM
Shropshire	Newport girls' high school	County
Shropshire	Sir Roger Manwood's school	GM
Somerset	Brymore school	GM
Sutton	Nonsuch high school for girls	GM
Sutton	Sutton grammar school for boys	GM
Sutton	Wallington boys county grammar school	GM
Sutton	Wallington high school for girls	GM
Sutton	Wilson's school	GM
Trafford	Altrincham boys' GM school	GM
Trafford	Altrincham grammar school for girls	County
Trafford	Sale grammar school	County
Trafford	Stretford grammar school	County
Trafford	Urmston grammar school	County
Walsall	Queen Mary's grammar school	GM
Walsall	Queen Mary's high school	GM
Warwickshire	Alcester grammar school	GM
Warwickshire	King Edward VI grammar school	VA
Warwickshire	Lawrence Sheriff school	VA
Warwickshire	Rugby High school for girls	GM
Warwickshire	Stratford grammar school for girls	County
Wiltshire	Bishop Wordsworth's grammar school	GM
Wiltshire	South Wiltshire grammar school for girls	GM
Wirral	Calday Grange grammar school	GM
Wirral	St. Anselm's college	GM
Wirral	Upton Hall convent school	GM
Wirral	West Kirby grammar school for girls	County
Wirral	Wirral county grammar school (girls)	County
Wirral	Wirral grammar school for boys	GM
Wolverhampton	Wolverhampton girls' high school	GM

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list those grant-maintained schools which have received approval since 1989 for a change in their admissions arrangements to allow a level of partial selection which does not constitute a change of character stating, in each case, the nature of the change. [32002]

Mrs. Gillan: The table lists those grant-maintained schools that currently select up to 10 per cent. of their pupils on the basis of aptitude or ability in a particular subject or combination of subjects, following approval by the Secretary of State.

School	LEA area	Nature of change	Date approved
Abbs Cross school	Havering	10 per cent. music	June 1993
Beaverwood girls school	Bromley	10 per cent. performing arts (music and dance)	August 1994
Beverley school	Kingston upon Thames	10 per cent. art or music	October 1994
Bishop's Stortford school	Hertfordshire	10 per cent. music, sport or drama	October 1993
Canterbury high school	Kent	10 per cent. music	April 1993
Cardinal Vaughan memorial school	Kensington and Chelsea	10 per cent. music	August 1994
Chancellors school	Hertfordshire	10 per cent. music, drama or sport	December 1993
Charles Dickens high school	Kent	10 per cent. music	February 1993
Chatham grammar school for girls	Kent	10 per cent. music, sport or drama	August 1995
Cliff Park high school	Norfolk	10 per cent. music	October 1994
Cooper's school	Bromley	10 per cent. music, drama, dance or sport	June 1993
Crofton school	Hampshire	Five places music	October 1994

School	LEA area	Nature of change	Date approved
Dame Alice Owen school	Hertfordshire	10 per cent. music or sport	April 1993
Dane Court grammar school	Kent	10 per cent. music, sport, drama or any unusual talent	March 1994
Deacons school	Cambridgeshire	10 per cent. technology	August 1994
Dunraven school	Lambeth	10 per cent. music	October 1993
Enfield grammar school	Enfield	10 per cent. music or sport	December 1993
Goffs school	Hertfordshire	10 per cent. music, drama, sport of languages	October 1995
Heathside school	Surrey	10 per cent. Music or Sport	July 1993
Hendon school	Barnet	10 per cent. Music	November 1995
Hertfordshire and Essex high school	Hertfordshire	10 per cent. Music, Sport or Drama	March 1994
Hinchley Wood school	Surrey	10 per cent. Music	July 1995
Kemnal Manor school	Bromley	10 per cent. Technology	February 1994
King Edward VI grammar school	Essex	Three places for Choristers	June 1993
Kings' school	Cambridgeshire	10 per cent. Music and Choristers	October 1993
La Retraite school	Lambeth	10 per cent. Music	September 1993
La Sainte Union convent school	Camden	10 per cent. Music	September 1995
Langley Park school for boys	Kent	10 per cent. Music or Sport	September 1993
Leventhorpe school	Hertfordshire	10 per cent. Music	October 1995
Lincoln Christ's hospital school	Lincolnshire	10 per cent. Music	October 1994
Mill Hill county school	Barnet	10 per cent. Music	October 1993
Queen's school	Hertfordshire	10 per cent. Music, Art or Sport	March 1993
Rainham Mark grammar school	Kent	10 per cent. Music, Sport, Drama or any unusual talent	February 1992
Rainsford high school	Essex	10 per cent. Music or Drama	March 1994
Robert Naipier school	Kent	10 per cent. Music, Sport, Drama or any unusual talent	February 1992
St. George's CE school	Kent	10 per cent. Music	July 1995
Thamesmead school	Surrey	10 per cent. Music	October 1994
Ursuline convent school	Essex	10 per cent. Music	December 1993
Westland high school	Kent	10 per cent. Music	January 1993
Winston Churchill school	Surrey	6 per cent. Music	October 1995
Wymondham college	Norfolk	10 per cent. Music	March 1995

Live Wire Project

Mrs. Roche: To ask the Secretary of state for Education and Employment what discussions she has had with British Rail regarding its involvement in the live wire project. [31907]

Mr. Paice *[holding answer 10 June 1996]:* There have been no discussions with British Rail about its involvement in the live wire project.

Wakefield Training and Enterprise Council

Mr. William O'Brien: To ask the Secretary of State for Education and Employment what funding is to be made available to the Wakefield training and enterprise council for *(a)* 1994–95, *(b)* 1995–96 and *(c)* 1996–97; and what specific funding was allotted to particular services or activities. [32260]

Mr. Paice: The funds made available to Wakefield training and enterprise council—TEC—by the Department were: 1994–95, £13,125,523; 1995–96, £11,144,458 (subject to audit); and in 1996–97 funding available is expected to be £9,173,455. TEC budgets can, and often do, change in the year. The funding was allotted to particular services and activities as set out in the following tables:

	Standard	Coal	Total
1994–95 cash year			
Training for young people	4,356,066	—	4,356,066
Training for unemployed adults[1]	3,053,605	860,151	3,913,756
Other	3,701,417	1,154,284	4,855,701
Total	11,111,088	2,014,435	13,125,523
1995–96 cash year			
Training for young people	4,670,326	—	4,670,326
Training for unemployed adults[1]	2,288,551	559,755	2,848,306
Other	2,402,709	1,223,117	3,625,826
Total	9,361,586	1,782,872	11,144,458
1996–97 cash year			
Training for young people	5,398,443	—	5,398,443
Training for unemployed adults[1]	1,632,858	39,971	1,672,829
Other	2,026,503	75,680	2,102,183
Total	9,057,804	115,651	9,173,455

[1] The figure quoted is for training for work fees. Additional funding was made available for allowances paid to those in training.

Mr. O'Brien: To ask the Secretary of State for Education and Employment if she will make a statement on the visit of a Minister from her Department to the area covered by the Wakefield TEC to discuss advice and promises of help to reduce the unemployed in the travel to work areas of Castleford and Pontefract, Wakefield and Dewsbury. [32262]

Mr. Paice: I visited the area covered by Wakefield training and enterprise council on the morning of 2 November 1995. Part of the morning included a visit to Pontefract prospect corner, one of Wakefield TEC's advice centres. I met members of staff of prospect corner and Wakefield TEC, toured the site and met some of those who have used the prospect corner facilities. Other sources of advice and help for unemployed people in the area covered by Wakefield TEC include the training for work programme run by the TEC and the range of services provided by the Employment Service, although I was not able to visit these on this occasion.

Schools (Skills Audit)

Mr. Byers: To ask the Secretary of State for Education and Employment when she determined that the skills audit being conducted under the chairmanship of the Cabinet Office would be able to consider the performance of schools in providing individuals with basic qualifications for employment. [32158]

Mr. Paice *[holding answer 10 June 1996]:* A report on the work of the skills audit will be published later this week. Schools' performance and the skills levels being attained by young people are always under scrutiny.

Mr. Byers: To ask the Secretary of State for education and Employment on how many occasions *(a)* she and *(b)* her ministerial colleagues have met the Deputy Prime Minister to discuss the skills audit. [32154]

Mr. Paice *[holding answer 10 June 1996]:* My right hon. Friend the Secretary of State and the Deputy Prime Minister have worked closely on the audit since it was announced in the last competitiveness White Paper.

AGRICULTURE, FISHERIES AND FOOD

Bovine Spongiform Encephalopathy

Mr. Marlow: To ask the Minister of Agriculture, Fisheries and Food what action is being taken to screen beef imports from the Irish Republic against BSE. [22818]

Mrs. Browning *[holding answer 26 March 1996]:* Under European law, imports of beef from third countries and other member states are subject to harmonised EC animal and public health rules designed to protect against a wide range of potential health hazards.

In addition, the Beef (Emergency Control) Order 1996, as amended, prohibits the sale for human consumption of all meat derived from bovines which, at the time of slaughter, were more than 30 months old. This measure applies to all bovines slaughtered after the commencement of the order, whether in the United Kingdom or overseas, other than those slaughtered in third countries listed in the schedule to the No. 2 amendment order, where the Government are satisfied we can import beef. The Irish Republic is not included in this schedule.

As regards bovines less than 30 months of age, there are currently no EC rules in place regarding BSE which apply to beef produced in member states from such animals. We are keeping this the position under review.

Scottish Beef

Mr. McKelvey: To ask the Minister of Agriculture, Fisheries and Food if imported beef is subject to the same level of tests and controls as Scottish produced beef. [24243]

Mrs. Browning: Under European law, imports of beef from third countries and other member states are subject to harmonised animal and public health rules designed to protect against a wide range of potential health hazards.

So far as BSE controls are concerned, the Beef (Emergency Control) Order 1996, as amended, prohibits the sale for human consumption of all meat derived from bovines which, at the time of slaughter, were more than 30 months old. This measure applies to all bovines slaughtered after the commencement of the order, whether in the United Kingdom or overseas, other than those slaughtered in third countries listed in the schedule to the No. 2 amendment order where the Government are satisfied we can import beef. This exemption does not include any countries where there have been cases of bovine spongiform encephalopathy.

The controls applying to Scottish produced beef under the Specified Bovine Material Order 1996 do not however, apply to imported beef from third countries or other member states, although a number of countries with BSE have introduced controls requiring the removal of specified bovine offals. We are keeping the position under review.

Farm Employees (Compensation)

Mr. Jim Cunningham: To ask the Minister of Agriculture, Fisheries and Food what representations he has received in respect of the percentage of the compensation to farmers for culling cattle which will be paid in wages to the employees of farmers. [30753]

Mr. Baldry: I have received no such representations.

Cattle Culling

Mr. Lidington: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the operation of the 30-month cattle slaughter scheme as it effects farmers in Buckinghamshire. [31150]

Mr. Baldry: The scheme is running at full throughput at present, given the limited rendering capacity to deal with carcases of animals slaughtered. I am aware that the geographic coverage of abattoirs operating under the scheme is not ideal in every area, including Buckinghamshire. Farmers in Buckinghamshire should use their nearest available approved collection centres to present animals under the scheme.

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the cost of the proposed slaughter of the additional cattle proposed for slaughter in the week ended 18 May [31250]

Mr. Baldry: A total of 15,932 animals were slaughtered under the over 30 months scheme in the week ended 19 May. The cost of slaughtering them amounts to £1.4 million. It is not possible to calculate the cost of purchase of the animals since we do not yet have details of the weight and type of all the individual animals.

Mr. Lidington: To ask the Minister of Agriculture, Fisheries and Food if he will add Baniells Meats, Milton Keynes, Buckinghamshire and Much Meat at Witney, Oxfordshire, to the list of approved abattoirs for the 30-month cattle slaughter scheme; and if he will make a statement. [31151]

Mr. Baldry: I have no plans at present to add to the existing list of abattoirs operating under the scheme. Those already operating are taking the maximum throughput possible that can be absorbed by the rendering facilities and cold storage facilities currently available.

Beef Exports

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food what powers the EU has cited in imposing a worldwide ban on exports of British beef. [31812]

Mrs. Browning: Commission decision 96/239/EEC on emergency measures to protect against bovine spongiform encephalopathy, which imposed a ban on the export of cattle, beef and other bovine material and products, cites article 10(4) of Council directive 90/425/EEC, concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market, and article 9(4) of Council directive 89/6672/EEC, concerning veterinary checks in intra-Community trade with a view to the completion of the internal market, as the powers under which the decision is made.

Fisheries Council

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Fisheries Council held in Luxembourg on 10 June; and if he will make a statement. [32746]

Mr. Baldry: I represented the United Kingdom at the meeting of the Fisheries Council in Luxembourg on 10 June.

The Council had an initial exchange of views about the principles and objectives for the next series of measures designed to bring all member states' fishing fleets into better balance with available fish stocks. I made it clear that the UK could not agree to the possibility of further reductions in the UK fleet until there is satisfactory progress towards sorting out the problem of quota hoppers. I also drew attention to the inconsistencies in the scientific advice underlying the Commission's thinking, for example in their assessment of Irish sea stocks and the lack of any proposed reduction in industrial fishing. I stressed that the approach had to be credible and command the confidence of the industry whose livelihoods are at stake. Significant further technical work will be needed before decisions can be taken. Other member states also had difficulty with the Commission's ideas and supported our view that any measures must be seen to be necessary, fair and workable. Discussion will be resumed at the next meeting of the Council in October.

The Council agreed unanimously that the Community should at the earliest opportunity sign the United Nations agreement on straddling stocks and highly migratory fish species. It is designed to ensure international co-operation in the long term conservation and sustainable use of these fish stocks. I indicated the UK's strong support for such international measures.

The Council agreed by qualified majority, with the United Kingdom and Ireland voting against, the allocation between members states of the 1996 quotas for redfish under the North-East Atlantic Fisheries Commission NEAFC, and North-West Atlantic Fisheries Organisation, NAFO. Despite its lack of track record in the newly regulated NEAFC fishery, the UK was allocated a quota of 44 tonnes.

The Council unanimously agreed a short term arrangement so that no more than 3,000 tonnes of the 43,000 tone sprat total allowable catch for the Skaggerak and Kattegat could be fished using 16mm meshes for the remainder of 1996. This restriction is designed to limit the by-catch of juvenile herring.

The Commission reported the latest scientific advice on North sea herring. This indicates that catch reductions of 50 per cent. are necessary during the current year in order to avoid closing the fishery next year. I outlined the UK's view that early action is essential to prevent a stock collapse and to avoid a complete closure. I supported quota cuts for North sea herring this year subject to the juvenile herring by-catch in other fisheries, including industrial fisheries, being reduced in parallel; the same proportionate cut applying to both the northern and southern North sea herring stocks; and the cut in herring quotas being applied equitably to all members states. This approach secured support from a number of other members states and the Commission will be having urgent discussions with Norway before making specific proposals for action to protect the herring stocks.

The UK expressed its continuing concern about the market for farmed salmon and asked the Commission to continue to monitor the position very carefully over the summer.

Bats

Mr. Fabricant: To ask the Minister of Agriculture, Fisheries and Food if he has been able to confirm rabies in the bat in East Sussex which died on 3 June; and if he will make a statement. [32745]

Mr. Douglas Hogg: Tests carried out by the central veterinary laboratory have now confirmed that a bat which died in East Sussex on 3 June had rabies. The type is European Bat Lyssa Virus type II. Two people who handled and were bitten by the bat have received post-exposure treatment. A third possible contact is being followed up. No confirmed cases have previously been found in bats in Great Britain. MAFF has carried out a survey of the area where the bat was found and believe it to be an isolated individual from across the English channel. As a precaution we are arranging to monitor the local bat population for a period.

In addition a notice under the Rabies (Control) Order 1974 has been served on a premises restricting movement of other bats there and requiring cleansing and disinfection.

Collection Centres

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 22 May, *Official Report,* columns *211–13,* if all the listed markets and assembly points now approved as collection centres, as defined in Council directive 64/432, have been observed by his Department operating in accordance with the directive; and if he will list the designated veterinarians appointed to supervise such collection centres and the collection centres for which each is responsible. [31784]

Mrs. Browning *[holding answer 7 June 1996]:* The majority of collection centres referred to in the answer of 22 May have not yet been observed operating in

accordance with Council directive 64/432/EEC. This is because many of them were approved following the European Commission decision banning exports of bovine animals from the United Kingdom. All of the approved collection centres were inspected by Ministry staff prior to approval to ensure they met the standards for approval.

It is our policy not to provide the names of the official veterinarians responsible for supervising approved collection centres. The withholding of such information is provided for under category 4, paragraph (g) of the exemptions in the code of practice on access to Government information.

Fishery Projects

Mr. Ainger: To ask the Minister of Agriculture, Fisheries and Food how much Pesca funding is available to fishery projects in England in 1996–97; how much was paid in 1995–96; and if he will list those projects funded and the amount each project received. [32162]

Mr. Baldry *[holding answer 10 June 1996]:* Under the Pesca community initiative, funds of 18.5 mecu—£15.5 million—have been allocated to fishing dependent areas in England for the period 1995–99. Pesca aid is available under the financial instrument for fisheries guidance, for specific fisheries measures to assist the fisheries industry to restructure. Aid is also available under the European regional development fund for measures to develop businesses and under the European social fund for employment training. An indicative breakdown of the funds for the period 1995–99 is shown in the table. The table also shows the national back-up funding which will be required.

mecu/£ million[1]

Year	*FIFG*	*ERDF*	*ESF*	*National*	*Total*
1995	0.500 (0.407)	1.500 (1.221)	0.500 (0.407)	2.196 (1.787)	4.696 (3.822)
1996	0.757 (0.616)	2.270 (1.848)	0.757 (0.616)	3.322 (2.704)	7.106 (5.784)
1997	0.856 (0.697)	2.569 (2.091)	0.856 (0.697)	3.759 (3.060)	8.040 (6.545)
1998	0.739 (0.601)	2.217 (1.804)	0.739 (0.601)	3.244 (2.640)	6.939 (5.646)
1999	0.839 (0.683)	2.518 (2.049)	0.839 (0.683)	3.685 (2.999)	7.881 (6.414)
Total	3.691 (3.004)	11.074 (9.013)	3.691 (3.004)	16.206 (13.190)	34.662 (28.211)

[1] The exchange rate used is £1 = ecu 1.228626.

In addition to this, a further 5.88 mecu—£4.79 million—has been awarded to the United Kingdom from the European Commission's community initiative reserve, but details of its allocation are awaited from the Commission.

Pesca was launched in England on 14 February and the scheme is now open to applications. Local working groups, including regional partners and local fisheries organisations, have been set up to determine local strategies and priorities for the use of funds. No grants have yet been awarded but decisions on the first round of applications are expected soon.

Live Animal Exports

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 1 May, *Official Report*, columns *564–65*, what were the EU destinations of the cattle exported for *(a)* breeding or further fattening and *(b)* slaughter from Northern Ireland in 1995. [31205]

Mr. Ancram: I have been asked to reply.

The information requested is set out in the table:

Destination	*Breeding/further fattening*	*Slaughter*
Republic of Ireland	192	1,150
Belgium	539	—
France	1,359	—
Italy	1,611	—
Netherlands	1,644	—
Spain	2,535	—
Total	7,880	1,150

FOREIGN AND COMMONWEALTH AFFAIRS

Exports Ban

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs by what legislative provision the EU has power to ban United Kingdom exports to third countries; and when that provision came into force. [31762]

Mr. David Davis: Export of goods from the UK to third countries is principally governed by the EC's common commercial policy. That policy is based on article 113 of the EC treaty, and is given effect in a range of measures, including the common rules for exports. However, certain export prohibitions might, depending on the goods in question or the aim of the prohibition, be based on other articles of the treaty, or on powers in subordinate legislation adopted under those articles. Exercise of these powers is subject to the principle of proportionality.

Visitor Visas

Mr. Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* the number of visitor applications made, *(b)* the number of visas granted and *(c)* the number of illegal overstays from the visas issued in respect of each British embassy in the last available year. [32210]

Mr. Hanley: In view of the amount of detail needed to answer this question, I will write to the hon. Member shortly.

Mrs. Wise: To ask the Secretary of State for Foreign and Commonwealth Affairs how many applications for visitor visas have been rejected by the entry clearance

officers in Pakistan in the last year; and how many were rejected in the year before the removal of the right of appeal. [32182]

Mr. Hanley: Entry clearance officers in Pakistan refused 12,218 visit visa applications in 1995. In 1992, the year prior to the removal of appeals against visit visa refusals, the number was 11,012.

Mrs. Wise: To ask the Secretary of State for Foreign and Commonwealth Affairs how many of the applications for visitor visas rejected by the high commission in Pakistan in the past year were *(a)* fathers and *(b)* mothers of people resident in the United Kingdom. [32184]

Mr. Hanley: This information is not readily available at post and could be obtained only at disproportionate cost.

Mrs. Wise: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people intending to apply for visitor visas in the past year were informed by the high commission in Pakistan that they should not make a formal application because they would have no chance of success. [32191]

Mr. Hanley: An entry clearance officer may advise an applicant to withdraw his/her visa application only if it is unlikely to succeed. In 1995, 13,717 applicants were so advised at the high commission in Islamabad.

Nuclear Test Ban Treaty

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the draft text of the comprehensive nuclear test ban treaty agreed by the United Nations conference on disarmament on 28 May. [32049]

Mr. David Davis: A copy of the draft comprehensive nuclear test ban treaty, tabled by the chairman of the negotiations on 28 May, has been placed in the Library of the House.

Land Mines

Mr. Battle: To ask the Secretary of State for foreign and Commonwealth Affairs what is Her Majesty's Government's timetable for the elimination of the use of land mines worldwide. [30908]

Mr. David Davis: We will press for the earliest possible international agreement on a total world-wide ban on anti-personnel land mines.

EU Council

Ms Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those EU decisions requiring unanimity which are on the agenda of EU Council meetings over the next three months. [31959]

Mr. David Davis: The following decisions requiring unanimity are expected to appear on the Council agenda between now and the end of June. There is no reliable information on the agenda after that date.

Date	*Forum for agreement*	*Measures*
10 June 1996	General affairs council	Council conclusions in advance of 12 EU/US summit on implementation of action plan
10 June 1996	General affairs council	EU/Canadian action plan
10 June 1996	General affairs council	Financial services protocol to the GATS
10 June 1996	General affairs council	Maritime transport
10 June 1996	General affairs council	Conclusions of market access strategy
10 June 1996	General affairs council	TACIS regulation
10 June 1996	General affairs council	MEDA regulation
10 June 1996	General affairs council	Signature of EU/Korea trade and co-operations agreement and political declaration
10 June 1996	General affairs council	Financial regulation on aid for former Yugoslavia
10 June 1996	General affairs council	EU/Turkey financial regulation

Date	*Forum for agreement*	*Measures*	*Brief description*
10 June 1996	General affairs council	EU/Slovenia association agreement	
10 June 1996	General affairs council	Common position for EU/Turkey association council	
10 June 1996	General affairs council	Signature of EU/Chile agreement	
10 June 1996	General affairs council	Possible council conclusions on commission communication on Trade and Environment	
10 June 1996	General affairs council	Declaration of principles on Middle East	
10 June 1996	General affairs council	Common position for EU/Syria co-operation council 10 June	
10 June 1996	General affairs council	Common position for 10 EEA council	
10 June 1996	General affairs council	Signature of PCA with Uzbekistan	
10 June 1996	General affairs council	Adaptation protocols for PCAs with Russia, Ukraine and Moldavia	
10 June 1996	General affairs council	Procedure for appointing EU envoys in CFSP	
10 June 1996	General affairs council	Common position/joint action on biological and chemical weapons	
10 June 1996	General affairs council	Political decision on resumption of aid to Niger	
10 June 1996	General affairs council	Common position for ACP/EU ministerial 26–28 June	
10 June 1996	General affairs council	Report on Latin American and Caribbean drugs	

Date	Forum for agreement	Measures	Brief description
10 June 1996	General affairs council	Decision in principle on observatory on racism and xenophobia	
10 June 1996	General affairs council	Political decision to hold Europe-Africa summit	
10 June 1996	General affairs council	Joint action: stability and good neighbourliness in former Yugoslavia	
10 June 1996	General affairs council	Council conclusions on political dialogue arrangements	
10 June 1996	General affairs council	Declaration for Florence summit on MEPP	
10 June 1996	General affairs council	EU relations with the Council of Europe	
10 June 1996	Fisheries council	UN agreement on straddling stocks and highly migratory species	
10 June 1996	Fisheries council	Draft European council conclusions on European fisheries research	
11 June 1996	Culture council	Council decision on ARIANNE programme	
11 June 1996	Culture council	Council decision on RAPHAEL programme	
11 June 1996	Culture council	Resolution on access to culture	
11 June 1996	Culture council	Resolution on electronic publishing and libraries	
17 June 1996	Transport council	None	
19 June 1996	Research council	Decision adopting the 4th R and D framework programme	
19 June 1996	Research council	Supplementary research programme on high flux reactor	
19 June 1996	Energy council	None	
24 June 1996	Agriculture council	None	
25 June 1996	Environment council	Conclusion on carbon dioxide from cars	
25 June 1996	Environment council	Conclusions on biodiversity (biosecurity protocol)	
25 June 1996	Environment council	Conclusions on climate change	
25 June 1996	Environment council	Procedural conclusions on water	
27 June 1996	Telecoms council	Resolution on universal service	
27 June 1996	Telecoms council	Programme for multi-lingual information society	
	Item not tied to particular forum	Ratification of energy charter treaty	
	Item not tied to particular forum	Revised ECJ rules of procedure	
	Item not tied to particular forum	2nd protocol of W10 services agreement	
	Item not tied to particular forum	Duty derogation for unleaded petrol in Ireland (from ECOFIN)	
	Item not tied to particular forum	VAT derogation for Neisse Bridge (from ECOFIN)	
	Item not tied to particular forum	Final report on 1996 Europol budget (from JHA council)	
	Item not tied to particular forum	Accession of new member states to Brussels and Rome conventions (from JHA council)	
	Item not tied to particular forum	Joint action on racism and xenophobia (from JHA council)	

Ms Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion, expressed as a percentage and in numbers of EU Council measures requiring unanimity have been opposed by the Government because of their non-co-operation strategy when they would otherwise have supported them; and if he will list these measures. [32290]

Mr Davis: The decisions blocked between the Prime Minister's statement on 21 May and 7 June are set out in my right hon. Friend the Prime Minister's answer to the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) today. The majority of those decisions have been blocked as a consequence of the non-co-operation policy, and the UK stands ready to agree them as soon as a framework is in place for lifting the beef export ban.

Burma

Mrs. Fyfe: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Burma about forced labour. [32355]

Mr. Hanley: The United Kingdom has had no ministerial contact with the ruling military regime in Burma, the State Law and Order Restoration Council.

Officials have consistently expressed our concern about the use of forced labour in Burma, both in international forums and directly to the SLORC. We shall continue to do so.

Child Abduction

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries that have ratified *(a)* The Hague convention

on the civil aspects of international child abduction and *(b)* the European convention on recognition and enforcement of decisions concerning custody of children. [32294]

Mr. Hanley: The following countries have ratified The Hague convention on the civil aspects of international child abduction:

Argentina
Australia
Austria
Bahamas
Belize
Bosnia-Hercegovina
Burkina Faso
Canada
Chile
Colombia
Croatia
Cyprus
Denmark
Ecuador
Finland
France
Germany
Greece
Honduras
Hungary
Ireland
Israel
Italy
Luxembourg
Macedonia
Mauritius
Mexico
Monaco
Netherlands
New Zealand
Norway
Panama
Poland
Portugal
Romania
St. Kitts and Nevis
Slovenia
Spain
Sweden
Switzerland
United Kingdom
USA
Yugoslavia
Zimbabwe

(b) The following countries have ratified the European convention on recognition and enforcement of decisions concerning custody of children and on restoration of custody of children:

Austria
Belgium
Cyprus
Denmark
Finland
France
Germany
Greece
Ireland
Italy
Luxembourg
Netherlands
Norway
Poland
Portugal
Spain
Sweden
Switzerland
United Kingdom

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those members of the United Nations that have not ratified The Hague convention of the civil aspects of international child abduction. [32295]

Mr. Hanley: The following members of the United Nations have not ratified The Hague conventions on the civil aspects of international child abduction:

Afghanistan
Albania
Algeria
Andorra
Angola
Antigua and Barbuda
Armenia
Azerbaijan
Bahrain
Bangladesh
Barbados
Belarus
Belgium
Benin
Bhutan
Bolivia
Botswana
Brazil
Brunei Darussalam
Bulgaria
Burundi
Cambodia
Cameroon
Cape Verde
Central African Republic
Chad
China
Comoros
Congo
Costa Rica
Cote d'Ivoire
Cuba
Czech Republic
Democratic People's Republic of Korea

Djibouti
Dominica
Dominican Republic
Egypt
El Salvador
Equatorial Guinea
Eritrea
Estonia
Ethiopia
Federated States of Micronesia
Fiji
Gabon
Gambia
Georgia
Ghana
Grenada
Guatemala
Guinea
Guinea-Bissau
Guyana
Haiti
Iceland
India
Indonesia
Iran (Islamic Republic of)
Iraq
Jamaica
Japan
Jordan
Kazakstan
Kenya
Kuwait
Kyrgystan
Lao People's Democratic Republic
Latvia
Lebanon
Lesotho
Liberia
Libyan Arab Jamahiriya
Liechtenstein
Lithuania
Madagascar
Malawi
Malaysia
Maldives
Mali
Malta
Marshall Islands
Mauritania
Mongola
Morocco
Mozambique
Myanmar
Namibia
Nepal
Nicaragua
Niger
Nigeria
Oman
Pakistan
Palu
Papua New Guinea
Paraquay
Peru
Philippines
Qatar
Republic of Korea
Republic of Moldova
Russian Federation
Rwanda
Saint Lucia
Saint Vincent and the Grenadines
Samoa
San Marino
Sao Tome and Principe
Saudi Arabia
Senegal
Seychelles
Sierra Leone
Singapore
Slovak Republic
Solomon Islands
Somalia
South Africa
Sri Lanka
Sudan
Suriname
Swaziland
Syrian Arab Republic
Tajikstan
Thailand
The former Yugoslav Republic of Macedonia
Togo
Trinidad and Tobago
Tunisia
Turkey
Turkmenistan
Uganda
United Arab Emirates
United Republic of Tanzania
Uruguay
Uzbekistan
Vanuatu
Venezeula
Vietnam
Yemen
Zaire
Zambia.

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those members of the Organisation for Economic Co-operation and Development that have not ratified The Hague convention on the civil aspects of international child abduction. [32296]

Mr. Hanley: The following members of the OECD have not ratified The Hague convention on the civil aspects of child abduction:

Belgium
Czech Republic
Iceland
Japan
Turkey.

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those members of the Commonwealth that have not ratified The Hague convention on the civil aspects of international child abduction. [32297]

Mr. Hanley: The following Commonwealth countries have not ratified The Hague Convention on the civil aspects of child abduction:

Antigua and Barbuda
Barbados
Belize
Grenada
Jamaica
Papua New Guinea
Saint Lucia
Saint Vincent and the Granadines
Solomon Islands
Tuvalu (Special member for CHOGM purposes)
Brunei
Lesotho
Malaysia
Swaziland
Tonga
Bangladesh
Botswana
Cameroon
India
Kenya
Kiribati
Malawi
Maldives
Malta
Mozambique
Namibia
Nigeria
Pakistan
Seychelles
Sierra Leone
Singapore
South Africa
Sri Lanka
Tanzania
Trinidad
Uganda
Vanuatu

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those members of the European Union that have not ratified both The Hague convention on the civil aspects of international child abduction and the European convention on recognition and enforcement of decisions concerning the custody of children. [32298]

Mr. Hanley: Belgium is the only member of the European Union which has not ratified both The Hague convention on the civil aspects of child abduction and the European convention on recognition and enforcement of decisions concerning the custody of children.

Written Answers to Questions

Wednesday 12 June 1996

HOME DEPARTMENT

Buckley Hall Prison

Ms Lynne: To ask the Secretary of State for the Home Department if he will list the number and types of incidents reported to the Prison Service since 1 March in relation to Buckley Hall prison. [30679]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Ms Liz Lynne, dated 12 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number and types of incidents reported to the Prison Service since 1 March in relation to Buckley Hall prison.

The requested information is given in the following table:

	Number
Assaults	5
Concerted indiscipline	1
Drugs	12
Escape	1
Fire	5
Miscellaneous	1
Recapture/surrender	14
Temporary release failure	5
Total	44

Prison Escapes

Ms Lynne: To ask the Secretary of State for the Home Department how many prisoners are unlawfully at large having failed to return from authorised leave at each male category C prison. [30806]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 12 June 1996:

The Home Secretary has asked me to reply to your recent Question about the number of prisoners who are unlawfully at large having failed to return from authorised leave at each male category C prison.

The information is not available in the form requested however, between 1 April 1995 and 31 March 1996, 271 prisoners failed to return to male category C prisons after being temporarily released on licence. In the same period, 1,458 prisoners who were unlawfully at large were recaptured or surrendered themselves.

The figures are not directly comparable because those prisoners who were recaptured or who surrendered between 1 April 1995 and 31 March 1996 include those released during that period and before.

The 1,458 figure includes all prisoners who were unlawfully at large from any prison for any reason, including temporary release failures, absconds from open prisons and escapees.

Also, recaptured prisoners sometimes use different names on return to custody and are often taken back into custody in a part of the country different from their destination when granted temporary release from prison.

Following changes to the Prison Rules in April 1995, the new scheme for release on temporary licence introduced tighter controls including a stringent risk assessment. Since the introduction of the new scheme, the number of prisoners who have failed to return has fallen by 75 per cent. Since August 1995, the Prisoners (Return to Custody) Act makes it a criminal offence for any person to remain unlawfully at large following the expiry of the temporary release licence.

The Act also gives the police increased powers to enter and search premises without a warrant in order to recapture those unlawfully at large. These provisions were designed to ensure that prisoners do not abuse the trust placed in them when granted a period of temporary release on licence.

Recruitment

Mr. Donohoe: To ask the Secretary of State for the Home Department how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995-96 financial years; and how many staff were recruited in each of these years. [31391]

Mr. Howard: Excluding the Prison Service and recruitment undertaken locally within the main Home Office, apart from the immigration and nationality directorate, the Home Office spent £824,829 in 1994–95 on the recruitment of 939 staff. In 1995–96, the Home Office spent £1,059,426 on the recruitment of 1,172 staff. These figures exclude staff costs. Figures for the Prison Service and recruitment undertaken locally within the main Home Office, apart from the immigration and nationality directorate, could be provided only at disproportionate cost.

Fires

Mr. Ian McCartney: To ask the Secretary of State for the Home Department (1) what was, for each fire authority in England and Wales the number of *(a)* fires and *(b)* injuries and fatalities sustained in fires on residential, holiday and touring caravan sites in the years 1990 to 1995 inclusive; [31857]

(2) what was the number of *(a)* fires and *(b)* injuries and fatalities sustained in fires in each fire authority in Scotland on residential, holiday and touring caravan sites in the years 1990 to 1995. [31856]

Mr. Sackville: The readily available information for England and Wales and Scotland is given in the first table, with 1993 data for each fire authority given in the second table. Data for each separate fire authority for each year could be produced only at disproportionate cost. Data for 1994 and 1995 are not yet available.

Fires, deaths and injuries from fires starting in caravans on sites, attended by local authority fire brigades in England and Wales and Scotland, 1990 to 1993

Year	England and Wales			Scotland		
	Fires	Deaths	Injuries[1]	Fires	Deaths	Injuries[1]
1993	511	1	28	51	0	1
1992	600	1	43	73	0	4
1991	722	0	36	82	0	4
1990	883	7	60	115	0	8

[1] Injuries are defined as those which required medical treatment beyond first aid at the scene of the fire.

Fires, deaths and injuries from fires starting in caravans on sites, by fire brigade areas in England, Wales and Scotland, 1993

Fire brigade area	Fires	Deaths	Injuries[1]
England and Wales	511	1	28
Avon	10	0	0
Bedfordshire	7	0	0
Berkshire	3	0	2
Buckinghamshire	4	0	0
Cambridgeshire	5	0	0
Cheshire	9	0	0
Cleveland	2	0	0
Cornwall	8	0	0
Cumbria	5	0	0
Derbyshire	9	0	0
Devon	8	0	2
Dorset	5	0	0
Durham	8	0	0
East Sussex	4	0	0
Essex	15	0	1
Gloucestershire	9	0	0
Hampshire	7	0	0
Hereford and Worcester	6	0	0
Hertfordshire	3	0	1
Humberside	15	0	1
Isle of Wight	1	0	0
Kent	19	0	1
Lancashire	19	0	2
Leicestershire	10	0	2
Lincolnshire	13	0	0
Norfolk	19	0	5
North Yorkshire	11	0	0
Northampshire	8	0	0
Northumberland	8	0	1
Nottinghamshire	14	0	0
Oxfordshire	4	0	0
Shropshire	2	0	0
Somerset	6	0	0
Staffordshire	5	0	1
Suffolk	3	0	0
Surrey	2	1	0
Warwickshire	5	0	0
West Sussex	6	0	0
Wiltshire	5	0	0
Greater Manchester	23	0	0
Merseyside	12	0	0
South Yorkshire	14	0	0
Tyne and Wear	20	0	0
West Midlands	25	0	1
West Yorkshire	26	0	2
Greater London	24	0	1
Clwyd	25	0	1
Dyfed	5	0	0
Gwent	4	0	0
Gwynedd	7	0	1
Mid Glamorgan	14	0	3
South Glamorgan	3	0	0
West Glamorgan	7	0	0
Scotland	51	0	1
Strathclyde	29	0	1
Highlands and Islands	4	0	0
Grampian	2	0	0
Tayside	3	0	0
Lothian and Borders	7	0	0
Fife	4	0	0
Central	1	0	0
Dumfries and Galloway	1	0	0

[1] Injuries are defined as those which required medical treatment beyond first aid at the scene of the fire.

Source:
Home Office.

British Citizens

Mr. MacShane: To ask the Secretary of State for the Home Department how many British citizens with right of abode in the United Kingdom are currently living in *(a)* the European Union, *(b)* Commonwealth countries, *(c)* the United States of America, *(d)* Switzerland and *(e)* the rest of the world outside the United Kingdom. [32027]

Mr. Kirkhope: There were 420,000 British citizens resident in other countries now in the European Union and 19,000 resident in Switzerland on 1 January 1993. Later data, and the other information requested, are not available.

Constitutional Unit

Mr. Llwyd: To ask the Secretary of State for the Home Department if he will make a statement on the creation of the new constitutional unit in his office and list its responsibilities. [32265]

Mr. Howard: The constitutional unit was set up as part of the reorganisation of the Home Office which followed its senior management review. It is responsible for advice on the Channel Islands and the Isle of Man, elections, human rights and royal and constitutional issues.

TREASURY

Census (Welsh Language)

Mr. Wigley: To ask the Chancellor of the Exchequer if he will ensure that the census in the year 2001 includes questions relating to the number of people in Wales who understand the Welsh language. [31307]

Mrs. Angela Knight: The census offices expect to include questions in the 2001 census in Wales on whether respondents understand, speak, read and write Welsh. This would provide additional information to the questions asked in the 1991 census which covered speaking, reading, and writing Welsh, but not understanding Welsh.

Self-assessment

Mr. Redmond: To ask the Chancellor of the Exchequer what reports he has received of difficulties experienced by the Inland Revenue in respect of self-assessment income tax returns in the pilot areas operating this scheme. [31423]

Mr. Jack: A prototype of the self-assessment tax return has been used in a trial in Leicester involving 5,000 taxpayers. Results of that trial are currently being evaluated and a report will be published later in the year. I understand that this will suggest that the results are in line with Inland Revenue expectations of taxpayer behaviour. Feedback from the trial did inform the continuing consultation on the self-assessment tax return and a number of changes were made to the return as a result of live trial experiences.

Exchange Rates

Mr. MacShane: To ask the Chancellor of the Exchequer if he will list the movement each month in 1996 of the pound against *(a)* the US dollar and *(b)* the German mark. [31931]

Mrs. Angela Knight: Figures for monthly averages in 1996 of sterling's exchange rate against the dollar and the deutschmark are as follows:

	£/$	£/DM
January 1996	1.53	2.24
February 1996	1.54	2.25
March 1996	1.53	2.26
April 1996	1.52	2.28
May 1996	1.51	2.32

Mr. MacShane: To ask the Chancellor of the Exchequer what recent representations he has received regarding re-entry into the European exchange rate mechanism at existing parities with particular reference to the effect on exports; and if he will make a statement. [31933]

Mrs. Knight: None. The UK will not rejoin the European exchange rate mechanism during this Parliament, and there is no question of us ever rejoining a rigid, old-style exchange rate mechanism.

Nationalised Industries

Mr. Pawsey: To ask the Chancellor of the Exchequer what estimate he has made of the total amount of public funds invested in the nationalised industries since 1966 in 1996 prices. [31926]

Mr. Waldegrave: The total amount of capital expenditure by public corporations, which include the nationalised industries, from 1966–67 to 1994–95 was £358 billion at 1994–95 prices. Of that, £135 billion was financed by capital grants or net lending from the general government sector. No separate information on the nationalised industries is held for the earlier part of this period.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Chancellor the Exchequer how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32412]

Mrs. Angela Knight: Expenditure on travel and subsistence overseas in the two years is included in the published running costs.

Information Technology

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if he will make a statement on the readiness of his Department's information technology projects for the start of income tax self-assessment in April 1997. [31782]

Mr. Jack *[holding answer 7 June 1996]:* The information technology system for self-assessment is being developed in the form of a number of related tranches. Their readiness to perform the task of delivering self-assessment will be assessed on a continuing basis as software testing is undertaken during the remainder of this year and the early part of 1987.

Mr. Bruce: To ask the Chancellor of the Exchequer what estimate he has made of the likely cost overrun on the information technology projects associated with the move to income tax self-assessment; and if he will make a statement. [31791]

Mr. Jack *[holding answer 7 June 1996]:* The Inland Revenue is keeping costs to completion of the information technology projects under continuous review. These costs remain within budget.

Insider Dealing

Mr. Darling: To ask the Chancellor of the Exchequer what proposals he has to amend legislation in relation to the offence of insider dealing; and if he will make a statement. [32058]

Mrs. Angela Knight *[holding answer 10 June 1996]:* I have no proposals to amend part V of the Criminal Justice Act 1993. An order will be made shortly under section 64(2) of that Act to update the lists of regulated markets in the Insider Dealing (Securities and Regulated Markets) Order 1994.

EDUCATION AND EMPLOYMENT

Grant-maintained Schools

Mr. Blunkett: To ask the Secretary of State for Education and Employment which grant-maintained schools have hosted "Going GM" open days at the request of the Department; how many invitations have been issued to each; how many people have attended each; what has been the cost of each; and how many further such open days it is planned to hold. [28608]

Mrs. Gillan: GM schools "open days" have given head teachers and governors from local authority schools opportunities to see how GM schools are run and to discuss the implications of GM status with staff and governors. Since March 1994 the Department has supported 26 such open days, with a further six scheduled to take place this

term. We do not hold information on the number of invitations sent. An average of 14 delegates attend each of the days held so far. Costs vary, because schools make their own arrangements. The average cost so far, where a claim has been submitted, is some £430 for staff costs, including preparation for the day, and some £540 for other costs such as administered and catering. The average cost per head is some £70. We are reviewing the range of activities undertaken to provide information about the GM programme, taking account of the forthcoming White Paper on extending self-government for schools.

Training and Enterprise Councils

Mr. William O'Brien: To ask the Secretary of State for Education and Employment what are the criteria for the nomination and selection of members of training and enterprise councils; and if she will make a statement. [32477]

Mr. Paice: Training and enterprise councils are private companies. The appointment of directors to TEC boards is determined by the members of the company acting in accordance with the company's articles of association and the eligibility conditions set by the TEC's contract with Government. It is for each TEC to decide on its own membership in accordance with the TEC National Council's "Framework for the Local Accountability of TECs" which has as its first principle clarity and openness in the selection of well-qualified and trained board members.

OVERSEAS DEVELOPMENT ADMINISTRATION

Overseas Development Assistance

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of the overseas development assistance budget is spent on projects and programmes which are primarily designed to meet the objective of the promotion of democracy and good governance. [32470]

Mr. Hanley: ODA bilateral assistance in 1994–95 totalled £1,120 million. Our policy information marker system covered £624.5 million, of which £164.3 million or 26 per cent. was spent on projects and programmes where good government was either a principal or significant objective. We are not able to disaggregate our multilateral contributions to identify expenditure on good government.

Mrs. Kudirat Abiola

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about the likely motive for the murder of Chief Abiola's wife, Mrs. Kudirat Abiola, on 4 June. [32513]

Mr. Hanley: We have received no reports about the likely motive. We welcome the Nigerian Government's undertaking to investigate the circumstances of Mrs. Abiola's death promptly and to bring those responsible to justice.

ENVIRONMENT

Recruitment

Mr. Donohoe: To ask the Secretary of State for the Environment how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31393]

Sir Paul Beresford: In 1994–95 and 1995–96 the number of permanent staff recruited to the central Department and executive agencies, and the cost of that recruitment was as follows:

Year	Numbers recruited	Cost £000
Central Department		
1994–95	37	216
1995–96	17	51
Executive agencies[1]		
1994–95	82	168
1995–96	129	173
HSE		
1994–95	83	266
1995–96	154	145

[1] Excluding the Health and Safety Executive (HSE).

Women (Promotion)

Mr. Donohoe: To ask the Secretary of State for the Environment what measures her Department has implemented during the last 12 months to encourage the promotion of women into senior positions with his Department and its executive agencies; and what progress her Department has made in encouraging the promotion of women over the last five years. [31543]

Sir Paul Beresford: Specific action increasing opportunities for women over the last 12 months includes the issue of guidance to remind staff about the Department's policy on sexual harassment and their rights and responsibilities; detailed analysis of a new internal advertising scheme for job vacancies to ensure that it operates fairly; and the preparation of a leaflet on equal opportunities publicising the Department's policy. Items of particular relevance to women cover flexible working and coping with caring responsibilities; plans to reimburse additional expenses for the care of elderly and infirm dependents when the normal working routine is broken; and as a follow-up to a departmental review and staff attitude survey, a study is being undertaken to consider to what extent long hours working impacts on staff and how it might be reduced.

Most of the above initiatives were taken under the Department's action plan for women published in 1993. Many others have been in place since then or earlier. They include:

(a) a range of equal opportunities training for staff including senior management and women-only developmental training;

(b) flexible and part-time working arrangements;

(c) career breaks with a keeping in touch scheme;

(d) workplace nursery and holiday play scheme arrangements, and provision of reimbursement of additional child care costs incurred when normal working routines are broken;

(e) raising awareness through membership of Business in the Community's Opportunity 2000 campaign and the Parents at Work organisation;

(f) the appointment of equal opportunity liaison officers in each directorate to help promote equal opportunities in the workplace and reflect local needs;

(g) ensuring that wherever possible a woman serves on promotion and selection panels and that these panels take account of equal opportunities issues;

(h) monitoring success rate by gender applies to all stages of recruitment and promotion boards, annual performance and promotability markings, performance pay and bonuses, internal postings and part-time working. Any significant disparities between the success rates of men and women are investigated with a view to making improvements to procedures;

Progress on all equal opportunities measures is reported to the Department's management board annually and the results of the continuous monitoring are made available to all staff. The percentage of women in the Department has increased from 34 per cent. in 1991 to 42 per cent. in April 1996. Currently, 23 per cent. of staff in the top three grades are women exceeding the existing civil service-wide benchmark of 15 per cent.

Coal Industry (Accidents)

Mr. Clapham: To ask the Secretary of State for the Environment what consultations he has had with the Health and Safety Executive regarding the substantial increase in major accidents in the deep coal mining industry for 1995–96. [31930]

Sir Paul Beresford: None. The mines inspectorate of HSE conducts an investigation into all major accidents in the coal industry.

While there has been an increase in serious accidents, the overall trend in reported accidents, including fatalities, continues on a downward trend. Every effort must be made to reduce accidents further, but the UK deep coal mining industry remains one of the safest in the world.

Mr. Clapham: To ask the Secretary of State for the Environment what plans he has to inquire into the management of safety in the deep coal mining industry following the increases in major accident figures in 1995–96. [31929]

Sir Paul Beresford: None. I am satisfied that the mines inspectorate of HSE give proper priority to ensuring the effective management of safety in the deep coal mining industry.

While there has been an increase in serious accidents, the overall trend in reported accidents, including fatalities, continues on a downward trend. Every effort must be made to reduce accidents further but the UK deep coal mining industry remains one of the safest in the world.

Housing and Council Tax Benefits

Mr. Chris Smith: To ask the Secretary of State for the Environment what plans he has to make the payment of housing benefit and council tax benefit in the areas of local authority work to be subject to compulsory competitive tendering. [31972]

Sir Paul Beresford: Our proposals for changes to the framework for compulsory competitive tendering for professional services includes a proposal to raise the percentage of financial services work which must be exposed to competition from 35 per cent. to 65 per cent., and limit the availability of exemptions from CCT for authorities which cannot meet that requirement without exposing benefits work to competition. The legal definition of financial services work includes benefits work and relevant authorities may well choose to expose this work to competition in order to meet their competition requirements.

Mr. Smith: To ask the Secretary of State for the Environment what plans he has in the event of private sector management of the payment of housing and council tax benefits to ensure *(a)* confidentiality of claimant information and *(b)* adequate training in the processing of claims. [31973]

Sir Paul Beresford: Statutory guidance on the conduct of compulsory competitive tendering—DOE circular 5/96—advises that it is for local authorities to specify the work to be done and the standards which must be met. Within this framework, it is for relevant local authorities to ensure that the confidentiality of claimant information is properly protected and that staff who are processing claims have appropriate training.

Further guidance in relation to housing and council tax benefit is contained within DSS circular HB/CTB A2/95.

Private Sector

Mr. Chris Smith: To ask the Secretary of State for the Environment where the private sector has competed for public sector work in the last five years, what percentage of work it has won. [31974]

Sir Paul Beresford: Latest available figures from the November 1995 survey by the Local Government Management Board show that the private sector held 25 per cent. of contracts, by value, tendered by local authorities under the Local Government Act 1988. The Chartered Institute of Public Finance and Accountancy figures for 1994–95 for work tendered under the Local Government, Planning and Land Act 1980 show the private sector holding 56 per cent. of contracts, by value.

Voluntary Contracting Out

Mr. Chris Smith: To ask the Secretary of State for the Environment what response he has made to the conclusion of the report of the Business Services Association in respect of voluntary contracting out, a copy of which has been sent to him. [31975]

Sir Paul Beresford: The Secretary of State agrees with the Business Services Association that many local authorities have failed to secure for their electorates and taxpayers the benefits of private sector provision of public sector services. Voluntary contracting out is one way of securing such benefits. It is pleasing to note that the director general of the Business Services Association has welcomed our proposals for changes to the framework for compulsory competitive tendering of professional services, which we announced on 21 May.

Asbestos

Mr. Pike: To ask the Secretary of State for the Environment how many tonnes of asbestos has been imported into the United Kingdom in each year since 1970. [32031]

Mr. Clappison: This information is not available in the required form. However, it is estimated that imports of asbestos peaked in 1973 at around 195,000 tonnes, and have since declined to around 11,000 tonnes per annum. Imports of blue and brown asbestos ceased in 1972 and 1980 respectively.

Mr. Pike: To ask the Secretary of State for the Environment how many prosecutions have been made since 1970 for breach of asbestos regulations. [32035]

Sir Paul Beresford: Information is readily available only since 1 April 1986. The latest year for which information is available is 1994–95. The number of informations laid under asbestos regulations by inspectors in HSE's field operations directorate since 1 April 1986 is shown in the table:

Regulations	*Informations laid from 1986/87 to 1994/95*
Asbestos Regulations 1969[1]	35
Asbestos (Licensing) Regulations 1983	133
Asbestos (Prohibitions) Regulations 1985[2]	nil
Control of Asbestos at Work Regulations 1987	269
Asbestos (Prohibitions) Regulations 1992	nil

[1] Revoked from 1 March 1988
[2] Revoked from 1 January 1993.

Details of proceedings taken by other enforcing authorities under the Health and Safety at Work, etc. Act 1974 are not readily available.

Mr. Pike: To ask the Secretary of State for the Environment if he will make a statement on the research which he has *(a)* commissioned and *(b)* evaluated on the development of knowledge of the hazardous properties of asbestos. [32033]

Mr. Clappison: The hazardous properties of asbestos are well known and have been extensively researched by my Department. The results of that work and work commissioned by others are well documented in the scientific literature. Recently, the Department of the Environment has been researching the risks to health from exposure to asbestos in the non-workplace environment. The results of this research will be published early next year. Information on DOE's research programme is published biannually in "Research Report, DOE Science". In addition, the Helath and Safety Executive continues its programme of research into the hazards of asbestos and other fibrous materials in the workplace. Information on HSE's research programme is given in its publication "Mainstream Research Market 1996–97". HSE will also shortly publish a review of the toxicology of fibrous materials.

Mr. Pike: To ask the Secretary of State for the Environment how many approvals the Health and Safety Executive has withdrawn for respiratory protective equipment associated with asbestos work since January 1990. [32028]

Sir Paul Beresford: None. However, since July 1995, new respiratory protective equipment has not required the Health and Safety Executive's approval.

Mr. Pike: To ask the Secretary of State for the Environment how much money the Health and Safety Executive has spent on researching measures to prevent exposure to asbestos at the workplace for each year since 1986. [31989]

Sir Paul Beresford: The information requested is not readily available in a disaggregated form. The Health and Safety Executive sponsors a wide-ranging programme of research to underpin its enforcement, technical standard-setting and policy work. Some of this addresses measures to prevent exposure to asbestos specifically, but other parts of it cover more general aspects of exposure control that nevertheless have an impact on controlling exposure to asbestos.

Mr. Pike: To ask the Secretary of State for the Environment how much asbestos is currently estimated to exist in United Kingdom buildings. [31991]

Mr. Clappison: This information is not available in the required form. However, the Department of the Environment has commissioned research to estimate the amount of asbestos in homes. The results of this research will be published early next year.

Mr. Pike: To ask the Secretary of State for the Environment how many notifications of asbestos work have been recorded by the Health and Safety Executive for each year since 1986. [31993]

Sir Paul Beresford: The Health and Safety Executive does not maintain a central record of notifications received by its area offices under the Control of Asbestos at Work Regulations 1987 or under the conditions of licences granted under the Asbestos (Licensing) Regulations 1983. However, a telephone survey of HSE area offices undertaken in December 1995 produced the following figures:

Year	*Notifications received under the conditions of licences granted under the Asbestos (Licensing) Regulations 1983*
1992–93	8,895
1993–94	7,954
1994–95	7,829

Mr. Pike: To ask the Secretary of State for the Environment how many tonnes of asbestos roof tiles were imported into the United Kingdom in each year since 1990. [32030]

Mr. Clappison: This information is not available in the required form. However, it is estimated that around 40 per cent. of the asbestos currently imported into the United Kingdom is used for producing asbestos cement, and this cement is largely used for roofing products and slates.

Mr. Pike: To ask the Secretary of State for the Environment which asbestos products are currently used in building materials. [32034]

Mr. Clappison: White asbestos may be used in building materials apart from those products specified in the schedule to the Asbestos (Prohibitions) Regulations 1992 (SI 3067). In practice, the main current use of asbestos is in asbestos cement roofing products and cladding. The use of blue and brown asbestos was banned in 1986 and this ban was extended to all other forms of amphibole asbestos in 1993.

Mr. Pike: To ask the Secretary of State for the Environment how much money has been provided by the Health and Safety Executive for campaign work aimed at raising *(a)* employee and *(b)* public awareness of the dangers of asbestos for each year since 1990. [31990]

Sir Paul Beresford: The Health and Safety Executive's campaign on raising awareness of the risks from asbestos is aimed at both employees and employers, and so expenditure on campaigns aimed at employees only cannot be distinguished. The expenditure on publicity campaigns addressed to both employers and employees is shown in the table:

Year	*Employers and employees* £
1990–91	nil
1991–92	nil
1992–93	nil
1993–94	nil
1994–95	469,700
1995–96	2,000
1996–97 (to date)	5,500

This does not include internal staff costs, such as action by HSE inspectors. Further expenditure on raising awareness of asbestos amongst employers and employees will be incurred this year during the second phase of HSE's campaign "Good Health is Good Business".

The Health and Safety Executive is not responsible for raising public awareness of the dangers of asbestos, and has therefore incurred no expenditure in this respect. The Department of the Environment published a leaflet for the public on asbestos in housing in 1991 and is currently preparing a revised version of this guidance.

Mr. Pike: To ask the Secretary of State for the Environment in what year *(a)* blue and *(b)* brown asbestos was prohibited from being used as a construction industry material. [32007]

Mr. Clappison: The marketing and use of blue and brown asbestos, and materials containing those minerals, was prohibited under the Asbestos (Prohibition) Regulations 1985 (SI 910) which came into force on 1 January 1986.

Rents

Mr. Llew Smith: To ask the Secretary of State for the Environment what has been the annual average rent increase for (i) developing housing associations, (ii) council and (iii) private tenants since 1988. [32039]

Mr. Clappison: The available information is that council rents increased at an average annual rate of 10.7 per cent. per annum between April 1988 and April 1995, and private rents by an average of

15 per cent. per annum between 1988 and 1994–95. These increases make no allowance for changes in the mix of property quality and type over the period.

The estimate for private tenants is from the family expenditure survey and, like all estimates from sample surveys, is subject to sampling variability.

Information is not available centrally on rent increases by developing housing associations for periods prior to March 1993.

Health and Safety Executive

Mr. Pike: To ask the Secretary of State for the Environment how many times the director general of the Health and Safety Executive has met members of the deregulation unit during *(a)* 1994, *(b)* 1995 and *(c)* 1996. [31988]

Sir Paul Beresford: The current director general of the Health and Safety Executive, Miss Jenny Bacon, took up post in July 1995. Since then she has met members of the Cabinet Office deregulation unit—CODU—on two occasions. She has also been to two other meetings where members of CODU have been present. Information about meetings prior to this is not available.

Respiratory Protective Equipment

Mr. Pike: To ask the Secretary of State for the Environment how many research projects the Health and Safety Executive has funded in the past five years which analysed the effectiveness of respiratory protective equipment. [31992]

Sir Paul Beresofrd: Ten.

Mr. Pike: To ask the Secretary of State for the Environment which respiratory protective equipment has been identified to give less protection than claimed by the manufacturer in research projects funded by the Health and Safety Executive in the last five years. [32008]

Sir Paul Beresford: Research projects funded by the Health and Safety Executive in the last five years have examined the field performance of respiratory protective equipment, including full-facepiece powered respirators, compared with their performance in laboratory-based tests. The HSE is not aware that manufacturers claim that respiratory protective equipment will always meet in practice the standard of protection that can be achieved in laboratory tests, so it is not possible to say from the HSE's research which respirators given less protection than that claimed.

The HSE has for some time advised users of respirators that they should not rely on laboratory-derived information alone when choosing appropriate respiratory protective equipment.

Health and Safety Commission

Mr. Pike: To ask the Secretary of State for the Environment how many consultation documents the Health and Safety Commission has published for public consultation in each year since 1988. [32029]

Sir Paul Beresford: The figures requested are set out in the table:

Calendar year	*Number of Consultation documents*
1988	8
1989	15
1990	8
1991	13
1992	13
1993	16
1994	13
1995	16
1996	10

Housing Associations

Mr. Llew Smith: To ask the Secretary of State for the Environment what studies his Department has undertaken to evaluate the comparative efficiency of tenant-managed housing associations. [31984]

Mr. Clappison: Ten case studies comparing tenant management organisations with locally matched social housing managed by local authorities and housing associations were carried out between 1991 and 1994. A report, "Tenants in Control: an evaluation of tenant led housing management organisations", was published last September. A copy is available in the House of Commons Library.

Mr. Smith: To ask the Secretary of State for the Environment what is his policy on investments by housing associations in derivatives. [31985]

Mr. Clappison: Housing associations are allowed to use derivatives only in order to reduce risk and, in particular, the risk of interest rates fluctuating. Each derivative transaction must match a corresponding identified risk. Speculation is not permitted. Guidance on investment in derivatives by housing associations is set out in Housing Corporation circular 11/95.

Working Times

Mr. Pike: To ask the Secretary of State for the Environment if he will list the circumstances in which a 12-hour working shift would be considered a risk to health and safety. [32032]

Sir Paul Beresford: Employers are required to carry out assessments to identify the risks to the health and safety of their employees, including any which might result from working hours. There is no definitive list of circumstances where working 12 hours shifts might be considered a risk to health and safety, but employers might consider factors such as the nature of the work, its physical or mental demands, the level of concentration required and whether it is safety critical.

Rents

Mr. Llew Smith: To ask the Secretary of State for the Environment what was the annual average rent increase for non-developing housing association tenants in each year since 1988 in *(a)* cash and *(b)* real terms. [32040]

Mr. Clappison: This information is not held centrally.

Equal Opportunities

Mr. Bernie Grant: To ask the Secretary of State for the Environment (1) what estimate he has made of the number of new black and minority ethnic construction firms or consultancies which *(a)* have been able to start up and *(b)* develop further, from the projects that have been funded in inner-city areas; [31962]

(2) what estimate he has made of the number of black and minority ethnic construction firms or consultancies which the banks have assisted in (i) the last financial year and (ii) in the last five years; [31963]

(3) how many black and minority ethnic construction firms or consultancies, as defined by the Commission of Racial Equality, are on the approved contractors list of local authorities in London. [31964]

Mr. Clappison: No data are available centrally to answer these questions.

Mr. Grant: To ask the Secretary of State for the Environment how many black and minority ethnic construction firms or consultancies (i) are currently and (ii) are planned to be engaged in capital projects under *(a)* round 1 single regeneration budget challenge fund projects in London and *(b)* round 2 single regeneration budget challenge fund projects in London. [31965]

Sir Paul Beresford: The information requested is not available. Partnerships are required in the grant offer letter not to discriminate unlawfully against any person on the grounds of sex or race.

Mr. Grant: To ask the Secretary of State for the Environment what steps he has taken to ensure that black and minority ethnic businesses are able to compete successfully as part of the single regeneration budget challenge fund programme in London and the regions. [31966]

Sir Paul Beresford: The SRB challenge fund bidding guidance clearly states that bids for funding must be supported by partnerships representing all those with a key interest, including ethnic minority communities. Challenge fund objectives also address the need to involve ethnic minorities; these include enhancing the employment prospects, education and skills of local people, particularly the young and those at a disadvantage, promoting equality of opportunity and promoting initiatives of benefit to ethnic minorities.

Over a third of successful SRB challenge fund schemes in the first two bidding rounds are specifically targeted at ethnic minorities. In addition, over 60 per cent. of successful round 2 schemes will include outputs for which ethnic minorities are intended beneficiaries.

Mr. Grant: To ask the Secretary of State for the Environment what steps are being taken to monitor the success of local authority equal opportunities policies, with particular reference to the awarding of contracts for capital projects under the single regeneration budget challenge fund programme in London and in the regions. [31967]

Sir Paul Beresford: No formal monitoring of equal opportunities policies is carried out. Local authorities are required to comply with the law relating to equal opportunities. In the specific case of the SRB challenge fund, all successful partnerships are made aware of the need to comply with this law in the grant offer letter and are directed to the codes of practice issued by the Commission for Racial Equality and the Equal Opportunities Commission for further advice.

Mr. Grant: To ask the Secretary of State for the Environment what percentage of the single regeneration budget—SRB—challenge fund *(a)* has been paid to and *(b)* is planned to be paid to black and minority ethnic construction firms or consultancies in (i) round 1 SRB challenge fund year by year in London and (ii) round 2 SRB challenge fund year by year in London. [31968]

Sir Paul Beresford: The information requested is not available.

Thamesmead Town Ltd.

Mr. Austin-Walker: To ask the Secretary of State for the Environment how many properties have been sold to tenants of Thamesmead Town Ltd. who had the preserved right to buy. [32455]

Mr. Clappison: Thamesmead Town Ltd. has sold 860 residential properties and 11 garages to tenants who had the preserved right to buy.

Mr. Austin-Walker: To ask the Secretary of State for the Environment how many properties have been sold by Thamesmead Town Ltd. since the company took over from the London residuary body; and what was the figure for capital receipts for each year. [32456]

Mr. Clappison: The number of properties sold by Thamesmead Town since the company took over from the London residuary body is as follows:

	Number
Residential land sales	11
Industrial land sales	2
Right to buy units sold	860
Garages sold	12
Equity share property sold	1
Void property sold	1

Capital receipts for each year were:

1987–88: £2,878,000

1988–89: £10,155,000

1989–90: £5,350,000

1990–91: £1,546,000

1991–92: £876,000

1992–93: £1,251,000

1993–94: £3,165,000

1994–95: £1,496,000

1995–96: £768,000

Mr. Austin-Walker: To ask the Secretary of State for the Environment what level of public subsidy Thamesmead Town Ltd. has received either in cash or reliefs, allowances or benefits in kind since its creation. [32457]

Mr. Clappison: Since its creation, Thamesmead Town Ltd. has received the following public subsidy:

Urban Programme (received via the London Borough of Greenwich)
(a) Additional pavements, Titmus avenue

	£
Grant	35,278
Thamesmead Town	11,760
Total	47,038

(b) Play area, Hawksmoor youth club

	£
Grant	20,000
Thamesmead town	22,000
Total	42,000

(c) Additional pavements in Bentham road were provided by the London borough of Greenwich, cost not available.

Derelict Land Grant (received via the London borough of Greenwich)
(a) Landscaping and removal of fly-tipping, East Thamesmead business park

	£
Grant	30,000
Thamesmead town	45,000
Total	75,000

(b) Landscaping work and removal of fly-tipping, Eastern way verge in Birchmere park carried out on behalf of the London borough of Greenwich. Total cost £65,000.

Urban Partnership Fund
West Thamesmead business park improvements

Source of funds	£
London borough of Greenwich	40,000
Thamesmead town	95,000
Business Park companies	44,500
Thames Water Utilities Ltd.	15,000
Sub-total	194,500
Urban Partnership Fund	165,000
Scheme total	359,500

Environmental improvements to Maran Way

	£
Grant from Bexley London borough	30,000
Thamesmead Town	45,000
Total	75,000

Thames Cycle Route

Work carried out from Abbey sluice to Crossness sewage works on behalf of Bexley London borough and Sustrans. Total cost £32,500.

Outside Toilets

Mr. Tony Lloyd: To ask the Secretary of State for the Environment how many residential properties *(a)* in England and *(b)* in the local authority area of Manchester and Trafford still depend on outside toilets. [32515]

Mr. Clappison: Figures for the number of residential properties with outside toilets are not available at local authority level. The census does, however, give figures for households. These will be slightly higher because a property can contain more than one household. The 1991 census found 78,640 households living in dwellings with no inside WC. Of these, 911 households lived in Manchester and 180 in Trafford.

Merseyside Property Development Fund

Mrs. Jane Kennedy: To ask the Secretary of State for the Environment when he expects the Merseyside property development fund to commence operation; what are the main aims of the fund; and how much is being invested in the fund by each of its partners. [31824]

Sir Paul Beresford *[holding answer 7 June 1996]:* The proposal for a Merseyside property development fund is being developed by English Partnerships in discussion with other objective 1 partners. The objective of the fund would be to encourage greater private sector investment in the Merseyside property market.

The applicant is exploring appropriate structures and financing mechanisms. It is envisaged that there will be funding from EP, objective 1 European regional development fund, and the private sector. Due to the complex nature of the proposals, it is difficult to forecast when the fund will be operational.

TRANSPORT

Port of Tyne Authority

Mr. Allen: To ask the Secretary of State for Transport if he will ask those who made written representations in respect of the proposed privatisation of the Port of Tyne authority if it has any objections to these being placed in the Library. [31311]

Mr. Norris: I understand that the Port of Tyne authority has already asked those who made representation whether they have any objection to the details being so deposited.

Highway Improvement Schemes

Mr. Llew Smith: To ask the Secretary of State for Transport if he will make a statement on the cost evaluation techniques used by his Department for major highway on-line improvement schemes with particular reference to the range of costs associated with the maintenance of traffic flows; and what reliability tests are applied to these evaluations. [32037]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Llew Smith, dated 12 June 1996:

The Secretary of State for Transport has asked me to reply to your recent question concerning the cost evaluation techniques used for major on-line improvement schemes.

The Agency uses similar economic evaluation techniques for all the schemes in the Road Programme whether they be a bypass on a new alignment or an on-line widening. This involves the assessment of all the capital and maintenance costs of the scheme and the benefits to road users in reduced congestion and accident savings over a 30 year period. All these costs and benefits are discounted to a common price base and present value year to give a Net Present Value for the scheme.

Traffic forecasts for such a long period into the future are naturally subject to uncertainty because of the effects of factors such as the price of fuel and the future economic performance of the country (in terms of GDP) for which assumptions have to be made. The Department of Transport has, for some time, recognised this uncertainty and publishes "high growth" and "low growth" national traffic forecasts, representing the range of what is likely to happen. These forecasts are incorporated into the Department of Transport's COBA (Cost Benefit Analysis) computer program which is used to assess the day to day benefits in terms of time saving, fuel savings and accident reductions. The enclosed booklet "GETTING THE BEST ROADS FOR OUR MONEY" describes the basic principles.

The cost of delays and accidents during construction and maintenance works over a 30 year period are assessed using the Department of Transport's QUADRO (Queues And Delays at Roadwork) computer program. This program assesses the cost of delays in terms of increased fuel cost, vehicle occupants' time and accidents. It can take account of different traffic management arrangements, e.g. number of lanes closed, length etc. including the availability of a suitable diversion route.

All appraisals are scrutinised by Departmental or Agency staff as agreed by the Department.

The parameters and values used in the computer programs are based on research and updated when necessary. The Highways Agency's Research Programme includes projects which have the objective of improving network safety and efficiency by reducing delay and accidents at roadworks. In the current financial year the following projects may produce benefits in this area:-

Study of Accidents and Incidents at Roadwork

This study will update the current information about the causes, types and frequencies of accidents and incidents at roadwork and may identify improvements to the techniques used.

Merging Traffic at Roadwork

This research will provide information about possible ways of improving the capacity at merge points resulting from lane closures.

If this work produces information that could affect the calculations in QUADRO or COBA the results will be passed to the Department's Central Transport Group for incorporation into the computer programs.

London Underground

Mr. Soley: To ask the Secretary of State for Transport what guarantees against the failure of the power supply to London Underground his Department has required, and from which parties, following the tendering exercise. [31977]

Mr. Norris: None. This is an operational matter and any such guarantees will be a matter for discussion in due course between London Underground and the preferred bidder for its Power PFI project.

Mr. Soley: To ask the Secretary of State for Transport (1) if staff members' pensions will be restored to their original value in the event of a failure of a contractor to meet the standards required by London Transport in supplying electrical power to the underground and that contract being returned to London Underground; [31979]

(2) if staff pensions will be preserved when transferred to companies bidding for the power supply to London Underground. [31978]

Mr. Norris: I understand that London Underground will require the chosen contractor under its Power PFI project to offer the staff who will transfer to him pension arrangements which are broadly comparable with the existing London Transport pension scheme. In the event that a contractor defaulted and the relevant staff transferred back to London Underground until a new contract could be let, it is likely that they would temporarily rejoin the LT pension scheme.

Swedish Minelayer

Mr. Allason: To ask the Secretary of State for Transport how the Marine Safety Agency determined the ownership of the former Swedish minelayer MUL 16. [32209]

Mr. Norris: I have asked the chief executive of the Marine Safety Agency to write to my hon. Friend.

Letter from R. M. Bradley to Mr. Rupert Allason, dated 12 June 1996:

The Secretary of State for Transport has asked me to reply to your question about the ownership of the former Swedish minelayer MUL 16.

The ownership of MUL 16 has not been determined by the Marine Safety Agency (MSA). In my letter to you of 16 February I explained that the Registrar General of Seamen and Shipping was awaiting a number of documents, including proof of ownership before proceeding with the registration of this vessel. The necessary information has not been obtained to enable the ownership of MUL 16 to be determined in accordance with the Merchant Shipping (Registration of Ships) Regulations 1993, as amended.

Glasgow Vehicle Registration Office

Mrs. Dunwoody: To ask the Secretary of State for Transport on what basis the appeal board in the recent trawl for executive officers in the Glasgow vehicle registration office turned down candidates on appeal when those candidates had shown that the information given to the original sift panel was incorrect and produced additional information to support their applications. [32439]

Mr. Norris: The original sift board had already taken a balanced view of the inconsistencies that it had identified between certain comments on some of the trawl application forms and the wider evidence available to it for reviewing at least three years' annual staff reports and the attendance records of all applicants.

The letter sent to unsuccessful candidates failed to make this clear. These should have explained that, given the high level of competition—15 candidates for two vacancies—only applicants with the strongest claim had been shortlisted for interview. Unfortunately, would-be appellants were instead led to believe that recent

comments of their line manager on their application forms had been paramount in deciding not to call them for interview.

The appeals board considered appeals from eight applicants, but in all but one case there was no significant new information which the original sift board had not already taken into account. The original shortlist of applicants to be interviewed increased from five to six.

Subsequently, at a meeting sought by officials of the Civil and Public Services Association on 3 June, the procedures of the sift and appeals board were explained to the satisfaction of those present. Exceptionally, it was agreed to increase the number of candidates to be interviewed for the two vacancies from six to eight, and a detailed letter of explanation was sent to the CPSA national official for distribution to his members at Glasgow vehicle registration office.

Mrs. Dunwoody: To ask the Secretary of State for Transport what criteria were used by the sift panel in the recent trawl for executive officers in the Glasgow vehicle registration office. [32440]

Mr. Norris: The sift panel considered 15 applications for the two executive officer vacancies at Glasgow vehicle registration office. It reviewed the information on the trawl application forms against the evidence of the applicants' annual staff reports and attendance report to establish those whose skills and personal qualities best matched the job descriptions in the trawl notice. The shortlist of five applicants originally selected for interview included two established executive officers from outside the VRO, as well as three administrative officers from within seeking to fill the vacancies on promotion.

Deaf Drivers

Mrs. Dunwoody: To ask the Secretary of State for Transport what steps the Driving Standards Agency has taken to ensure that deaf candidates are not at a disadvantage when undertaking the practical part of the driving test. [32404]

Mr. Norris: The DSA has well-established procedures to assist deaf or hard-of-hearing candidates to take the driving test. The test application form invites persons with special needs, such as hearing difficulties, to draw this to the attention of the booking office when making an appointment, and the booking office will arrange for more time to be allocated in which to conduct the test. This allows examiners extra time to explain the test procedures, either using printed materials or by the candidate lip-reading.

Safety Advisers

Mrs. Dunwoody: To ask the Secretary of State for Transport what training is given to safety advisers in his Department and in each of his Department's agencies. [32437]

Mr. Norris: Staff advising on health and safety matters study for certificates of competence issued either by the National Examination Board in Occupational Safety and Health or by the Royal Society for the Prevention of Accidents.

Driving Examiners

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will place in the Library a copy of the Driving Standards Agency training package for new entrant driving examiners. [32341]

Mr. Norris: I have arranged for a copy of the briefing package given to all new driving examiners when starting their training to be placed in the Library today.

M25

Mr. Allen: To ask the Secretary of State for Transport if plans to widen the M25 motorway between junctions 12 and 15 will be subject to a public inquiry. [32281]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Graham Allen, dated 12 June 1996:

The Secretary of State for Transport has asked me to reply to your recent question about a public inquiry into the recently published proposals for widening the M25 between Junctions 12 and 15.

The period for comment on the Environmental Statement ends on 3 July. All the comments received will be taken into consideration before the Secretary of State for Transport make his decision on the way forward. This scheme would be constructed entirely within the existing highway boundary. There are no statutory orders and therefore no statutory requirement for a public inquiry.

Light Dues

Mr. Austin Mitchell: To ask the Secretary of State for Transport if light dues are levied on European Community vessels in British waters. [32472]

Mr. Norris: Yes.

Mr. Mitchell: To ask the Secretary of State for Transport how much was raised by the light dues system from *(a)* commercial vessels over 20 tons, *(b)* pleasure craft over 20 tons, *(c)* tugs over 10 m in length, and *(d)* fishing vessels over 10 m in length in each of the last five years; and what is his estimate for the next financial year. [32530]

Mr. Norris: The information is as follows:

1991–92

(a) £45,524,904

(b) £30,013

(c) £131,040

(d) £1,177,260

1992–93

(a) £58,485,221

(b) £33,687

(c) £124,353

(d) £1,215,798

1993–94

(a) £62,817,801

(b) £4,860

(c) £139,987

(d) £1,344,873

1994–95

(a) £63,402,714

(b) £3,556

(c) £141,495

(d) £1,237,731

1995–96

Provisional figures pending preparation of final accounts

1996–97

Estimated

(a) £63,000,000

(b) Nil

(c) £110,000

(d) £1,000,000

First Aiders

Mrs. Dunwoody: To ask the Secretary of State for Transport whether employees of his Department or agencies within his responsibility who volunteer to carry out first aid duties are remunerated. [32438]

Mr. Norris: No, with the exception of first aiders in the Driver and Vehicle Licensing Agency who receive a small allowance on satisfactory completion of first aid training.

Aviation Safety (Turkey)

Mrs. Dunwoody: To ask the Secretary of State for Transport what advice he sought from the Civil Aviation Authority on safety matters before granting a permit to Monarch Airlines Ltd. to wet-lease a TriStar aircraft registered in Antigua for a flight from the United Kingdom to Turkey on 19 May. [32279]

Mr. Norris: None.

Mrs. Dunwoody: To ask the Secretary of State for Transport what discussions he had with the Civil Aviation Authority over granting a waiver to Monarch Airlines Ltd. to lease a TriStar aircraft registered in Antigua for a flight from the United Kingdom to Turkey on 19 May under article 8.3 of European Council legislation 2407/92; and if such a waiver was granted. [32280]

Mr. Norris: None. A waiver was granted for the flight.

Mrs. Dunwoody: To ask the Secretary of State for Transport what assessment his Department has made of the effectiveness of the civil aviation authority in Turkey. [32278]

Mr. Norris: None. Turkey is now a signatory to the joint aviation authorities arrangements and has committed itself to the implementation of all joint aviation requirements. These are generally more stringent than the minimum standards of the International Civil Aviation Organisation. Turkey's national aviation authority will be assessed by the joint aviation authorities as part of the procedures for full membership. If any shortcomings are identified they will be addressed.

Commercial Vehicles (Disabled People)

Mr. Gordon Prentice: To ask the Secretary of State for Transport if he will make it his policy to ensure that vans and other commercial vehicles adapted to carry people with disabilities for their own personal use do not attract insurance premiums at rates applying to commercial vehicles. [32235]

Mr. Norris: The setting of insurance premiums is a commercial matter for the insurance industry. When the appropriate provisions come into force, the Disability Discrimination Act 1995 will prevent insurance companies from practising gratuitous discrimination by charging disabled people unjustifiable additional premiums. My Department is not aware of any cases of insurance companies charging disabled people business rates of insurance for converted commercial vehicles which are only used privately.

PTC Grades Pay Bill

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will provide the estimated outturn of the Public Service and Tax Commerce Union grades base pay bill for this financial year. [32441]

Mr. Norris: The estimated outturn for the PTC grades base pay bill in the central transport group for the current financial year is not yet known as pay negotiations for the 1996–97 PTC pay settlement are still in progress. The estimated outturn excluding the pay settlement is £14.5 million.

Vehicle Registration Offices (Lighting)

Mrs. Dunwoody: To ask the Secretary of State for Transport what action has been taken to remedy the lighting deficiencies at the vehicle registration offices in the Driver and Vehicle Licensing Agency's Scotland and North area. [32436]

Mr. Norris: The lighting deficiencies in the Scotland and North vehicle registration offices have been identified. A plan of action has been drawn up which will enable all deficiencies to be rectified by the end of October 1996.

Traffic Area Office (Cardiff)

Mr. Jon Owen Jones: To ask the Secretary of State for Transport what assessment he has made of the role played by the traffic area office in Cardiff in the field of road safety and environmental protection in south Wales; and if he will make a statement. [32351]

Mr. Norris: I refer to my reply to my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) on 10 June, *Official Report*, column *30*. The contribution to road safety and environmental protection of any one traffic area office cannot be separately assessed.

Driving Standards Agency

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) what health and safety training is undertaken by *(a)* senior driving examiners, *(b)* supervising driving examiners, *(c)* assistant chief driving examiners, *(d)* deputy chief driving examiners and *(e)* chief driving examiners as part of their supervisory training; [32338]

(2) what subsequent *(a)* assessments and *(b)* reviews have been conducted by the Driving Standards Agency on their health and safety risk assessments of the driving examiner grade; [32342]

(3) what large goods vehicles, passenger carrying vehicles and motor cycle testing duties were included in the risk assessment carried out for the driving examiner grade; [32331]

(4) if he will place in the Library a copy of the first draft of the risk assessment for the driving examiner grade; [32332]

(5) if he will list the driving test centres that have been closed *(a)* permanently and *(b)* temporarily over the last 12 months as a result of health and safety problems; and which driving test centres are currently being considered for closure; [32344]

(6) if the risk assessment for driving examiners included assaults on staff; [32401]

(7) how many recorded assaults there have been in each of the last three years on driving examiners; and how many driving test candidates have been prosecuted for such assaults in the same period; [32345]

(8) what measures are taken by the Driving Standards Agency to protect driving examiners from injury; [32340]

(9) if he will list for the last three years the dates of the health and safety inspections carried out at the Driving Standards Agency training centre at Cardington; [32348]

(10) if he will list the dates when the Driving Standards Agency health and safety committee has met over the last 12 months; [32443]

(11) on what basis it was decided not to provide first aid training for driving examiners; [32444]

(12) how many inspections of premises occupied by the Driving Standards Agency have been made to ascertain the presence of radon gas; [32339]

(13) which driving test centres in the Midlands and Eastern areas have had health and safety inspections carried out in the last two years; [32347]

(14) how many fax machines have been stolen from driving test centres, from which centres they were stolen; if they were insured; and if they were security marked; [32346]

(15) if he will list by location the driving test centres where the staffing complement has been increased to meet the demand for driving tests prior to the introduction for the theory test. [32442]

Mr. Norris: I have asked the Chief Executive of the Driving Standards Agency to write to the hon. Member.

Letter from Laraine Manley to Mrs. Gwyneth Dunwoody, dated 12 June 1996:

PQS RE: DSA'S HEALTH AND SAFETY PROCEDURES

The Secretary of State for Transport has asked me to reply to your recent questions about the Agency's Health and Safety procedures, staffing complements and security at driving test centres.

32338

Health and safety guidance to all Agency staff is implemented primarily by Health & Safety Advice Notes. These are drafted in consultation with the managers concerned and Trades Unions. The last three Senior Driving Examiner refresher courses, conducted during 1994 and 1995, included a unit given by the DSA Health Safety & Working Environment Unit, and this will continue with future such courses.

32342 and 32331

The original driving test risk assessment focused on car tests only, as these account for most of the Agency's testing activities. An assessment was carried out during 1993/94 and the results were promulgated in May 1994.

Since then the following risk assessments have been conducted:

(a) risks arising from the wearing of motorcycle radios on test was undertaken in September 1995 and resulted in guidance being issued in November 1995.

(b) risks to driving examiners arising from vehicle pollution was undertaken in autumn 1995 and resulted in guidance being issued in January 1996.

(c) a Female Driving Examiner Breast Trauma risk assessment is currently subject to consultation with the Trade Unions.

(d) a large goods vehicle/passenger carrying vehicle risk assessment was completed in May 1996 and a draft report will be sent shortly to the Trade Unions for comment.

(e) a motorcycle testing risk assessment will commence shortly.

32332

The report of the driving test risk assessment was placed in the House of Commons Library in February 1996. Like any important document, a Health & Safety assessment report requires quality assurance and consultation with interested parties before its findings can be considered robust. I think it would be misleading to interested parties to publish preliminary drafts of such a report.

32344

The following driving test centres have been closed as a result of health and safety problems during the last 2 years:

(a) Permanently: Chaddesden (in Derby); Bounds Green (in London).

(b) Temporarily: Cardiff East; South Norwood Road (in London).

There are no further closures planned at this time.

32401 and 32345

The original driving test risk assessment, issued in May 1994, did not include reference to assaults on staff. The Agency has developed an Assaults Policy separately. Advice about assaults was issued to all staff in February 1995 following consultation with Trade Unions.

DSA does not have a record of prosecutions or convictions of candidates over the last three years. Since February 1995 there have been 14 physical and 103 verbal assaults report.

32340

Driving Standards Agency takes all reasonably practicable measures to protect Driving Examiners from injury by the following methods:

(a) providing an Agency Health and Safety at Work Policy.

(b) control of local Health and Safety matters by senior staff.

(c) providing written Health and Safety advice in the form of a Health, Safety and Working Environment manual for each location.

(d) empowering Driving Examiners to cancel or terminate tests if vehicles presented are in a dangerous condition.

(e) undertaking and making available risk assessments for working practices, associated risks and premises.

(f) training all new entrant driving examiners in a safe system of work and including Health & Safety modules in refresher training.

(g) ensuring adequate supervision.

(h) ensuring that new arrivals to all locations are briefed on emergency procedures and local risk control measures on their first day in that location by their line managers.

(i) visits from the Health and Safety Unit.

32348

Formal Health and safety inspections were carried out by the Health, Safety and Working Environment Unit in November 1993, October 1994 and July 1995. Members of this Unit visit Cardington each month and carry out informal inspection.

32443

The Driving Standards Agency Health and Safety Committee has not managed to meet over the last 12 months owing to difficulties findings a date that suited the Trades Union representatives.

32444

Following consideration about first aid training for staff at driving test centres, it was decided that each centre would have one first aid appointed person, retrained every three years, but there was no need for cover during temporary absences.

32339

The Agency does not consider that such inspections are necessary.

32347

The Driving Standards Agency Health, Safety and Working Environment Unit have visited 17 driving test centres in the Midlands and Eastern Area; 3 have been visited twice. The Agency's Midlands and Eastern Area management have carried out 12 Health and Safety visits during the last 2 years.

32346

Fax machines were introduced into driving test centres in May 1995. Since that time, 18 machines have been reported stolen, from the following offices—Coventry, Crawley, Eastbourne, Gosforth, Grimbsy, Inverurie, Keighley, Kidderminster (twice), Neath, Norwood, Rotherham (twice), Wallasey and Washwood Heath (three times).

In keeping with general Government policy these machines were not insured. Nor were they security marked. The Agency, however, did keep a record of the serial numbers and these details were passed to the police when the thefts were discovered.

DSA is currently considering options for improving general security at driving test centres.

32442

The surge in demand for driving tests prior to the introduction of the theory test is expected to be a temporary phenomenon, so the Agency has not altered its formal staffing complements per test centre. It has, however, increased its examiner workforce in the face of this increase in demand for tests. Over the last 5 months 97 contract examiners have been allocated to centres to conduct practical driving tests, and these will be joined by another 135 shortly. These are employed on a contractual basis and will be used as and when required to increase test capacity. The Agency will be closely monitoring the position to ensure that we have sufficient flexibility to increase capacity further if required.

I attach a list which shows, by area, the allocation of these extra staff to each test centre.

Industrial Tribunals

Mr. Ian McCartney: To ask the President of the Board of Trade (1) how many people were nominated by the Local Government Management Board to serve as temporary lay members of the London North industrial tribunal between 14 November 1994 and 24 October 1995; [32017]

(2) how many people who were nominated by the Local Government Management Board to serve as temporary lay members of the London North industrial tribunal between 14 November 1994 and 24 October 1995 were subsequently appointed. [32018]

Mr. John M. Taylor: Organisations were not asked to nominate candidates for temporary appointment to the London North industrial tribunal in November 1994. Instead, temporary members were chosen from suitable applicants who had been put forward in 1992 but not selected. In 1992, five candidates nominated by the London Government Management Board were considered suitable but were nevertheless not appointed as lay members because other candidates were better qualified. All five were considered for temporary appointment to London North in November 1994 and four were subsequently appointed.

Lower Vickers Street, Miles Platting

Mr. Tony Lloyd: To ask the Secretary of State for Transport when the draft order was published relating to the closure of Lower Vickers street in Miles Platting; what plans he has to order a public inquiry; and if he will make a statement on the timetable or implementing the order. [32550]

Mr. Norris: The draft order was published on 11 December 1995 and a public inquiry has been arranged for 3 September 1996. We expect that the inspector will make the report six to eight weeks after the inquiry. If he recommends that the Secretary of State should make the order, a decision letter could be published within four to six weeks, and the order made about two weeks later. The roads in question could then be closed at any time during the period of planning consent granted by the local authority to the developer concerned.

TRADE AND INDUSTRY

Inward Investment

Mrs. Beckett: To ask the President of the Board of Trade what percentage of inward investment in 1995 was due to the acquisition, takeover or merger of a United Kingdom company by overseas investors. [31370]

Mr. Lang *[holding answer 7 June 1996]:* In 1995, acquisitions, takeovers and mergers accounted for around 25 per cent. of foreign direct and portfolio investment into the UK, based on UK balance of payments data.

Parliamentary Questions

Mr. Donohoe: To ask the President of the Board of Trade (1) pursuant to his answer of 28 March, *Official Report*, column *733*, how much his Department estimated it would have cost to provide the information requested; [31451]

(2) pursuant to his answer of 22 March, *Official Report* column *366*, how much his Department estimated it would have cost to provide the information requested. [31445]

Mr. John M. Taylor: More than £450, the current threshold above which answers are deemed to incur disproportionate cost.

Women (Promotion)

Mr. Donohoe: To ask the President of the Board of Trade what measures his Department has implemented during the last 12 months to encourage the promotion of

women into senior positions with his Department and its executive agencies; and what progress his Department has made in encouraging the promotion of women over the last five years. [31535]

Mr. John M. Taylor: Promotions to the senior civil service of the DTI in the past year have been minimal because of staff reductions following the implementation of the Department's senior management review. Of the four promotions that did take place, two were women.

In other grades, under both centrally managed promotion boards that operated before September 1994 and the promotion to post system now in operation, all staff involved in selection decisions have been trained in selection techniques and in avoiding discrimination. Also, all internally advertised posts offering promotion are open to part-timers unless the post is clearly unsuitable for part-time work. In the first year of the new promotion procedures, female applicants were more likely than male applicants to be selected for promotion. Over the past five years, 3.7 per cent. of female staff outside the senior civil service have been promoted compared to 3.4 per cent. of male staff.

I have asked the chief executive of DTI agencies to respond direct to the hon. Member in respect of the second part of the question.

Letter from Jim Norton to Mr. Brian Donohoe, dated 12 June 1996:

I have been asked to reply to the second part of your question on behalf of the Radiocommunications Agency.

To ask the President of the Board of Trade what measures his Department has implemented during the last 12 months to encourage the promotion of women into senior positions with his Department and its Executive Agencies and what progress his Department has made in encouraging the promotion of women over the last five years.

The Agency received delegated responsibility for equal opportunity matters from DTI in October 1994. As part of the Agency's first programme of action on equal opportunities all members of the Agency central promotion board for engineering and technical grade staff took part in a one day refresher seminar on interviewing techniques with special emphasis on equal opportunity issues and best practice.

Since September 1994 promotion in the administration group has been by promotion to specific (advertised) posts. Each individual promotion board is chaired by a representative of the Agency's personnel directorate who have had training in selection and interviewing techniques, which cover equal opportunities and best practice to avoid discrimination. The Agency also has a pool of line managers who have received similar training and who act as an independent members on each individual promotion board.

From its monitoring, the Agency has identified the relative under representation in the Agency of women in Grades EO—SEO when compared to DTI centrally. Examination of the possible reasons for this relative under representation forms part of the Agency's 1996 programme for action on equal opportunities.

Letter from Peter Joyce to Mr. Brian Donohoe, dated 12 June 1996:

The President of the Board of Trade has asked me to reply to your question about the promotion of women in The Insolvency Service.

Mr. John Taylor MP has replied to you, on behalf of the President of the Board of Trade, with regard to employees in the DTI. Promotion of women into senior positions within The Insolvency Service is included in Mr. Taylor's reply.

Until 1994, the majority of staff were selected for promotion through DTI managed promotion boards. In August 1994, responsibility for promotion up to Grade 6 level was delegated to The Insolvency Service. It is a requirement of the delegation that at least one member of staff involved in selection decisions is suitably trained and certificated. The Service's training for promotion panel members covers equal opportunities issues and best practice to avoid discrimination. All posts advertised on promotion are open to people on a career break, maternity leave and part-timers, unless the post is considered to be unsuitable for part-time work.

Monitoring of the first year since delegation shows that female applicants were marginally more likely than male applicants to be selected for promotion. During the past five years, 5.6% of female staff have been promoted compared to 5.2% of male staff.

Letter from Zélie Armstrong to Mr. Brian Donohoe, dated 12 June 1996:

The President of the Board of Trade has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about promotion of women.

The first part of your question will be answered centrally by the Department. On the second part, this Agency's policy is consistent with that followed by the Department in that all staff have always had an equal opportunity to apply for all vacancies for which they are eligible.

Letter from Paul Hartnack to Mr. Brian Donohoe, dated 12 June 1996:

I am replying in relation to the Patent Office to your Parliamentary Question to the President of the Board of Trade about the promotion of women into senior positions in the Department of Trade and Industry and its executive agencies.

The senior management of the Patent Office includes one woman, the Assistant Registrar of Trade Marks. Most of the other senior positions in the Patent Office are held by professional patent examiners, the grades of Principal Examiner and Superintending Examiner being broadly equivalent to Grade 5 in the general civil service. Promotion to these grades is by internal advertisement followed by interview and appointment is on merit. Over the last 12 months, due to retirement, nine vacancies at Principal Examiner and above have arisen, two of which have been filled by women. Of the 32 staff who applied for these vacancies, four were women.

The Patent Office belongs to Opportunity 2000 in its own right and steps it has taken to encourage women to undertake careers in the Office include sponsorship of two women at Cardiff and Southampton universities who are studying science subjects.

Letter from John S. Holden to Mr. Brian Donohoe, dated 12 June 1996:

I have been asked by the President of the Board of Trade to respond to your parliamentary question 95/2453 concerning the promotion of women into senior positions within Companies House.

As an Executive Agency within the DTI, we generally follow initiatives implemented within the Department. However, you might wish to know we received delegated responsibility for Equal Opportunities in September 1994. We have appointed an Equal Opportunities Officer, who happens to be a woman, and have issued our own Equal Opportunities Policy. We have also progressed an extensive programme of training for all managers and staff which is aimed at promoting a much better understanding of Equal Opportunities issues.

Within the director-level team of five persons in the Companies House organisation, two posts are occupied by women. Within our senior management group which comprises a further ten people, three further posts are also occupied by women.

To encourage career development and promotion opportunities for women within all grades at Companies House, we have extensively promoted opportunities for job-sharing, part-time and other flexible working patterns. For certain grades there are also opportunities for evening work.

We have a number of women employees who have taken advantage of our career break facility and during the main school holidays we have for some years provided children's crèche facilities.

Laboratory of the Government Chemist

Mr. John Greenway: To ask the President of the Board of Trade if he will make a statement on the contract which was assumed in the bid by the consortium which purchased the Laboratory of the Government Chemist. [33018]

Mr. Ian Taylor: In the answer I gave to my hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves) on 2 April 1996, *Official Report*, columns *149–50*, regarding the sale of the Laboratory of the Government Chemist, I stated that, in the event the purchaser was not awarded a contract which was assumed in the bid, there would be *(a)* payment of the purchaser of £300,000 to forestall consequential redundancies and to enable it to develop alternative business streams, and *(b)* an indemnity for the cost of any such redundancies up to a maximum sum of £500,000. Details of this contingent liability were notified separately to Parliament by way of a departmental minute, which was laid before the House on 1 April.

This contingent liability matured on 22 May as LGC was not awarded the contract: the sum of £300,000 was paid to LGC on 3 June from voted provision on class IV, vote 1. The purchaser will also be able to call on the redundancy indemnity, although a number of conditions apply to this indemnity including *(a)* the requirement for the redundancies to be related directly or indirectly to the loss of the specific contract, *(b)* the sum being capped at the lesser of £500,000 or the aggregate of the payments up to the first 18 relevant redundancies, and *(c)* its expiry after 12 months.

Information Society and Development Conference

Mr. John Greenway: To ask the President of the Board of Trade what conclusions emerged from the information society and development conference held in Midrand, South Africa, on 13 to 15 May. [33017]

Mr. Ian Taylor: The information society and development ministerial conference, the aim of which was to consider how developing countries could be integrated into the emerging global information society, was attended by 40 countries and 18 international organisations. I led the United Kingdom's delegation to the conference, which included senior representatives of UK companies in the information and communication sector. UK companies also participated in the exhibition which ran alongside the conference.

The conclusions agreed at the conference endorsed the core principles agreed at the G7 conference on the information society in February 1995, which included promoting dynamic competition, encouraging private investment, defining an adaptable regulatory framework and providing open access to networks. The conference also identified a number of key policy issues. I have placed a copy of the chair's conclusions in the Library of the House, as well as a copy of the formal intervention I made at the ministerial session.

I welcome the conclusions of the conference, which set out a clear path for the extension of super-highways to developing countries and establish a common way forward in promoting the information society. Also important is the conference's recognition that the private sector has the primary role in creating the global information society and its commitment to fostering partnerships between the public and private sector. This will encourage projects to be realistic, building on existing applications available in the private sector to meet the needs of developing and developed countries alike. I am convinced that what should follow this conference is practical implementation of technology, not a further round of Government-led pilot projects.

The global information society offers tremendous and exiting opportunities for all countries but the attitude of Government is crucial. Countries cannot expect the information society to develop if they do not welcome and safeguard investments or do not enforce protection of intellectual property rights. Governments who want their countries to join the information society should not persist with putting barriers in place.

HEALTH

Cardiac Surgery, Bristol

Mr. Harvey: To ask the Secretary of State for Health what representations his Department received from Professor English about neo-natal cardiac surgery at Bristol royal infirmary during 1992; and what action was taken in response. [31255]

Mr. Horam: The only representation from Sir Terence English about the neonatal cardiac surgery service at Bristol royal infirmary was a telephone call to the medical secretary of the supra-regional services advisory group in which Sir Terence expressed reservations about the continued designation of the Bristol unit, one of 10 designated units then providing the service. The SRSAG met in July 1992 to consider, inter alia, the continued designation of neonatal and infant cardiac surgery as a supra-regional service. As Sir Terence was not present, his views were conveyed to the meeting by the medical secretary. In the event, the advisory group decided to de-designate the service as a whole.

Prosthetic and Wheelchair Services

Mr. Mellor: To ask the Secretary of State for Health what action he proposes to take in response to the National Prosthetic and Wheelchair Services report. [31483]

Mr. Bowis: The two groups have produced reports which we have seen and shall take into account as we develop policies in these areas. We recently announced extension to our wheelchair policies in respect of powered indoor/outdoor wheelchairs and of a voucher scheme.

Ms Lynne: To ask the Secretary of State for Health what considerations led to the decision to allocate funding for indoor/outdoor wheelchairs on a basis other than the estimated number of disabled people requiring such wheelchairs in each health authority. [31934]

Mr. Bowis: Of the options available, we considered allocation on the basis of total resident populations most equitable. We recognise, however, that the relative number of severely disabled people might be higher in one area than another. In guidance issued to the national health service—HSG(96)34, copies of which are available in the Library—we have therefore asked health authorities

to consider setting up consortia where this will help address varying needs. Future years' allocation will be made in the light of experience gained at local level.

Mental Illness

Dr. Lynne Jones: To ask the Secretary of State for Health, pursuant to his answer of 13 March, *Official Report*, column *621*, what progress is being made in developing outcome scales to assess the health and social functioning of mentally ill people; what the indicators will be; and how assessments will relate to treatment received. [31937]

Mr. Bowis: The development of outcome scales to assess the health and social functioning of mentally ill people, which the Department has been undertaking with the Royal College of Psychiatrists, is nearing completion.

The outcome scales have now been approved for use with non-elderly adults and the national health service executive priorities and planning guidance for 1997–98 requires health authorities to make progress with information systems to support their introduction.

Dr. Jones: To ask the Secretary of State for Health when the results of the south London survey into the met and unmet health and social care needs in the community among mentally ill people will be available. [31942]

Mr. Bowis: The results of the survey being conducted by the Medical Research Council at its unit at the Institute of Psychiatry will be published later this year and will be promulgated through the medical literature.

Learning Disabilities

Mr. Llew Smith: To ask the Secretary of State for Health, pursuant to the answer to the hon. Member for Aylesbury (Mr. Lidington) on 19 December, *Official Report*, columns *1143–44*, when the report evaluating the comparative benefits of different communities in meeting the needs of people with learning difficulties will be published; to whom it will be distributed; and when he expects further action to be taken in respect of the report's conclusions. [32013]

Mr. Bowis: The first phase of the evaluation was completed by the end of May as planned. I am currently considering the report and shall make a statement shortly.

Smoking-related Diseases

Mr. Martyn Jones: To ask the Secretary of State for Health if he will estimate the annual cost to the national health service of smoking-related diseases for each year from 1990, and give this figure as a percentage of the overall annual health care budget; and if he will make a statement. [31900]

Mr. Horam: Treatment costs to the national health service are not available on a year by year basis. Based on 1990 figures, the Health Education Authority's report, "The Smoking Epidemic—A Prescription for Change", estimated that the annual cost to the NHS of treatment smoking-related diseases is £610 million.

The national health service's total gross expenditure in 1990–91 was £23,654 million.

Mental Health Services (Staffordshire)

Mr. Brian Jenkins: To ask the Secretary of State for Health what transport facilities are to be provided for patients who will have to travel from Tamworth to Burton following the transfer of mental health services; [32011]

(2) what assessment he has made of Premier Health NHStrust's proposals to close mental health services in Tamworth; and if he will establish an urgent independent audit of the trust's accounts; [32010]

(3) what representations he has received on Premier Health NHS trust's proposal to transfer mental health services from the George Bryan centre in Tamworth to the Margaret Stanhope centre in Burton; and if he will make a statement. [32012]

Mr. Bowis: No decision has yet been made about changes to services provided by Premier Health national health service trust. Proposals for change, including associated transport arrangements, are currently the subject of a public consultation exercise which closes on 3 July 1996. The annual accounts of all NHS trusts are subject to an independent audit.

Civil Servants (Compulsory Directors)

Mr. Martyn Jones: To ask the Secretary of State for Health if he will list those companies which have civil servants from his Department as directors and all the occasions in which those companies have been found guilty of any civil or criminal offence in the last eight years. [32285]

Mr. Horam: Civil servants are permitted to undertake and be paid for work outside official time—for example, directorships—if there is no conflict of interest. Staff who disclose relevant interests do so on the understanding that the declaration, like all employment matters, is confidential between them and their employer. We do not hold central records of these declarations or of the companies involved.

General Practitioners

Mr. Soley: To ask the Secretary of State for Health in what circumstances general practitioners are required to tell patients what services they choose to contract for; and if he will make a statement on best practice for keeping patients informed of services they will or will not be contracting. [31980]

Mr. Malone: General practitioner fundholders' purchasing plans, and the contracts they place, are public documents and available at the health authority. In addition, fundholders should make copies available at their practice or produce summaries or leaflets for patients.

Mr. David Nicholson: To ask the Secretary of State for Health how many general practitioners were in practice in *(a)* England and *(b)* in the south-west region on 1 April for each year since 1989; what action he is taking to increase recruitment; and if he will make a statement. [32525]

Mr. Malone: The available information is shown in the table. The number of general practitioners continues to rise.

Year	England	South and West
1989	25,608	1,942
1990	25,622	1,980
1991	25,464	1,982
1992	25,823	2,018
1993	26,116	2,054
1994	26,387	2,084
1995	26,702	2,140

Data is at 1 April each year except 1989 and 1990 when only data at 1 October is available.

Mr. Nicholson: To ask the Secretary of State for Health what is his Department's policy over general practitioners remaining in post *(a)* after the age of 60 years and *(b)* after the age of 65 years; and what action he takes to ensure that service is continued where it is in the interest of effective health service provision. [32481]

Mr. Malone: General practitioners are able to practice as principals until they reach the age of 70 when health authorities are required to remove their name from the medical list. General practitioners over the age of 70 remain eligible to work in general practice as assistants or locums or in a private capacity.

Ambulance Services

Mr. Hoyle: To ask the Secretary of State for Health what expenditure has been undertaken by ambulance services on the procurement of systems to prepare for the prioritising of ambulance response times; and if he will list the systems. [32205]

Mr. Horam: A number of ambulance services have procured systems which offer telephone advice to callers as well as enabling prioritisation of calls. The Department of Health has commissioned a research evaluation, in two ambulance services, of the safety, reliability and costs of two types of system considered for use in this country. These are the medical priority dispatch system and criteria-based dispatch.

LORD CHANCELLOR'S DEPARTMENT

Legal Services Ombudsman

Mr. Thomason: To ask the Parliamentary Secretary, Lord Chancellor's Department when the legal services ombudsman intends to publish his fifth annual report. [33012]

Mr. Streeter: The legal services ombudsman has today published his fifth annual report, and copies have been placed in the Libraries of both Houses.

European Union Flag

Mr. Redmond: To ask the Parliamentary Secretary, Lord Chancellor's Department what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31499]

Mr. Streeter: I refer the hon. Member to the reply given on 6 June by the Minister of State, Foreign and Commonwealth Office, *Official Report*, column *518*.

Census Returns

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department what representations he has received in relation to the role of the keeper of public records in relation to the holding of 20th century census returns. [31488]

Mr. Streeter: The Lord Chancellor's Department and the Public Record Office have received inquiries from one correspondent over recent months concerning the role of the keeper of public records in relation to census returns under the operations of the Public Records Act 1958 and the legislation governing the taking of the decennial census of population and the confidentiality of the returns. The Public Record Office has responded to two letters from constituents forwarded by hon. Members.

Census Data

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) how many applications were made to release personal census data from the Office of Population Censuses and Surveys in each of the last five years; [31486]

(2) for how long the information contained within the 20th century census returns has been *(a)* sold and *(b)* otherwise released for profit; and which returns are involved; [31516]

(3) what assessment he has made of the arrangements for the safekeeping of 20th century census returns and their continued confidentiality; [31487]

(4) on what statutory authority, the sale or disposal for profit of personal information contained in 20th century census records takes place; and for how long such sales and releases have occurred. [31517]

Mrs. Angela Knight: I have been asked to reply.

The records for the 1901 and subsequent censuses in England and Wales are in the care of the Registrar General for England and Wales. They are confidential and not open to public inspection in any circumstance, undertakings having been given at the time of each census that the information would be used only for the preparation and publication of statistical data.

Personal information obtained from 20th century returns are not, and never have been, either *(a)* sold or *(b)* otherwise released for profit. Census records are held in strict confidence for a period of 100 years by virtue of an instrument under the Public Records Act 1958. Under a concession announced in Parliament in 1972, information on place of birth and age can be made available from the 1901 census with the consent of the persons concerned or, if deceased, a descendant—or next of kin if the person dies childless. A further concession, announced in 1993, allows information form the 1911 census to be released where, and only where, it is essential for the purpose of establishing a legal entitlement such as an inheritance. A charge is made to the applicant to cover the administrative costs of searching the appropriate census records, and the supply of the information, if the search is successful but not for the information itself.

The numbers of written requests for such information held on record for the last three years are:

1993: 597
1994: 715
1995: 673

The census records for the years 1901 and 1911 are held by the Public Record Office in secure accommodation respectively at Chancery lane—shortly to move to Kew—and Hayes, Middlesex. Those returns for the years 1921, and 1951 to 1991 are held by the registrar general at Christchurch. Returns from the 1931 census were destroyed by fire and there was no census in 1941.

In 1990, the British Computer Society carried out an independent review of the census security and confidentiality arrangements. Its report to Parliament—published in 1991 as Cm 1447—stated that they were generally satisfied with the arrangements for the safekeeping of census forms but recommended that the possibility of storing the forms in an alternative format be kept under review. This is being done. There was a similar review in 1981.

Statistical abstracts of data from censuses since 1921 have been made available under section 4(2) of the Census Act 1920.

WALES

Road Deaths

Mr. Martyn Jones: To ask the Secretary of State for Wales how many road deaths in *(a)* Wales and *(b)* Clwyd involved speeding vehicles, for each year since 1985; what percentage of overall road deaths this account for in each year; and if he will make a statement. [31848]

Mr. Gwilym Jones: The information requested is not available. Information on personal injury road accidents which is recorded by the police and forwarded to the Welsh Office does not include the cause of accidents.

DUCHY OF LANCASTER

Department of Social Services

Mr. Chris Smith: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer to the hon. Member for Great Grimsby (Mr. Mitchell) on 22 May, *Official Report*, column *187*, if he will define the Department of Social Services. [31971]

Mr. Freeman: All the references to the Department of Social Services that appeared in my answer to the hon. Member for Grimsby (Mr. Mitchell) on 22 May, *Official Report*, column *187*, should have read the Department of Social Security.

Civil Service Recruitment

Mr. Michael Brown: To ask the Chancellor of the Duchy of Lancaster when he expects to publish the first civil service fast stream recruitment report. [32942]

Mr. Freeman: The first civil service fast stream recruitment report was placed in the Libraries of the House earlier today. It covers the year to 31 March 1996, reporting the results of fast stream competitions completed during that period and action undertaken for future competitions. This information has in previous years formed part of the annual report of the Civil Service Commissioners, but is now separately published following the change to the commissioners' responsibilities last year.

The report shows that the civil service over the year in question has successfully met its need for fast stream recruits to both generalist and specialist schemes. However, the needs of civil service work do not stand still and the report also details action under way to allow the launch of a revised fast stream development programme later this year. The revised scheme will put a stronger emphasis on early training and development and, in selection, on testing candidates' ability to get to grips with numeric data and with science-related issues. Promotion of the programme will also aim to overcome stereotypes which exist in some quarters about the sort of candidates the civil service is seeking to recruit. The goal will be to encourage top graduates from all types of background to apply.

Deregulation

Mr. Pike: To ask the Deputy Prime Minister which *(a)* employer, *(b)* employee and *(c)* independent organisations the deregulation unit consults before proposing deregulatory measures. [31994]

Mr. Freeman: Deregulatory measures are proposed by the Government Department responsible for the relevant legislation and not by the deregulation unit. The unit is responsible for co-ordinating the deregulation initiative.

Mr. Pike: To ask the Deputy Prime Minister what representations the deregulation unit has received that the six-pack health and safety regulation has put businesses into liquidation. [32009]

Mr. Freeman: I have received no representations specifically identifying the implementation of the "six-pack" of EC health and safety directives as the cause of a firm going out of business. However, surveys such as that carried out by the British chambers of commerce in September 1995 have consistently identified health and safety legislation as one of the main burdens on business, particularly small business. Both the 1994 Sainsbury task force's report and the Health and Safety Commission's own 1994 review of regulation identified the "six-pack" as an area of concern and confusion for business.

The Government fully support the Health and Safety Commission's programme to implement its own review of regulation, carried out in 1994. The "six-pack" of EC directives is being evaluated as part of that programme.

Mr. Pike: To ask the Deputy Prime Minister what is the current staffing level of the deregulation unit. [31987]

Mr. Freeman: The staffing level for the deregulation unit for 1996–97 is 44.2 posts.

Mr. Pike: To ask the Deputy Prime Minister what are the current annual running costs of the deregulation unit, including *(a)* staff costs, *(b)* administration costs and *(c)* overheads. [31995]

The Deputy Prime Minister: The annual running costs for the deregulation unit for 1996–97 are as follows:

	£ thousand
Staff costs	1,313
General administrative expenditure	717
Overheads (including common services on a per capita share and accommodation and telecommunications costs)	629
Total	2,659
Capital	10
Total	2,669

SOCIAL SECURITY

Benefits (Nationality Inquiries)

Ms Walley: To ask the Secretary of State for Social Security what sums have been spent on sending out and processing queries about nationality when dealing with routine applications for social security benefits in the last available year; and which benefits are subject to this process. [31309]

Mr. Roger Evans: The administration of income support is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Ms Joan Walley, dated 11 June 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what sums have been spent on sending out and processing queries about nationality when dealing with routine applications for Social Security benefits in the last available year; and which benefits are subject to this process.

The main income-related benefits (Income Support, Housing Benefit and Council Tax Benefit) include conditions relating to the immigration status of claimants. Since 5 February 1996 Regulations exclude a person from entitlement to certain non-contributory Social Security Benefits (Attendance Allowance, Disability Living Allowance, Disability Working Allowance, Family Credit, Invalid Care Allowance, and Severe Disability Allowance) if his right to reside to remain in Great Britain is subject to any limitation or condition. In establishing immigration status and conditions attaching to a person's right to reside in the UK, it may be appropriate to seek further information regarding a customer's nationality.

Queries on nationality are now an integral part in the processing of claims to the benefits listed below. Therefore information on the sums spent on sending out and processing queries on nationality is not available as separate records are not maintained.

I hope you find this reply helpful.

Industrial Injuries Advisory Council

Mr. Duncan Smith: To ask the Secretary of State for Social Security if he will make a statement on the appointment of a new chairman to the Industrial Injuries Advisory Council. [32514]

Mr. Roger Evans: I am pleased to announce that my right hon. Friend the Secretary of State has appointed Professor A. J. Newman Taylor as chairman of the council with effect from 19 July 1996. He has been a member of the council since 1983 and has chaired the council's research working group for most of that time.

NORTHERN IRELAND

Polling Stations

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many polling stations in East Antrim were not operable at 7 am on 30 May. [31480]

Mr. Ancram: All the polling stations in East Antrim were operable at 7 am on 30 May.

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many pencils were initially supplied to polling stations in East Antrim on 30 May. [31478]

Mr. Ancram: The chief electoral officer for Northern Ireland has indicated that four pencils were supplied to East Antrim polling stations for each ballot box; 60 ballot boxes were used in the constituency and 240 pencils were therefore available to voters.

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many additional pencils were subsequently delivered to polling stations in East Antrim on 30 May; and at what cost. [31479]

Mr. Ancram: Following inaccurate reports of pencil shortages in the East Antrim constituency on 30 May, two additional pencils for each ballot box in the constituency, making 120 in total, were delivered by roving electoral officers to polling stations. These were delivered at no extra cost and there were already sufficient pencils for all polling booths.

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many voting booths were provided at polling stations in East Antrim on 30 May. [31477]

Mr. Ancram: A total of 231 voting booths were provided at polling stations in East Antrim on 30 May.

Recruitment

Mr. Donohoe: To ask the Secretary of State for Northern Ireland how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31395]

Sir John Wheeler: Within the Northern Ireland Office and Northern Ireland Departments the information requested is not fully available. The information available is as follows:

	1994–95	*1995–96*
Number of staff recruited	2,007	2,666
Cost of recruitment	£1,205,123	£1,564,197

Information on the cost of recruitment of industrial and casual staff is not fully available.

(a) for the Department of Health and Social Services, Department of Agriculture for Northern Ireland and Department of Education for Northern Ireland to provide figures would incur disproportionate cost;

(b) for the Department of Economic Development, only advertising costs are included; and

(c) for the Department of Environment, estimated costs are included.

Mr. Donohoe: To ask the Secretary of State for Northern Ireland what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31410]

Sir John Wheeler: During 1994–95 and 1995–96, the Northern Ireland Office and Northern Ireland Departments have used Recruitment and Assessment Services and Premiere Employment. The costs and recruitment figures are listed.

	1994–95	*1995–96*
Totals costs	£15,714	£15,804
Number of staff recruited	1	1

Individual cases cannot be identified on grounds of confidentiality.

Mr. Donohoe: To ask the Secretary of State for Northern Ireland in what circumstances his Department or its executive agencies uses an executive search or employment agency to recruit staff in preference to using personnel staff within his own Department or its executive agencies. [31523]

Sir John Wheeler: The Northern Ireland Departments would consider using executive search or employment agencies to recruit staff for specialists jobs or in exceptional cases.

The Northern Ireland Office cadré of home civil servants is relatively small and thus there is a minimal requirement to recruit staff. It is therefore cost-effective to use a recruitment agency.

Mr. Donohoe: To ask the Secretary of State for Northern Ireland if he will list *(a)* the number of (i) male and (ii) female employees, *(b)* the number of officials employed at each of the principal grades and the numbers and percentages of women employed at each of these grades and *(c)* the number of staff employed at administrative grades and the numbers and percentages of these staff that are women in his Department on 1 April. [30549]

Sir John Wheeler: The information requested is contained in the following table:

(i) Male employees: 10,870

(ii) Female employees: 10,618

At 1 April 1996

Grade	*Number of officials*	*Number of women*	*Percentage of women*
Grade 6 and above	527	82	15.6
Grade 7	896	132	14.7
Deputy principal	1,456	290	19.9
Staff officer	2,395	635	26.5
Executive officer I	3,425	929	27.1
Executive officer II	3,087	1,847	59.8

At 1 April 1996

Grade	*Number of staff*	*Number of women*	*Percentage of women*
Admin officer	6,639	4,717	71.0
Admin assistant	3,063	1,986	64.8

1. Non-general service grades have been lumped together with their general service analogues.
2. Figures relate to the Northern Ireland Office and the six departments of the Northern Ireland civil service.
3. Figures include full-time, part-time etc staff.
4. Figures do not include NICS staff seconded to the Police Authority for Northern Ireland.
5. Industrial staff have been excluded as it would take disproportionate cost to identify the relevant figures.

European Union Flag

Mr. Redmond: To ask the Secretary of State for Northern Ireland what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31509]

Sir John Wheeler: I refer the hon. Member to the reply given to him by my right hon. Friend the Minister of State, Foreign and Commonwealth Office on 6 June, *Official Report*, column *518*.

Forensic Science Agency

Mr. Redmond: To ask the Secretary of State for Northern Ireland what consideration has been given to market testing has services provided by the Forensic Science Agency of Northern Ireland; and if he will make a statement. [31566]

Sir John Wheeler: The Forensic Science Agency for Northern Ireland became an agency on 1 September 1995. It is still in the process of developing and refining systems for charging and costing its services. The agency is disposed towards market testing and fully supports Government in this area. At the moment, I consider there is no reasonable or feasible opportunity to consider the transfer to the private sector of any part of its services. The issue will, however be addressed no later than the agency's quinquennial review—that is, by September 2000—and before that if suitable opportunities arise.

Women (Promotion)

Mr. Donohoe: To ask the Secretary of State for Northern Ireland what measures his Department has implemented during the last 12 months to encourage the promotion of women into senior positions with his Department and its executive agencies; and what progress his Department has made in encouraging the promotion of women over the last five years. [31541]

Sir John Wheeler: Measures taken by Northern Ireland Departments and agencies within the last 12 months include the introduction of mentoring, the creation of women's networks and the establishment of "keeping in touch" schemes for staff on career breaks; the inclusion in public advertisements for senior posts of statements particularly welcoming applications from women and a vigorous programme of equal opportunity awareness and training for senior staff. Other measures already in place are reported in the regularly published

reports from the central equal opportunities unit for the Northern Ireland civil service, copies of which have been placed in the Library.

The proportion of women employed at grade 6 level and above in the non-industrial grades in the Northern Ireland civil service, has increased from 11.4 per cent. at 1 January to 15.8 per cent. at 1 January 1996.

There is a broadly equivalent programme for action on women for home civil service staff serving in the Northern Ireland Office. Progress on the HCS programme for action on women is contained in regular reports on equal opportunities published by the Cabinet Office.

Rate Collection Agency

Mr. Trend: To ask the Secretary of State for Northern Ireland what performance targets have been set for the Rate Collection Agency in 1996–97. [33014]

Mr. Moss: For 1996–97 the following performance targets have been set for the agency:

1. To collect 98.5 per cent. of the gross collectable rate, excluding late assessments, by 31 March 1997.

2. To achieve a reduction of 5 per cent. in the real value of the unit costs of rate collection per hereditament over the next two years.

3. To generate refunds to 97 per cent. of ratepayers so entitled within 14 days of credits being identified.

4. To process by 31 March 1997 93 per cent. of applications for the incoming year received before 15 March 1997 from existing housing benefit recipients.

5. To achieve a reduction of 5 per cent. in the real value of the unit costs of processing housing benefit applications over the next two years.

6. To process 96 per cent. of housing benefit claims free of error.

Probation Board (Review)

Mr. Sweeney: To ask the Secretary of State for Northern Ireland what plans he has to carry out a quinquennial review of the Probation Board for Northern Ireland. [33015]

Sir Patrick Mayhew: I have arranged for a quinquennial review of the Probation Board for Northern Ireland to be carried out, which is expected to commence in June and which will be completed by 31 October 1996.

Harland and Wolff (Pension Fund)

Mr. Trend: To ask the Secretary of State for Northern Ireland if arrangements have been concluded with Harland and Wolff Holdings plc in relation to repayment to Her Majesty's Government of the £6.5 million pension fund surplus following the report, HC paper 126, Session 1991–92, of the Committee of Public Accounts into privatisation of the company. [33016]

Mr. Ancram: Following detailed negotiations, the Department of Economic Development and Harland and Wolff Holdings plc have agreed arrangements whereby the company will repay £6.5 million to the Department. It has also been agreed that the Department will meet certain additional costs, in excess of those provided for at the time of privatisation, totalling £3.023 million, incurred by the company in connection with the privatisation in 1989. The Northern Ireland Audit Office has been consulted in the course of these negotiations and has been notified of the agreement which has been reached.

FOREIGN AND COMMONWEALTH AFFAIRS

UN Security Council

11. **Dr. Godman:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to attend a meeting of the Security Council of the United Nations to discuss the financial circumstances of the organisation. [30853]

Sir Nicholas Bonsor: Under the UN charter, financial matters at the United Nations are the responsibility of the General Assembly. There are no plans for a special ministerial meeting to discuss these matters.

Russia

23. **Mr. Livingstone:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Russian Government about the timing of the presidential elections. [30866]

Sir Nicholas Bonsor: My right hon. and learned Friend the Foreign Secretary has made no representations to the Russian Government about the timing of the elections.

33. **Mr. Rendel:** To ask the Secretary of State for Foreign and Commonwealth Affairs how many entry clearance officers have been employed in Russia in each of the last five years; and where they are located. [30877]

Mr. Hanley: Following are the number of staff employed as entry clearance officers in the Russian Federation for the last five years. Moscow is also due to be reinforced by 17 man-months of seasonal relief in 1996, equivalent to nearly 1.5 entry clearance officers.

	Entry clearance managers (ECM)	*Entry clearance officers (ECO)*
Moscow		
1996	2.8	12
1995	1.9	11
1994	1	10
1993	0.5	6
1992	0.5	5
1991	0.5	6

The St. Petersburg post has operated only a visa service since 1993. In addition to permanent staff, St. Petersburg will receive four months of seasonable relief in 1996.

	Entry clearance managers	*Entry clearance officers*
St. Petersburg		
1996	0.35	2
1995	0.35	2
1994	0.15	1
1993	0.1	1

Kashmir

24. **Mr. Pike:** To ask the Secretary of State for Foreign and Commonwealth Affairs what new initiatives he proposes in respect of Kashmir. [30867]

Mr. Hanley: We continue to believe that the best way forward in Kashmir should involve simultaneous progress on dialogue between India and Pakistan, an improvement in human rights in Kashmir, the development of a genuine political process there, and a clear cessation of external support for violence in Kashmir.

37. **Mr. Gordon Prentice:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Indian authorities to secure the release of the British hostages held in Kashmir. [30881]

Sir Nicholas Bonsor: The British high commissioner and his staff in New Delhi and Srinagar are in daily contact with the Indian authorities and other Governments involved in our continuing efforts to secure the early and safe release of the hostages.

Bosnia

25. **Mr. Keith Hill:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress towards elections in Bosnia.[30868]

Sir Nicholas Bonsor: Under the terms of the Dayton peace agreement, the elections in Bosnia will be supervised by the OSCE and must take place by 14 September. The Organisation for Security and Co-operation in Europe mission in Bosnia is now working with the parties on the electoral rules and other arrangements.

Botswana

26. **Mr. Nigel Evans:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with representatives of the Government of Botswana. [30869]

Mr. Hanley: My right hon. and learned Friend the Foreign Secretary saw the Botswanan Foreign Minister, General Merafhe, on 18 March and will see him again on 18 June when he visits Britain as a guest of the Government.

Sri Lanka

27. **Mr. Ian Bruce:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Sri Lankan Government on the armed conflict with Tamil separatists. [30870]

Mr. Hanley: My right hon. and learned Friend the Foreign Secretary discussed the conflict in Sri Lanka with the Sri Lankan Foreign Minister, the hon. Lakshman Kadirgamar, during his visit to London in January. I have had further discussions about the conflict with Ministers of the Sri Lanka Government who have visited London since then.

Tibet

28. **Dr. Wright:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to raise human rights in Tibet with the Chinese Government; and if he will make a statement. [30871]

Mr. Hanley: It is our policy to raise our concerns about the human rights situation in China, including Tibet, with the Chinese authorities at every appropriate opportunity.

Gibraltar

29. **Mr. Simon Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to meet the Chief Minister of Gibraltar to discuss future United Kingdom policy on Gibraltar; and if he will make a statement. [30872]

Mr. David Davis: I met the new Gibraltar Chief Minister on 5 June. We had detailed discussions on a wide range of issues, including unacceptable delays at the frontier with Spain.

European Court of Justice

30. **Mr. Win Griffiths:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to discuss the role of the European Court of Justice in the intergovernmental conference. [30873]

Mr. David Davis: In due course, we shall publish a memorandum on the European Court of Justice, setting out in greater detail the proposals outlined in the recent White Paper "A Partnership of Nations".

Cyprus

31. **Dr. Spink:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the United Nations regarding the occupation of the northern part of Cyprus by Turkish troops. [30875]

Mr. David Davis: Cyprus was discussed at an informal meeting of the five permanent members of the UN Security Council on 17 April. They reaffirmed that the status quo was unacceptable and stressed the need for a comprehensive approach leading to a settlement within the framework of the UN Secretary-General's mission of good offices.

Sudan

32. **Rev. Martin Smyth:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current situation in Sudan. [30876]

Mr. Hanley: Sudan continues to suffer from the long-running civil war. There is little sign of willingness to make progress towards a negotiated solution, although Her Majesty's Government continue to urge this upon all concerned. The human rights situation continues to give us grave cause for concern, as does Sudan's hospitality to terrorist groups. We are watching closely for firm evidence that Sudan is complying with Security Council resolutions 1044 and 1054.

Bahrain

34. **Dr. Lynne Jones:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met representatives of the Government of Bahrain to discuss human rights in that country; and if he will make a statement. [30878]

Mr. Hanley: Human rights issues have been discussed at ministerial or official levels on numerous occasions, and will be raised again during my visit this month.

Mr. Nicholas Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations between the United Kingdom and Bahrain. [32246]

Mr. Hanley: Bahrain is a close ally and under our 1971 treaty of friendship there is good co-operation in all fields.

I shall be visiting Bahrain myself next week to discuss a wide range of issues with the Bahraini Government.

Mr. Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what recent representations he has received relating to the matter of the detention in Bahrain of the wife of Mr. John Paul Goostrey; [32248]

(2) what action he has taken to date to assist Mr. John Paul Goostrey in the matter of the detention of his wife in Bahrain. [32245]

Mr. Hanley: Mr. Goostrey's wife, a Bahraini citizen, is not in detention in Bahrain, but her family have obtained a court injunction preventing her from leaving the country. She is applying to the court for this decision to be overturned. The British embassy is in regular contact with Mr. Goostrey and his wife and will continue to provide all the help that it can.

Mr. Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Bahraini ambassador in London about the matter of the detention in Bahrain of the wife of Mr. John Paul Goostrey. [32249]

Mr. Hanley: None, but I plan to discuss the matter with our ambassador on my visit to Bahrain in the near future.

Mr. Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has concerning the number of British citizens whose spouses are citizens of Bahrain; and what advice he would give to such individuals about visiting Bahrain. [32247]

Mr. Hanley: We do not maintain records of foreign spouses of British nationals.

There is no advice particular to such individuals, although they have access to our current travel advice on Bahrain.

Hong Kong

35. **Sir Colin Shepherd:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit Hong Kong to discuss administrative arrangements after 30 June 1997. [30879]

Mr. Hanley: My right hon. and learned Friend the Foreign Secretary has no immediate plans to visit Hong Kong, but discussions with China on matters relating to the transfer of sovereignty over Hong Kong continue at official level, most recently at the 36th plenary session of the Sino-British joint liaison group in London on 5 to 7 June.

Tigris and Euphrates Valleys (Children)

36. **Mr. Dalyell:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his discussions with the Secretary General of the Arab League during his official visit to the United Kingdom in relation to starvation among children in the valleys of the Tigris and the Euphrates. [30880]

Mr. Hanley: The condition of children in Iraq was discussed with Dr. Meguid with particular reference to Saddam Hussain's failure to provide satisfactorily for them.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32410]

Mr. Hanley: Neither the Foreign Commonwealth Office diplomatic wing nor the Overseas Development Administration holds the information in the form requested, and it could be obtained only at disproportionate cost.

Diplomatic wing expenditure on overseas travel by Ministers and accompanying officials was £1,848,932 in 1994–95 and £1,496,109 in 1995–96.

ODA private office expenditure on travel and subsistence, including the Minister and civil servants working in the private office, was £131,993 in 1994–95 and £139,951 in 1995–96.

European Union (Legislation)

Mr. Ian Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list, by Department, the number of officials and other experts from the United Kingdom who assist the European Commission in drawing up legislation under the comitology procedure established by the Council decision of 13 July 1987, laying down the procedures for the exercise of implementing powers conferred on the Commission. [32462]

Mr. David Davis: UK officials participate in the exercise by the Commission of delegated powers to make secondary legislation, through their representation on the committees established under the Council decision on the comitology procedure of 13 July 1987. The number of officials and which Department they are from depends on the committees currently sitting and on the subject matter concerned.

Argentina

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of Argentina on establishing the fate of those who disappeared during the period of military rule from 1976 to 1983 and to bring those responsible before the courts; and if he will make a statement. [30813]

Sir Nicholas Bonsor: We have made no recent representations.

Falkland Islands

Mr. Luff: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he

has had with the Argentine Government over the exploration of hydrocarbons around the Falklands Islands. [30874]

Sir Nicholas Bonsor: At a meeting on 30 January 1996 my right hon. and learned Friend the Foreign Secretary and the Argentine Foreign Minister noted the success of the joint declaration of September 1995 which established a joint commission to promote hydrocarbons development in the south-west Atlantic. Official level talks have made good progress.

European Commission (Employees)

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people are currently employed in the European Commission; at what costs to public funds; what were *(a)* the numbers and *(b)* the cost in real terms five years ago; and if he will make a statement. [31178]

Mr. David Davis: The European Commission's employees totalled 16,627 in 1991, and 20,831 in 1996. The cost to the EC budget was 1,261,834,635 ecu in 1991, and 1,914,177,000 ecu has been allocated to staff costs in the 1996 budget—1,674,695,000 ecu at 1991 prices. There is no direct allocation of this sum, but the UK's contribution to the overall EC budget is approximately 12 per cent. after our abatement has been taken into account.

European Union

Mr. Dykes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will notify the European Union Council of Ministers that Her Majesty's Government will suspend forthwith the policy of non-co-operation with the other member states in respect of forthcoming decisions by the Council of Ministers. [32264]

Mr. David Davis: As my right hon. Friend the Prime Minister announced on 21 May, our policy of non-co-operation will continue until we have agreement on lifting the ban on beef derivatives and a clear framework in place leading to a lifting of the wider ban. The first of these objectives has now been met. We hope that the second will be met soon.

AGRICULTURE, FISHERIES AND FOOD

Small and Medium Businesses

Mrs. Roche: To ask the Minister of Agriculture, Fisheries and Food what proportion of his Department's budget was spent on procurement from small and medium enterprises in 1995–96. [27536]

Mr. Boswell: From information held centrally, some 10 per cent. of procurement expenditure was with enterprises identified as having under 200 employees. The Ministry does not at this time distinguish between small and medium-sized enterprises.

Aphis Gossypii

Mr. Ronnie Campbell: To ask the Minister of Agriculture, Fisheries and Food what advice he has issued on the use of chemicals to control Aphis gossypii; and if he will make a statement. [31590]

Mrs. Browning: I have asked the chief executive of ADAS to reply to the hon. Member direct.

Letter from Phillip Needham to Mr. Ronnie Campbell, dated 12 June 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply direct to your Parliamentary Question in which you ask what advice has been issued on the use of chemicals to control *Aphis gossypii*.[31590]

ADAS has issued advice on recognition and control of *A. gossypii* to growers and the horticultural industry by individual consultation, newsletters e.g. 'Bedding Plant Technical Notes', 'Outdoor Ornamental Technical Notes' and by speaking at conferences e.g. the National Nursery Stock Conference and the National Cucumber Conference.

This aphid shows resistance to some types of pesticide. ADAS has been involved in the development of biological control strategies for *A. gossypii* and has held workshops for growers in order to aid the uptake and success of Integrated Pest Management. Research results have also been presented at conferences and scientific papers published.

Food Surpluses

Mr. Rooker: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on arrangements for distribution by the voluntary sector of surplus EC food to the elderly and disadvantaged. [31561]

Mr. Baldry: The EC surplus food scheme was originally established as a temporary measure to dispose of certain intervention stocks when these were high. Last November my right hon. Friend the Minister of Agriculture, Fisheries and Food announced, as part of the Government's expenditure plans, that the UK would permanently withdraw from participation, in line with the recommendations of the Ministry's fundamental expenditure review. That decision, among others, has enabled the Ministry to contribute fully to the Government's policy of maintaining a tight control of public expenditure.

Hedley Lomas (Ireland) Ltd.

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food if the Minister has received a claim for damages from Hedley Lomas (Ireland) Ltd. or its livestock export consultant. [32473]

Mrs. Browning: In December 1992 Hedley Lomas (Ireland) Ltd. lodged an application for judicial review in respect of the Ministry's refusal to issue the company with a licence in accordance with the Export of Animals (Prohibition) Order 1991. That application included a claim for damages but the company has not, to date, provided particulars for the alleged losses arising as a result of the decision.

Animals (Sentient Beings)

Mr. Khabra: To ask the Minister of Agriculture, Fisheries and Food if, at the forthcoming intergovernmental conference, the Government will make it their policy to argue for the re-classification of animals as sentient beings in the treaty of Rome. [32452]

Mrs. Browning: The Government have made it clear that they wish to see further progress made on animal welfare at a Community level. That is why we are seeking to have a protocol added to the treaty of Rome which will place a formal, legal obligation on Community institutions

to give full regard to considerations of animal welfare in the exercise of their powers on agriculture, transport, research and the single market.

Pesticides (Food Labelling)

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what plans his Department has to introduce a consumer labelling system for foods treated with pesticides that identifies the pesticides used; and if he will make a statement. [32273]

Mrs. Browning: The Government have no plans to introduce special labelling for foods treated with pesticides.

Organophosphates

Mr. Austin-Walker: To ask the Minister of Agriculture, Fisheries and Food what estimate he has of the number of farmers and farm workers disabled following exposure to organophosphates; and if he will make a statement. [32454]

Mrs. Browning: The Department has information of reported suspected adverse reactions to organophosphates used in agriculture. Suspected adverse reactions involving veterinary medicines are notified to the Veterinary Medicines Directorate. In the period between 1 January 1985 and 31 May 1996 a total of 681 reports involving human suspected adverse reactions to organophosphorus sheep dips and 20 involving OP warblecides were received by the VMD. Details of cases examined by the appraisal panel for human suspected adverse reactions to veterinary medicines are set out in the published annual reports of the panel for 1993 and 1994, which are available in the Library of the House. Suspected adverse reactions involving pesticides are reported to the Health and Safety Executive, and my Department is informed. There were 29 cases of suspected organophosphate poisoning from pesticides in Great Britain in 1993–94 and 43 in 1994–95. "Pesticides Incidents Investigated in 1993–94/1994–95—A Report by the Fields Operations Division of the Health and Safety Executive" is also available in the Library of the House.

Ostriches

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what estimate he has of the number of ostriches in the UK. [32510]

Mrs. Browning: The Ministry does not collect data separately for ostriches.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what provisions regulate the slaughter of ostriches. [32511]

Mrs. Browning: I refer the hon. Member to my reply of 21 March 1996, *Official Report*, column *314*. The Welfare of Animals (Slaughter or Killing) Regulations 1995, SI 1995, No. 731, regulate the slaughter of ostriches in Great Britain. Similar legislation applies in Northern Ireland.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what research is being conducted into humane methods of slaughtering ostriches. [32512]

Mrs. Browning: Earlier this year, a research study of commercial ostrich slaughter practice in the Republic of South Africa was commissioned by the Ministry. In consultation with representatives of the ostrich industry and others, the findings of that study are being used to prepare guidance on humane slaughter which will be made available to ostrich producers. A copy will be placed in the Library of the House once it is completed.

Sheep (Collection Centres)

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food if each holding, as defined within the category of collection centres, as laid down in part 1 of the Animals and Animal Products Import and Export Regulations 1995, from which sheep have been acquired for export since 9 October 1995, has been approved for intra-Community trade as required by article 5(b) of the regulations. [30716]

Mrs. Browning *[holding answer 4 June 1996]:* Some, but not all, holdings from which sheep have been certified since 9 October 1995 are also approved collection centres, as defined in Council directive 64/432/EEC. However, the Community legislation concerning the animal health conditions for intra-Community trade in sheep and goats does not require the places at which sheep are acquired to be approved collection centres. Sheep can be exported directly from a holding or via an approved market or assembly centre.

The purpose of the Animals and Animal Products (Import and Export) Regulations 1995 is to implement certain pieces of Community animal health legislation, including Council directive 91/68/EEC. The regulations are made under the powers conferred on Ministers by section 2(2) of the European Communities Act 1972. It has been drawn to our attention that, in respect of sheep, the regulations do not accurately reflect the provisions in the Community legislation. We intend to take steps to eliminate the anomalies.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food (1) if he proposes to issue export health certificates in respect of sheep which are acquired through a collection centre which is approved by his Department for the purposes of intra-Community trade; [32099]

(2) if he proposes to issue export health certificates in respect of sheep which are acquired through a collection centre which is approved by him for the purposes of intra-Community trade but which at the time the sheep were acquired did not comply with the provisions relating to collection centres in Council directives 91/68/EEC. [32100]

Mrs. Browning *[holding answer 10 June 1996]:* It is not a requirement for sheep exported to another EC member state from a holding to be purchased at an approved collection centre. Provided that they meet all other animal health requirements, sheep which are acquired through an approved collection centre can be issued with export health certificates.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what types of establishments and premises within the United Kingdom qualify as holding centers for the purposes of article 2 of Council directive 90/425/EEC. [32101]

Mrs. Browning *[holding answer 10 June 1996]:* For the purposes of Council directive 90/425/EEC, all the places at which the animals referred to in annexes A and B of the directive are held or kept are considered to be holdings. Annexes A and B cover all live animals, including aquaculture animals.

Bovine Spongiform Encephalopathy

Mr. Dover: To ask the Minister of Agriculture, Fisheries and Food what research projects have been *(a)* requested and *(b)* commissioned by his Department in the areas of BSE and Creutzfeldt-Jakob disease in the last two months. [31038]

Mrs. Browning *[holding answer 4 June 1996]:* Details of the research projects requested and commissioned in the last two months are as follows:

(A) *Research proposals in the areas of BSE requested by MAFF in the last two months*

Audit of Bovine and Ovine Slaughter and By-products Sector.

Strain-typing of scrapie agent in meat and bone meal.

Transmission of studies for the detection of BSE in sheep.

The study of BSE in sheep and the possibility of its vertical transmission.

Applied brain metabolism and nutrition studies in cattle to aid in the control of neurological disorders.

Bioassay of BSE infectivity in non-neural tissues by intra-cerebral inoculation of cattle.

Immunohistochemical detection of cellular perturbations in formalin-fixed brain from cattle.

Pathogenesis studies of experimental BSE in sheep.

Abnormal protein distribution in the central nervous system, non-neural tissues and body fluid of cattle affected by BSE.

Hot boning of beef to avoid carcase splitting—a case for a development project.

Pathogenesis studies of experimental BSE in sheep.

Abnormal protein distribution in the CNS, non-neural tissues and body fluids of cattle affected by BSE.

A combinatorial molecular approach for the identification of early markers for BSE in cattle.

The role of glycation in the generation of scrapie amyloid fibrils.

Identification of peptides that are recognised by sera from animals infected with bovine spongiform encephalopathy (BSE) using a random peptide phage display library.

Immune complexes and related markers in BSE.

A potential analysis for the presence of neural-tissue in beef and beef containing products.

Proposals on the role of free living mites in the epidemiology of TSEs.

Proposals for developing a mouse transgenic for the bovine PrP gene.

(B) *MAFF-funded BSE research—approved April–May 1996*

The neuropathological monitoring of suspect BSE cases born in 1992.

Development of mouse models for the study of bovine transmissible spongiform encephalopathy.

Electrophoretic analysis of body fluids to identify disease-specific proteins in ruminant spongiform encephalopathy.

Production of polyclonal antisera to highly purified bovine PrP scrapie.

Responsibility for CJD research lies with the Department of Health.

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food on how many occasions in each year since 1989 abattoirs were found to be in default of BSE-related regulations governing the treatment of carcases. [31246]

Mrs. Browning *[holding answer 4 June 1996]:* Prior to 1 April 1995, responsibility for meat inspection was the responsibility of local authorities. Details of contraventions of BSE-related regulations in abattoirs prior to this date are not held centrally.

Since 1 April 1995, responsibility for meat inspection in slaughterhouses was transferred to the Meat Hygiene Service. Results of the state veterinary surveillance programme on the handling of specified bovine material in abattoirs since September 1995 were given in my answer to my hon. Friend the Member for Dorset, West (Sir J. Spicer) on 18 January 1996, *Official Report,* column 682, and my right hon. and learned Friend the Member for Grantham (Mr. Hogg) on 22 November 1995, *Official Report*, columns *192–93*, and 30 April 1996, *Official Report*, columns *483–84*.

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food on how many occasions in each year since 1989 abattoirs were prosecuted for failure to comply with BSE-related regulations governing the treatment of carcases. [31247]

Mrs. Browning *[holding answer 4 June 1996]:* Prior to 1 April 1995, meat inspection was the responsibility of local authorities. Details of prosecutions made by local authorities of contraventions in slaughterhouses are not held centrally.

On 1 April 1995 responsibility for meat inspection in slaughterhouses was transferred to the Meat Hygiene Service. So far, there has been one successful prosecution and a number of other cases are under investigation.

DEFENCE

Sea Training

Mr. Ian Bruce: To ask the Secretary of State for Defence if he will make a statement on the costs of supporting flag officer sea training at Plymouth rather than at Portland; if he will estimate *(a)* the training days to be provided this year compared to the last full year at Portland and *(b)* the number of Sootax helicopter flights in support of flag officer sea training at Portland; what was the original estimate for helicopter flights from Plymouth airport and what number are actually being made from Plymouth airport; how many staff were originally estimated to be needed at Plymouth and how many are now assessed as being needed; and what is the latest estimate of the cost of closure of Portland naval base, transfer of flag officer sea training and of setting up flag officer sea training in Plymouth. [31767]

Mr. Soames: The Royal Navy's operational sea training organisation enjoys a worldwide reputation for its excellent and cost-effective training.

During the period July 1994 to July 1995—the last full year at Portland—225 training days were achieved by flag officer sea training; the estimate for the 12-month period to July 1996—the first year at Plymouth—is 235 training

days. In the final year at Portland there were 547 planned Sootax helicopter sorties of which 483 were achieved; for the period July 1995 to April 1996 839 sorties were planned and 816 achieved at Plymouth. Activity levels at Plymouth have been higher than originally estimated, because of increased demand for sea training and other operational reasons.

In 1993 it was estimated that 230 personnel, service and civilian, would be needed to run the FOST operation in Plymouth. However, training is now being successfully achieved with a complement of 202.

The present estimate for the cost of closing Portland and moving FOST to Plymouth is some £10.4 million.

NATO

Mr. Cohen: To ask the Secretary of State for Defence if he will list *(a)* his Department's total expenditure and *(b)* the average defence expenditure of other European members of NATO in each of the last financial years, expressed in 1995–96 prices. [32072]

Mr. Soames: Information provided to NATO by member states gives the following comparison, at 1990 $US prices and exchange rates, between UK defence spending and the average among the other European members of the alliance:

	UK ($ million)	*European average ($ million)*
1991	39,790	11,869
1992	35,473	11,535
1993	34,292	11,198
1994	32,622	10,909
1995	30,710	10,640

Armed Forces (Deaths)

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 16 May, *Official Report*, column 559, how many people in the armed forces who served in the Gulf war have died since January 1991. [31788]

Mr. Soames *[holding reply 10 June 1996]:* Since January 1991 the total number of personnel who served in the Gulf war and subsequently died, while still serving in the armed forces, is 84.

Recruitment

Mr. Donohoe: To ask the Secretary of State for Defence how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31397]

Mr. Arbuthnot: This information is not held centrally within my Department or within some of its agencies, and could be provided only at disproportionate cost. Where this matter falls to chief executives of my Department's agencies and the information is readily available, I have asked them to write direct to the hon. Member.

Letter from John Chisholm to Mr. Brian Donohoe, dated 11 June 1996:

You recently asked the Secretary of State for Defence for details of numbers of staff recruited, and associated costs, for the years 1994–95 and 1995–96 for his Department and its Agencies. I am replying on behalf of the Defence Evaluation and Research Agency (DERA).

Recruitment is only one aspect of personnel work and it is not our practice to allocate specific staff and related costs solely to this activity. Major, and clearly identifiable, costs are those associated with recruitment advertising, promotional and marketing material and recruitment literature. These identifiable costs are as follows:

1994–95: £0.9 million

1995–96: £1.4 million

The number of staff recruited in each of these years is as follows:

1994–95: 631

1995–96: 1,046

As a result of consolidation within the MOD this Agency became about 50% larger in 1995–96 compared with 1994–95, which is the principal reason for the increased activity.

I hope this is helpful.

Letter from S. Parnell to Mr. Brian Donohoe, dated 11 June 1996:

1. You recently asked the Secretary of State for Defence two Parliamentary Questions concerning the use of executive search agencies and recruitment costs within Agencies of the Ministry of Defence. The matters you raise fall within the responsibilities delegated to the Chief Executive of the Hydrographic Defence Agency, Rear Admiral J. P. Clarke, In the normal course of events Admiral Clarke would reply to you personally but unfortunately he is at present on official duty overseas so I have been asked to reply to you on his behalf.

2. As the two questions you asked relate to similar issues I hope you will not object if I reply to them both in this letter.

3. Turning first to your question about recruitment costs (1497H) the information you require, concerning the Hydrographic Office, can be summarised as follows:

Year	*Number recruited*	*Cost £*
1994–95	15	1,269
1995–96	66	21,681

4. As regards your question about executive search agencies or employment companies, (1498H) I can tell you that the Hydrographic Office did not use any executive search agency or employment company in filling any vacancies that arose during 1994/95 or 1995/96.

I hope the above information has been helpful.

Letter from J. C. R. Hunt to Mr. Brian Donohoe, dated 11 June 1996:

The Meteorological Office is an Executive Agency of the Ministry of Defence. As Chief Executive I am responding to your question regarding recruitment.

In the financial year 1994–95 we recruited 42 staff at a cost of £71,036.

In the financial year 1995–96 we recruited 65 staff at the cost of £119,393.

I hope this gives you the information you need.

Letter from Brigadier T. McG. Brown to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your Parliamentary Question to the Secretary of State for Defence, the Rt Hon Michael Portillo MP, regarding the cost of recruiting staff and the number of staff recruited in 1994/95 and 1995/96 within the MoD and its associated agencies.

As Chief Executive, this matter falls within my area of responsibility for the Defence Postal and Courier Services Agency.

During 1994/95 and 1995/96 the Agency employed five staff to manage the personnel function for in excess of 300 civilian staff, and part of their function is to oversee recruitment. However, other than the £7,600 spent advertising for staff, the cost of the recruitment component is not separately identified. In 1994/95 and 1995/96 we recruited 55 and 122 staff respectively, excluding those we assumed responsibility for as a result of MoD reorganisations. We are not responsible for recruiting military staff who are recruited by the Army's centralised recruitment function.

I hope this information is helpful.

Letter from W. E. Spreadbury to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your Question to the Secretary of State for Defence (about recruitment of staff) on behalf of the Chief Executive of the Duke of York's Royal Military School who is absent on duty as this matter falls within his area of responsibility.

During the financial years 1994–95 and 1995–96 my Agency spent £1775 and £1847 respectively on recruiting staff. The numbers of staff recruited in these two years were 7 and 13 respectively.

Letter from Brigadier K. J. W. Good to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your Question to the Secretary of State for Defence regarding how much my agency has spent in recruiting staff during the 1994/95 and 1995/96 financial years; and how many staff were recruited in each of these years.

My response, therefore, is as follows:

Total spend on recruitment 1994/95: £86,775

Total spend on recruitment 1995/96: £89,625

Total number of staff recruited 1994/95: 358

Total number of staff recruited 1995/96: 427

I trust this fully answers your question.

Letter from I. S. Mitchelson to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your question to the Secretary of State for Defence relating to recruitment within this Agency during 1994/95 and 1995/96, as this matter falls within my area of responsibility as Chief Executive of Service Children's Education, (SCE).

Almost all Service Children's Education staff are recruited in the UK for service overseas or recruited locally in overseas locations. During the 1994/95 Financial Year SCE's predecessor Agency, Service Children's Schools (North West Europe), recruited 353 locally entered staff. Advertising for these types of staff was through existing service sources at negligible additional associated cost, which was not separately recorded. No associated travel and subsistence costs, nor fees for interview board members was incurred. The Agency only assumed responsibility for recruitment of locally entered staff in July 1994 and figures are not available prior to this. Additionally during 1994/95 10 UK Based staff were recruited at a cost of £20,770, inclusive of advertising costs, board members fees and candidates travel and subsistence costs.

In the 1995/96 Financial Year, the Agency recruited 1,044 locally entered staff, almost all part-time. Twenty-two UK Based staff were recruited during the same period at a cost of £44,874. In addition to the costs at 1994/95, this figure includes the hiring of regional venues for the interviews.

Letter from Paul A. Altobell to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your question to the Secretary of State for Defence about expenditure on recruiting staff as this matter falls within my area of responsibility as Chief Executive of the Defence Analytical Services Agency.

DASA has spent the following on the recruitment of staff:

1994/95: £0

1995/96: £2,752.35

In addition to those staff recruited for us by our parent Department (MoD) my Agency has directly recruited the following:

Number of staff

1994/95: 0

1995/96: 11

Letter from Colonel A. H. Roache to Mr. Brian Donohoe, dated 11 June 1996:

As Chief Executive of the Defence Animal Centre (DAC) I am replying to your Question to the Secretary of State for Defence regarding how much the DAC spent in recruiting staff during the 1994–95 and 1995–96 financial years and how many staff were recruited in each of these years.

Staff are recruited through the mediums of the Area Civilian Staff Manager and the Job Centre and the use of these organisations is at no cost to the DAC.

During the financial year 1994–95, 10 staff were recruited and 36 were recruited during 1995–96.

Letter from Air Commodore P. C. Ayee to Mr. Brian Donohoe, dated 11 June:

I am replying to your question to the Secretary of State for Defence, asking how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–95 financial years; and how many staff were recruited in each of these years as this matter falls within my responsibility as Chief Executive of the Royal Air Force Signals Engineering Establishment.

From its launch as an executive agency on 22 Nov 94 until the end of financial year 1994–95 my agency recruited 45 staff through the Department at no direct cost to the Agency. In financial year 1995–96 we recruited 51 staff at a direct cost of £2,652.

Letter from Captain W. S. Graham to Mr. Brian Donohoe, dated 11 June 1996:

1. I am replying to your Question to the Secretary of State for Defence, that asked how much was spent in the 'Naval Aircraft Repair Organisation (NARO)' in recruiting staff during 1994–95 and 1995–96 financial years, and how many staff were recruited in each of these years, as the matter falls within my area of responsibility as Chief Executive of the NARO.

2. The figures are as follows:

94/96: 63 £19,112

95/96: 80 £20,606

Letter from W. E. E. Boreham to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your Question to the Secretary of State for Defence about recruitment, as this falls into my area of responsibility as Chief Constables/Chief Executive of the Ministry of Defence Police Agency.

I recruited 32 police officers and no civilians in 1994–95, and no police officers but 12 civilian staff, for employment at MDP Wethersfield, in 1995–96. I spent £6,192 on police recruitment advertising during financial year 1994–95 and £10,040 in 1995–96. Recruitment is conducted in-house by my Personnel Department as part of its wider duties, and the staff costs associated with recruitment are not separately identified.

Letters from N. J. Pearson to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your Question to the Secretary of State for Defence about the cost of recruiting staff and the number of staff recruited as this matters falls within my area of responsibility as Chief Executive of the Joint Air Reconnaissance Intelligence Centre (JARIC) Defence Agency. The Agency, which formed on 19 April 1996, continues to use the Department's centralized resources for its Service and civilian recruitment needs. Information on staff recruitment costs could only be provided at disproportionate costs. Since personnel are recruited to meet central requirements and not exclusively to fill JARIC's needs. The numbers of civilian staff externally recruited to meet JARIC's vacancies for financial years 1994–95 and 1995–96 were 14 and 16 respectively.

Letter from Brigadier J. R. Drew to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your Question to the Secretary of State for Defence about how much was spent by Defence Agencies on recruitment in 1994/95 and 1995/96 and how many staff were recruited, as this matter falls within my area of responsibility as Chief Executive of the Army Base Repair Organisation (ABRO).

It is not possible to provide information about the full cost to ABRO of recruitment in these years as the systems are not yet available to provide this without disproportionate cost and effort. I can however advise that the number of staff recruited and the amount spent on recruitment advertising for the most recent full financial years was:

	1994–95	*1995–96*
Number of staff	243	533
Cost of advertising	£7,618	£30,027

I hope that this is helpful.

Letter from Brian Raine to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your Question to the Secretary of State for Defence, on how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial year; and how many staff were recruited in each of these years.

Cost of Advertising

1994/95: £9,843.13

1995/96: £9,385.53

Numbers recruited

1994/95: 8

1995/96: 5

If you have any further questions about this reply please do not hesitate to contact me.

Mr. Donohoe: To ask the Secretary of State for Defence what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31412]

Mr. Arbuthnot: The Department and its executive agencies have engaged the services of executive search agencies and employment companies for recruitment to senior appointments such as chief executives of defence agencies.

1994–95

Saxton Bampfylde International plc: 1 post

Norman Broadbent Selection (NBS): 1 post

Total cost for year £72,000

1995–96

Norman Broadbent Selection (NBS): 1 post

Recruitment and Assessment Services (RAS): 8 posts

Total cost for year £134,853

We also use the Recruitment and Advisory Service, formerly the Civil Service Commission, for the Department's fast stream recruitment requirements.

The figures quoted include value added tax but not the costs of advertising. The individual fees for the companies are commercially confidential.

Where responsibility for these matters falls to the chief executives of my Department's agencies under the terms of their framework documents and they have exercised that responsibility, I have asked the chief executives to write to the hon. Member.

Letter from Brigadier J. R. Drew to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your Question to the Secretary of State for Defence about the use made by Defence Agencies of executive search agencies and employment companies in 1994/5 and 1995/96, as this matter falls within my area of responsibility as Chief Executive of the Army Base Repair Organisation (ABRO).

I have enclosed the details you requested on a separate sheet. It should be noted that the number of staff engaged through employment agencies was unusually high in 1995/96 because of the need temporarily to replace vital skills lost during the rundown of ABRO Old Dalby. All the work of that workshop is in the process of transfer to other ABRO and MOD facilities or to industry.

ABRO: Use of employment agencies

Agencies used	*Numbers of posts filled*	*Cost £*
1994–95		
Turner Charles Ltd, Staff UK, British Nursing Corporation	5	96,955
1995–96		
Turner Charles Ltd, Staff UK, British Nursing Corporation, Kelly Services, Matchmaker Personnel	30	205,514

The individual fees for companies are not given as they are commercially confidential.

Letter from John Chisholm to Mr. Brian Donohoe, dated 11 June 1996:

Your two recent questions asked the Secretary of State for Defence in what circumstances his Department and Agencies have used executive search agencies or employment companies in filling vacancies in preference to their own personnel staff and for details about the agencies used in the years 1994–95 and 1995–96. I am replying on behalf of the Defence Evaluation and Research Agency (DERA) and will answer both questions in this letter.

DERA's policy is to use its own resources for recruiting. On occasion we also use executive search or employment agencies to fill a particularly specialised post or one in a profession not immediately connected with DERA's main business.

The agencies used by DERA with the numbers of staff recruited in the last two years were as follows:

Agency	*Recruits*
1994–95	
Hays Accountancy Personnel	2
Accountancy Personnel	1
Saxton Barnfylde	1
Genesis Recruitment	1
HS Consultants	1
Total	6
1995–96	
Robert Half (Accountancy)	5
Cambridge Recruitment Consultants	8
Accountancy Personnel	1
Accountancy Appointments	1
Wendy B Employment Consultants	1
Manpower PLC	1
Howlett Thrope Recruitment Consultants	1
Index Recruitment	2
Total	20

I cannot give the amounts paid to each of these companies individually as this information is commercial in confidence. The total amount paid in 1994–95 was £54,400 and the figure for 1995–96 was £86,900.

I hope this is helpful.

Letter from J. C. R. Hunt to Mr. Brian Donohoe, dated 11 June 1996:

The Meteorological Office is an Executive Agency of the Ministry of Defence. As Chief Executive I am responding to your question regarding the use of executive search agencies or employment agencies.

In the financial year 1994–95 we made no use of such agencies.

In the financial year 1995–96 we used an agency on one occasion to recruit a senior finance person at a cost of £21,112. This figure is not out of line with recruitment costs generally in an area where market forces are firmly in play.

Letter from S. Parnell to Mr. Brian Donohoe, dated 11 June 1996:

1. You recently asked the Secretary of State for Defence two Parliamentary Questions concerning the use of executive search agencies and recruitment costs within Agencies of the Ministry of Defence. The matters you raise fall within the responsibilities delegated to the Chief Executive of the Hydrographic Defence Agency, Rear Admiral J. P. Clarke. In the normal course of events Admiral Clarke would reply to you personally but unfortunately he is at present on official duty overseas so I have been asked to reply to you on his behalf.

2. As the two questions you asked relate to similar issues I hope you will not object if I reply to them both in this letter.

3. Turning first to your question about recruitment costs (1497H) the information you require, concerning the Hydrographic Office, can be summarised as follows:

Year	*Number recruited*	*Cost £*
1994–95	15	1,269
1995–96	66	21,681

4. As regards your question about executive search agencies or employment companies, (1498H) I can tell you that the Hydrographic Office did not use any executive search agency or employment company in filling any vacancies that arose during 1994/95 or 1995/96.

I hope the above information has been helpful.

Letter from Brigadier T. McG. Brown to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your Parliamentary Question to the Secretary of State for Defence, the Rt Hon Michael Portillo MP, regarding the use of employment and executive search agencies within the MoD and its associated agencies.

As Chief Executive, this matter falls within my area of responsibility for the Defence Postal and Courier Services Agency.

In 1994/95 and 1995/96 the Agency used temporary staff from "Manpower", "Remploy Ltd" and "Josephine Sammons Ltd". We also recruited from local Job Centres and directly via advertisements in the local press. We have approached various agencies to recruit accounting staff with successful candidates being provided by "Bond Accountancy" and "Hays Accountancy Personnel". The staff recruited from agencies are temporary staff for whom we do not pay a recruitment fee, but the hourly charge for these staff incorporates a percentage payable to the recruitment agency. The overall cost of employing agency staff is similar to that of our equivalent permanent staff. We do not maintain a record of the number of general temporary staff employed in 1994/95 and 1995/96. However, the number of temporary specialist accounting staff employed in this time was two.

I hope this information is helpful.

Letter from I. S. Mitchelson to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your question to the Secretary of State for Defence relating to the use of executive search agencies or employment companies, insofar as this area falls within my area of responsibility as Chief Executive of Service Children's Education.

Service Children's Education, and its predecessor Service Children's Schools (North West Europe), has not used executive search agencies or employment companies in filling vacancies during the financial year 1994–95 and 1995–96. The Recruitment and Advisory Service (RAS) is currently being used to assist the recruitment of my replacement following my retirement on 31 December 1996.

Letter from Brigadier M. G. R. Hodson to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your two Questions to the Secretary of State for Defence, about executive search and employment agencies, as these matters fall within my area of responsibility as Chief Executive of the Defence Transport and Movements Executive Agency.

We formed as an Agency in April 1995 and since then have utilized the services of just one outside recruitment agency. This was in connection with the engagement of one person direct from the commercial market and in such circumstances I considered it necessary to employ the Recruitment and Assessment Services, Basingstoke, because of their expertise in this specialist area. The cost falling during financial year 1995/96 was £4,054.

Letter from Paul Attobell to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your question to the Secretary of State for Defence about the use of executive search agencies or employment companies as this matter falls within my area of responsibility as Chief Executive of the Defence Analytical Services Agency.

DASA has made no use of search agencies during 1994/95 and 1995/96. We have, however, used an employment agency to bring in casual staff on a short term basis to cope with surges in capacity. The details are as follows:

Employment Agency: Manpower plc

Cost of using Agency: DASA recruits casual staff through a central contract placed with Manpower plc by our parent Department (MoD). No details are held locally.

Numbers of staff recruited

1994/95: 4

1995/96: 4

Total cost to DASA

1994/95: £38,439

1995/96: £35,608.

Letter from Brigadier M. J. Roycroft to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to 2 of your Questions to the Secretary of State for Defence about how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. This matter falls within my area of responsibility as Chief Executive of the Defence Clothing & Textiles Agency.

The Defence Clothing & Textiles Agency has delegated recruiting powers for civilian staff. The Agency did not recruit any staff from external sources in financial year 1994–95 and did not therefore incur any expenditure for recruiting staff. In financial year 1995–96 advertising costs of £5,760 were incurred for the recruitment of 36 personnel. The Agency did not use any executive search agencies or employment companies for filling vacancies during this period.

I hope that the above information provides the answers you require.

Letter from Keith Ellender to Mr. Brian Donohoe, dated 11 June 1996:

I am replying to your Question to the Secretary of State for Defence about the use made of executive search agencies or employment companies to fill vacancies within agencies. This matter falls to me as Chief Executive of the Disposal Sales Agency.

During 1995/96 the Recruitment and Assessment Services Agency (RAS) were employed to advertise the post of Chief Executive as a cost to my Agency. The cost of advertising amounted to £6,844.37. The fee paid to RAS cannot be disclosed as this information is 'Commercial-in-Confidence'.

No use was made of executive search agencies or employment companies by my Agency during 1994/95.

Mr. Donohoe: To ask the Secretary of State for Defence in what circumstances his Department or its executive agencies uses an executive search or employment agency to recruit staff in preference to using personnel staff within his own Department or its executive agencies. [31525]

Mr. Arbuthnot: The recruitment and executive search agencies are engaged to assist the Department and its agencies in identifying and recruiting appropriately qualified and experienced individuals in cases where appointments are being filled by open competition and where the Department does not have the relevant in-house recruiting capability.

Where the chief executives of my Department's agencies have responsibilities for this matter under the terms of their framework documents and have additional information I have asked them to write direct to the hon. Member.

Letter from John Chisholm to Mr. Brian Donohoe, dated 11 June 1996:

Your two recent questions asked the Secretary of State for Defence in what circumstances his Department and Agencies have used executive search agencies or employment companies in filling vacancies in preference to their own personnel staff and for details about the agencies used in the years 1994–95 and 1995–96. I am replying on behalf of the Defence Evaluation and Research Agency (DERA) and will answer both questions in this letter.

DERA's policy is to use its own resources for recruiting. On occasion we also use executive search or employment agencies to fill a particularly specialised post or one in a profession not immediately connected with DERA's main business.

The agencies used by DERA with the numbers of staff recruited in the last two years were as follows:

Agency	*Recruits*
1994–95	
Hays Accountancy Personnel	2
Accountancy Personnel	1
Saxton Barnfylde	1
Genesis Recruitment	1
HS Consultants	1
Total	6
1995–96	
Robert Half (Accountancy)	5
Cambridge Recruitment Consultants	8
Accountancy Personnel	1
Accountancy Appointments	1
Wendy B Employment Consultants	1
Manpower PLC	1
Howlett Thrope Recruitment Consultants	1
Index Recruitment	2
Total	20

I cannot give the amounts paid to each of these companies individually as this information is commercial in confidence. The total amount paid in 1994–95 was £54,400 and the figure for 1995–96 was £86,900.

I hope this is helpful.

Letter from S. Parnell to Mr. Brian Donohoe, dated 12 June 1996:

1. You recently asked the Secretary of State for Defence a Parliamentary Question about the circumstances in which the Ministry of Defence or its executive agencies would use an executive search or employment agency to recruit staff. As the issue you raise falls within the responsibility of the Chief Executive of the Hydrographic Office Defence Agency, your question has been referred to the Hydrographic Office for the provision of a reply. In the normal course of events Admiral Clarke would reply to you personally but unfortunately he is at present on official duty overseas so I have been asked to respond to you on his behalf.

2. In answer to your question, the Hydrographic Office would only use employment agencies in special circumstances, for example to meet short-term requirements owing to temporary absences or because of surge requirements to accommodate sudden, but temporary increases in workflow.

3. I hope the above has been helpful.

Letter from Brigadier K. J. W. Good to Mr. Brian Donohoe, dated 12 June 1996:

I am replying to your Question to the Secretary of State for Defence regarding the circumstances in which my Agency uses an executive search or employment agency to recruit staff in preference to using personnel staff within the Ministry of Defence.

There are currently no circumstances in which the Army Base Storage and Distribution Agency would make use of an executive search or employment agency, as we have no personnel delegations for mobile grades. Non-mobile grades are recruited through Job Centres at no cost to the agency or the Ministry of Defence.

I trust this fully answers your question.

Letter from Brigadier T. McG. Brown to Mr. Brian Donohoe, dated 12 June 1996:

I am replying to your Parliamentary Question to the Secretary of State for Defence, the Rt Hon Michael Portillo MP, regarding the circumstances in which employment and executive search agencies are used within the MoD and its associated agencies.

As Chief Executive, this matter falls within my area of responsibility for the Defence Postal and Courier Services Agency.

The Agency uses employment agencies to provide temporary staff where it is not possible to recruit permanent staff from within the MoD sufficiently quickly to fill vacancies. This situation generally arises where staff are required at short notice, or occasionally where there is a need to recruit specialist staff on short term appointments. The Agency has not used executive search agencies as all senior staff, both military and civilian, have been appointed from within MoD. We always attempt to recruit from existing MoD staff before approaching employment agencies.

I hope this information is helpful.

Letter from N. J. Pearson to Mr. Brian Donohoe, dated 12 June 1996:

I am replying to your Question to the Secretary of State for Defence about the circumstances under which search agencies or employment companies would be used to recruit staff as this matter falls within my area of responsibility as Chief Executive of the Joint Air Reconnaissance Intelligence Centre Defence Agency. The Agency, which is only 2 months old, cannot currently envisage a circumstance in which either an executive search agency or employment company would be used to recruit staff in preference to employing the Agency's Department's own personnel resources.

Letter from Brigadier J. R. Drew to Mr. Brian Donohoe, dated 12 June 1996:

I am replying to your Question to the Secretary of State for Defence asking in what circumstances Defence Agencies use executive search agencies and employment companies, as this matter falls within my area of responsibility as Chief Executive of the Army Base Repair Organisation (ABRO).

ABRO uses the services of employment companies only when difficulties are encountered in filling posts with internal candidates who have the requisite skills and experience or can move in the appropriate time frame. All such appointments are made on temporary contracts and are very much the exception rather than the rule.

SCOTLAND

GP Fundholding

Mr. McAllion: To ask the Secretary of State for Scotland what percentage of NHS expenditure on hospital and community services in Scotland is managed by GP fundholding. [31811]

Lord James Douglas-Hamilton: In 1995–96 GP fundholders managed 3.7 per cent. of NHS revenue expenditure on hospital and community services in Scotland.

Mr. McAllion: To ask the Secretary of State for Scotland what was *(a)* the total national cost and *(b)* the cost per health board area of the allowances to cover the additional administrative costs of general practitioner fundholding in Scotland in each year since its introduction. [31810]

Lord James Douglas-Hamilton: I refer the hon. Member to the answer that I gave to the hon. Member for Cunninghame, South (Mr. Donohoe) on 6 February, *Official Report*, columns *83–86*.

Mr. McAllion: To ask the Secretary of State for Scotland how many health boards in Scotland have established fundholding units as a means of supporting and encouraging general practitioner fundholding; and what is the annual cost of these units in each case. [31817]

Lord James Douglas-Hamilton: None of the health boards in Scotland has established fundholding units. There is, however, a department of primary care within each health board which seeks to develop general practice. Staff involved in the management and support of all GPs, including fundholders, are employed within these departments.

Mr. McAllion: To ask the Secretary of State for Scotland what was the total amount of efficiency savings by GP fundholding practices in Scotland in each year since the introduction of GP fundholding including the current year to date. [31813]

Lord James Douglas-Hamilton: For information on the amount of savings made by GP fundholders held by health boards from 1990–91 to 1994–95, the latest year for which audited accounts are available. I refer the hon. Member to the answer that I gave to the hon. Member for Cunninghame, South (Mr. Donohoe) on 6 February, *Official Report*, column *85*. Audited figures are not yet available for 1995–96.

Mr. McAllion: To ask the Secretary of State for Scotland what were the total budgets of all GP fundholding practices in Scotland in each year since its introduction, including the current year to date. [31815]

Lord James Douglas-Hamilton: The information requested is set out in the table. Information for the current year to date is not yet available.

Financial year	*Approved budgets £ million*
1991–92	3.1
1992–93	15.5
1993–94	95.5
1994–95	171.8
1995–96	210.0

Purchasing Pilot Projects

Mr. McAllion: To ask the Secretary of State for Scotland if he will list the total purchasing pilot projects in Scotland. [31823]

Lord James Douglas-Hamilton: There are seven total purchasing pilot projects in Scotland:

Lothian health Board: Lothian Health total purchasing pilot project

Lanarkshire health board: Lanarkshire total purchasing pilot project

Greater Glasgow health board: Strathkelvin total purchasing pilot

Grampian health board: Aberdeen West group

Grampian health board: Counties group

Highland health board: Nairn and Ardersier total fundholding pilot project

Argyll and Clyde health board: Lomondside total purchasing pilot

Sentinel Works, Polmadie

Mr. Allason: To ask the Secretary of State for Scotland what steps he has taken to ensure the physical integrity of the grade A listed building at 61 Jessie street, Polmadie, Glasgow. [32208]

Lord James Douglas-Hamilton: The maintenance of listed buildings is essentially a matter for the owners. In 1995 an application to demolish the building was submitted to Glasgow district council by Strathclyde regional council in connection with the proposed M74 extension. Following advice from Historic Scotland, however, it was accepted that the demolition of the building was no longer required in connection with the extension of the motorway and the application was withdrawn.

Mr. Allason: To ask the Secretary of State for Scotland what responsibility he has retained for the Sentinel Works at 61 Jessie street, Polmadie, Glasgow. [32228]

Lord James Douglas-Hamilton: My right hon. Friend has no direct responsibility for the Sentinel Works. However, as it is a category A listed building, any applications which the planning authority was minded to approve to alter, extend or demolish the building would have to be referred to him.

Council Homes

Mr. Donohoe: To ask the Secretary of State for Scotland how many council homes have been built in each financial year since 1979–80 in Scotland. [32447]

Mr. Raymond S. Robertson: The total numbers of completions of local authority dwellings in the financial years 1979–80 to 1994–95 are as follows:

Financial year	*Number of local authority dwellings completed*
1979–80	4,818
1980–81	5,199
1981–82	3,141
1982–83	2,222
1983–84	2,470
1984–85	2,024
1985–86	1,880
1986–87	1,678
1987–88	2,021
1988–89	1,818
1989–90	1,243
1990–91	987
1991–92	1,030
1992–93	574
1993–94	526
1994–95	658

Source:
The Scottish Office Development Department housing statistics unit.

Legal Service (Tayside and Fife)

Mr. Welsh: To ask the Secretary of State for Scotland how many police reports were received by *(a)* Arbroath and Forfar procurator fiscal offices and *(b)* the remainder of the procurator fiscal offices within the sheriffdom of Tayside, Central and Fife between (i) January and December 1994, (ii) January and December 1995 and (iii) December 1995 and April 1996; and, in each case, how many and what percentage were marked "No proceedings". [32528]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate has provided the following information in relation to the total number of reports received by procurators fiscal in Tayside, Central and Fife. This information relates to all reports received in the relevant years, including death reports and reports submitted by non-police reporting agencies such as the local authorities and the Health and Safety Executive.

Tayside, Central and Fife region—1 January to 31 December 1994

	Total reports received	*Total marked "No proceedings"*	*Percentage marked "No proceedings"*
Arbroath	3,060	270	8.82
Forfar	2,235	142	6.35
Alloa	2,588	398	15.38
Cupar	2,111	242	11.46
Dundee	11,044	950	8.60
Dunfermline	7,035	745	10.59
Falkirk	7,351	1,011	13.75
Kirkcaldy	7,687	1,155	15.03
Perth	7,623	1,211	15.89
Stirling	4,656	468	10.05
Totals	55,390	6,592	11.90

Tayside, Central and Fife region—1 January to 31 December 1995

	Total reports received	*Total marked "No proceedings"*	*Percentage marked "No proceedings"*
Arbroath	2,985	354	11.86
Forfar	2,048	245	11.96
Alloa	2,365	314	13.28
Cupar	2,118	322	15.20
Dundee	10,750	1,476	13.73
Dunfermline	6,497	979	15.07
Falkirk	7,286	1,034	14.19
Kirkcaldy	7,473	995	13.31
Perth	7,527	1,009	13.41
Stirling	4,926	630	12.79
Totals	53,975	7,358	13.63

Tayside, Central and Fife region—1 January to 31 December 1996

	Total reports received	*Total marked "No proceedings"*	*Percentage marked "No proceedings"*
Arbroath	1,156	185	16.00
Forfar	813	104	12.79
Alloa	1,056	195	18.47
Cupar	873	95	10.88
Dundee	4,035	705	17.47
Dunfermline	2,379	359	15.09
Falkirk	2,881	520	18.05
Kirkcaldy	2,933	395	13.47
Perth	2,902	332	11.44
Stirling	1,516	201	13.26
Totals	20,544	3,091	15.05

Compulsory Competitive Tendering

Mr. Donohoe: To ask the Secretary of State for Scotland what considerations underlay the statement in the Scottish Office Development Department circular 6/96 regarding the compliance of tendering practices with legislation; to which legislation this statement refers; and if the Scottish Office has received external legal guidance to support this assessment. [31567]

Mr. Kynoch *[holding answer 7 June 1996]:* The basic legislation is the Local Government, Planning and Land Act 1980, the Local Government Act 1988 and the Local Government Act 1992, and regulations made thereunder. The purpose of the circular, which was issued after careful consideration of all relevant factors and reflects experience, is to provide guidance to authorities on how they may avoid conduct which has the effect or is intended or likely to have the effect of restricting, distorting or preventing competition and thus ensure value for money for the council tax payer. The circular replaces one issued in 1993.

Mr. Donohoe: To ask the Secretary of State for Scotland (1) how many representations he has received indicating that Scottish local authorities have been increasing the capacity of their direct labour organisations; and who made these complaints; [31569]

(2) pursuant to his Department's letter to the president of the Convention of Scottish Local Authorities of 11 May, which Scottish local authorities have used his

Department's moratorium on compulsory competitive tendering to increase direct labour organisation in-house capacity; and if he will list the evidence supporting the claim. [31576]

Mr. Kynoch *[holding answer 7 June 1996]:* We have received some 20 written complaints from contractors and other interested parties, whom it would not be appropriate to name, about authorities' actions during the CCT moratorium. We have also received representations at meetings which I and my officials have attended and have received other oral complaints. The representations have not concentrated on authorities increasing their DLO in-house capacity, on which we have no information centrally. Instead, the representations have referred to authorities taking work in-house without tendering the market and without ensuring best value for money for the council tax payer.

Mr. Donohoe: To ask the Secretary of State for Scotland if he will list all the legislation, statutory instruments, regulations and circulars relating to compulsory competitive tendering that have been passed or issued since 1980. [31570]

Mr. Kynoch *[holding answer 7 June 1996]:* The information is as follows:

CCT PRIMARY LEGISLATION

The CCT primary legislation is:

Local Government, Planning and Land Act 1980 (Part III)

Local Government Act 1988 (Part I)

Local Government Act 1992 (sections 8–10)

CCT regulations and statutory instruments

Regulations	*Date in force*
The Local Government (Direct Labour Organisations) (Competition) (Scotland) Regulations 1982 (SI 1982/318)	1 April 1982
The Local Government (Direct Labour Organisations) (Accounts) (Scotland) Regulations 1982 (SI 1982/319)	1 April 1982
The Local Government (Direct Labour Organisations) (Competition) (Scotland) Regulations 1984 (SI 1984/159)	1 April 1984
The Local Government (Direct Labour Organisations) (Competition) (Scotland) Amendment Regulations 1988 (SI 1988/956)	1 July 1988
The Local Government Act 1988 (Defined Activities) (Competition) (Scotland) Regulations 1988 (SI 1988/1413)	1 September 1988
The Local Government Act 1988 (Defined Activities) (Specified Periods) (Scotland) Regulations 1988 (SI 1988/1414)	1 September 1988
The Local Government Act 1988 (Defined Activities) (Exemptions) (Scotland) (Order) 1988 (SI 1988/1415)	1 September 1988
The Local Government Act 1988 (Competition in Sports and Leisure Facilities) Order 1989 (SI 1989/2488)	28 December 1989
The Local Government Act 1988 (Defined Activities) (Competition and Specified Periods) (Scotland) Regulations 1990 (SI 1990/1484)20 August 1990	
The Local Government Act 1988 (Defined Activities) (Exemptions) (Scotland) Amendment Order 1990 (SI 1990/1485)	20 August 1990
The Local Government (Direct Labour Organisations) (Competition) (Scotland) Regulations 1990 (SI 1990/1782)	1 October 1990/ 1 April 1991
The Local Government (Direct Labour Organisations) (Specified Number of Employed Persons) (Scotland) Order 1990 (SI 1990/1783) 1 October 1990	
The Local Government Act 1988 (Defined Activities) (Competition) (Scotland) Amendment Regulations 1990 (SI 1990/2286)	18 December 1990
The Local Government Act 1988 (Defined Activities) (Competition) (Scotland) Amendment (No. 2) Regulations 1990 (SI 1990/2498)31 December 1990	
The Local Government (Direct Labour Organisations) (Competition) (Scotland) Amendment Regulations 1991 (SI 1991/243)	1 April 1991
The Local Government Act 1988 (Defined Activities) (Competitions and Specified Periods) (Scotland) Amendment Regulations 1991 (SI 1991–2548) 4 December 1991	
The Local Government Act 1988 (Defined Activities) (Specified Periods) (Scotland) Amendment Regulations 1993 (SI 1993–178)	28 February 1993
The Local Government (Direct Service Organisations) (Competition) Regulations 1993 (SI 1993/848)	10 May 1993
The Local Government Act 1988 (Competition) (Defined Activities) (Housing Management) Order 1994 (SI 1994–1671)	23 June 1994
The Local Government Act 1988 (Competition) (Defined Activities) Order 1994 (SI 1994–2884)	10 November 1994
The Local Government act 1988 (Competition) (Defined Activities) (Construction and Property Services) Order 1994 (SI 1994–2888) 11 November 1994	
The Local Government Act 1988 (Defined Activities) (Exemption) (Livingston Development Corporation) Order 1994 (SI 1994–3084) 31 December 1994	
The Local Government Act 1988 (Supervision of Parking) (Exemption) (Scotland) Order 1994 (SI 1994–3107)	31 December 1994
The Local Government Act 1980 (Defined Activities) (Exemption of Development Corporations) (Scotland) Order 1995 (SI 1995–517) 31 March 1995	
The Local Government, Planning and Land Act 1980 (Competition) (Scotland) Regulations 1995 (SI 1995–677)	31 March 1995
The Local Government (Exemption from Competition) (Scotland) Order 1995 (SI 1995–678)	31 March 1995
The Local Government (Direct Service Organisations) (Competition) (Amendment) Regulations 1995 (SI 1995–1336)	14 June 1995
The Local Government Act 1988 (Defined Activities) (Competition) (Scotland) Amendment Regulations 1995 (SI 1995–1972)	20 August 1995
The Local Government (Direct Labour Organisations) (Accounts) (Scotland) Regulations 1996 (SI 1996–784)	1 April 1996
The Local Government Act 1988 (Defined Activities) (Specified Periods) Regulations 1996 (SI 1996–917)	1 May 1996

CCT circulars

Circular number	*Date*	*Title of circular*
46/1980	18 December 1980	Local Government, Planning and Land Act 1980
8/1982	25 March 1982	Local Government, Planning and Land Act 1980—Part III: Direct Labour Organisations
5/1984	28 February 1984	Local Government, Planning and Land Act 1980—Part III: Direct Labour Organisations
1/1987	22 January 1987	Local Government, Planning and Land Act 1980—Part III: Direct Labour Organisations
9/1988	20 May 1988	Local Government Act 1988
18/1988	23 August 1988	Local Government Act 1988: Part I and Schedule I Competition in the Provision of Local Authority Services
22/1990	7 September 1990	Local Government, Planning and Land Act 1980 Direct Labour Organisations
6/1991	8 March 1991	Local Government Act 1988 Part I: Competition in the Provision of Local Authority Services
9/1991	26 March 1991	Local Government, Planning and Land Act 1980 Direct Labour Organisations: Roads Work
18/1991	19 December 1991	Local Government Act 1988 Competition in Sport and Leisure Facilities
13/1993	14 June 1993	Local Government Act 1992, Section 9 Competition in the Provision of Local Authority Services
11/1994	30 March 1994	Local Government, Planning and Land Act 1980 Direct Labour Organisations (Rate of Return on Capital) (Scotland) Directions 1994 Local Government Act 1988 Financial Objectives (Scotland) Specifications 1994
22/1994	23 June 1994	The Local Government Act 1992 (Commencement No. 4) Order 1994 Local Government, Planning and Land Act 1980 Direct Labour Organisations Financial Objectives (Scotland) Specifications 1994
10/1995	30 March 1995	Extension of Compulsory Competitive Tendering to Legal and Further Manual Services and to Professional Construction and Property Services
13/1995	21 June 1995	The Local Government (Exemption from Competition) (Scotland) Order 1995: SI No. 678 The Local Government, Planning and Land Act 1980 (Competition) (Scotland) Regulations 1995: I No. 677
6/1996	2 April 1996	Guidance on the Conduct of Compulsory Competitive Tendering
8/1996	27 March 1996	Local Government, Planning and Land Act 1980 Financial Objectives (Scotland) Specifications 1996 Local Government Act 1988 Financial Objectives (Scotland) Specifications 1996

The above circulars, with one exception, were issued by the Scottish Development Department/the Scottish Office Environment Department/the Scottish Office Development Department. The one exception is circular 18/1991, which was issued by the Scottish Office Education Department.

Mr. Donohoe: To ask the Secretary of State for Scotland what has been the cost in terms of *(a)* civil servant staff time and *(b)* other expenditure incurred by his Department in preparing legislation, statutory instruments, regulations and circulars relating to compulsory competitive tendering since 1980. [31571]

Mr. Kynoch *[holding answer 7 June 1996]:* This information is not available, but I refer the hon. Member to the reply that I gave to the hon. Member for Dundee, East (Mr. McAllion) on 24 April 1996, *Official Report*, column *124*.

Stonehaven Hospital

Ms Harman: To ask the Secretary of State for Scotland what is the payback period for the private finance initiative element in respect of Stonehaven hospital. [32041]

Lord James Douglas-Hamilton *[holding answer 10 June 1996]:* Grampian health board has yet to decide on the preferred bidder for the Stonehaven scheme. When a contract is awarded, it will be for an initial period of 10 years and will be for the provision by the successful tenderer of a range of services, which will be provided in new hospital premises, not for the construction of the hospital itself. The winning bidder will need to demonstrate that it provides the best value for money compared to other bids and against a public sector comparator. Therefore, it will be for the private sector to consider the payback period for the new facilities that it provides in the context of its bids, which will be expressed in terms of an overall price covering service provision, overheads and any capital elements.

Fishing (Net Sizes)

Mr. Morley: To ask the Secretary of State for Scotland what information is held on the amount of large mesh bottom-set gill net in use off Scotland by *(a)* British boats and *(b)* foreign boats (i) within the six-mile limit and (ii) beyond; and how any changes in the amount and type of gill net use, as a result of the proposed derogation on monofilament net will be determined. [31777]

Mr. Raymond S. Robertson *[holding answer 7 June 1996]:* Information is not collected separately on the use of large mesh bottom set gill nets. There are no plans to change this.

Pesca Funding

Mr. Ainger: To ask the Secretary of State for Scotland how much Pesca funding is available for fishery projects in Scotland in 1996–97; how much was paid in 1995–96; and if he will list those projects funded and the amount each project received. [32193]

Mr. Kynoch *[holding answer 10 June 1996]:* Just over one Mecu—£827,000—is available to fund projects under the financial instrument for fisheries guidance in 1996. Eligible activity includes business opportunity studies, product development and marketing research and quality assurance initiatives. No money has been paid out under Pesca for 1995 or 1996.

Written Answers to Questions

Thursday 13 June 1996

HOME DEPARTMENT

Car Crime

Mr. Thurnham: To ask the Secretary of State for the Home Department if he will list, in rank order, the statistics collated by his Department for car crime in *(a)* the member states of the European Union, *(b)* the regions of the UK and *(c)* districts within the north-west for each of the last five years. [32187]

Mr. Maclean: Comparisons of car crime statistics in the member states of the European Union are difficult because definitions of offences vary between countries due both to legal differences and statistical recording methods. However, the international crime survey has compared risks of car crime in European countries in 1988 and 1991 and the results are published in Home Office research findings No. 8. Additionally, information on recorded thefts of a vehicle in European countries in 1990 is published in the "Draft European Sourcebook of Crime and Criminal Justice Statistics". Copies of both these publications are available in the Library. Statistics for each police force area in England and Wales have also been placed in the Library. Figures for Scotland and Northern Ireland are matters for the respective Secretaries of State. Information on districts within the north-west is not collected centrally.

Firearms Incidents

Mr. Touhig: To ask the Secretary of State for the Home Department (1) what plans he has to introduce a code of practice for use by appointed investigating officers when dealing with the Police Complaints Authority supervised investigations following firearms incidents; [32225]

(2) for appointed investigating officers to deal with the Police Complaints Authority supervised investigations following firearms incidents. [32226]

Mr. Maclean: None. The investigation of police conduct is a matter for the chief officer of the force concerned and the Police Complaints Authority.

Crime Rates

Mr. Brian Jenkins: To ask the Secretary of State for the Home Department if he will list the overall crime rate and annual percentage change in each year since 1979 in *(a)* the west midlands and *(b)* Staffordshire. [32258]

Mr. Maclean: The information requested is given in the following table:

Recorded crime in the West Midlands and Staffordshire

Year	West Midlands Number of offences	West Midlands Percentage change over previous year	Staffordshire Number of offences	Staffordshire Percentage change over previous year
1979	156,671	[1]—	37,952	[1]—
1980	176,580	+13	37,988	0
1981	198,126	+12	42,411	+12
1982	222,404	+12	44,935	+6
1983	222,294	0	48,016	+7
1984	240,015	+8	51,103	+6
1985	243,712	+2	52,563	+3
1986	268,025	+10	57,026	+8
1987	266,799	0	57,766	+1
1988	236,553	−11	56,654	−2
1989	228,980	−3	59,372	+5
1990	264,769	+16	72,513	+22
1991	302,864	+14	86,285	+19
1992	329,260	+9	97,536	+13
1993	330,091	0	98,421	+1
1994	315,755	−4	93,757	−5
1995	318,087	+1	91,496	−2

[1] Not applicable.

Immigration Offenders

Mr. Cox: To ask the Secretary of State for the Home Department if a person detained in prison for an immigration offence is kept informed of reviews of his case. [32468]

Mr. Kirkhope: Those detained in prisons and immigration detention centres under powers contained in the Immigration Act 1971 are advised in writing by the immigration service of developments in their case on a monthly basis from the date of their detention under immigration powers. Following the issue of revised instructions in May 1995, detained asylum claimants are informed separately about the progress of their applications by the asylum directorate.

Special Constabulary

Mr. Touhig: To ask the Secretary of State for the Home Department (1) how many police forces in Great Britain employ, or plan to employ, a special constabulary liaison recruiting officer or equivalent; [32232]

(2) in those police forces which employ a special constabulary proactive recruiting officer or equivalent *(a)* what salary people employed in these positions receive, *(b)* how many hours per week they work and *(c)* how much money was spent on advertisements to recruit them. [32233]

Mr. Maclean: The information held centrally is as follows:

All 43 police forces in England and Wales have force recruitment officers whose responsibilities include the recruitment of special constables. At least two forces employ at least one member of staff who is solely dedicated to processing applications to the special constabulary. In one force, a special constable handles applications to the special constabulary.

Nineteen out of 43 police forces in England and Wales have appointed, or intend to appoint, specials liaison officers. Their duties and responsibilities vary, but may include liaison between regular officers and special constables across the force, promoting the special constabulary within the community, and helping to plan specials-specific initiatives. The majority of forces employ civilians in the post, but four forces have appointed inspectors, and police constables, for the purpose. All but two of the specials liaison officers are full-time—approximately 37 hours per week. The two part-time posts are for about 20 hours a week.

The salaries of the civilian employees range from £10,400 to £22,000 per annum: the salaries of the regular officers involved range from some £30,000 to £53,000 per annum. Several of the special liaison officer posts have been funded from Home Office grant provided through challenge funding earlier this year.

In the majority of cases, the posts were advertised internally and thus without direct costs. In the five forces where the costs were identifiable, they ranged from £170 to £700.

Royal Commission on Criminal Justice

Mr. McFall: To ask the Secretary of State for the Home Department what was the total cost of the royal commission on criminal justice review for England and Wales chaired by Viscount Runciman of Doxford. [32304]

Mr. Maclean: The total cost of the royal commission on criminal justice, which reported in July 1993, was £2.5 million.

Bats

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many prosecutions were brought against persons destroying bats and bat habitats in the latest year for which figures are available. [32234]

Mr. Maclean: Information collected centrally by my Department on court proceedings under the Wildlife and Countryside Act 1981 section 9—protection of certain wild animals—does not identify the animal involved or the subsection under which the offence was placed. However, our statistics show that in 1994—the latest year for which figures are available—there were a total of seven prosecutions under section 9.

Crime Clear-up Rates

Mr. Brian Jenkins: To ask the Secretary of State for the Home Department if he will list the crime clear-up rate and annual percentage change in each year since 1979 in *(a)* Staffordshire and *(b)* the west midlands. [32259]

Mr. Maclean: The information requested is given in the following table:

Clear-up rates in Staffordshire and the West Midlands

	Staffordshire		*West Midlands*	
Year	*Clear up rate per cent.*	*Change in percentage points*	*Clear up rate per cent.*	*Change in percentage points*
1979	51	[1]—	37	[1]—
1980	47	–4	33	–4
1981	49	+2	32	–1
1982	49	0	33	+1
1983	47	–2	36	+3
1984	48	+1	30	–6
1985	52	+4	30	0
1986	44	–8	29	–1
1987	42	–2	36	+7
1988	45	+3	42	+6
1989	43	–2	39	–3
1990	39	–4	36	–3
1991	37	–2	31	–5
1992	30	–7	27	–4
1993	29	–1	27	0
1994	31	+2	25	–2
1995	32	+1	24	–1

[1] Not appplicable.

Prisons

Mr. Pawsey: To ask the Secretary of State for the Home Department when he will publish the results of Coopers and Lybrand's review of comparative costs and performance of privately managed and public sector prisons; and if he will make a statement. [33265]

Miss Widdecombe: I have today placed in the Library copies of a review of comparative costs and performance of privately and publicly operated prisons carried out for the Prison Service by Coopers and Lybrand. The study compared Blakenhurst, Doncaster and the Wolds with the most nearly comparable public sector prisons using 1994–95 data. The findings are summarised in the tables.

The results show that, after adjusting costs onto a comparable basis, privately managed prisons are cheaper by 13 to 22 per cent. than public sector prisons and deliver equal or better performance on most measures. The findings are broadly consistent with previous findings based on 1993–94 data but suggest that the gap between the two sectors on cost has narrowed slightly.

Coopers and Lybrand's review of comparative costs and performance of privately and publicly operated prisons

Summary of findings

Table [1]: Percentage by which private sector is cheaper than comparable public sector prisons

		Blakenhurst	*Doncaster*	*Wolds*
Comparator Group	*Average of all groups Percentage*	*Elmley Holme House Percentage*	*Birmingham Elmley Holme House Percentage*	*Bedford Cardiff Exeter Percentage*
Cost per baseline place	18	13–15	12–27	14–28
Cost per in-use place	22	13–15	12–44	10–36
Cost per prisoner	13	13–17	14–21	3–11

Table 2: Comparison of performance against Prison Service Key Performance Indicators

	Blakenhurst	*Comparator average*	*Doncaster*	*Comparator average*	*Wolds*	*Comparator average*
Number of escapes	0	2	1	1	0	1
Assaults as percentage of population	18 per cent.	10 per cent.	34 per cent.	10 per cent.	15 per cent.	11 per cent.
Number of hours purposeful activity per week	26	19	21	20	21	23
Number of hours unlocked on weekdays	14	10	12	9	14	10
Opportunity to exceed minimum visiting entitlement	Yes	Yes	Yes	Yes	Yes	Yes

Persons of Irish Origin (Supervision)

Mr. Bermingham: To ask the Secretary of Sate for the Home Department how many persons of Irish origin were being supervised by the probation service in England and Wales at the latest available date and for equivalent dates in 1986 and 1991. [32713]

Mr. Sackville: Information on the nationality of those supervised by the probation service is not collected centrally by the Home Office.

Miscarriages of Justice (Persons of Irish Descent)

Mr. Bermingham: To ask the Secretary of State for the Home Department how many cases of miscarriages of justice have involved persons of Irish descent over the last 15 years. [32714]

Mr. Kirkhope: The information requested is not available.

Sex Offenders

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department what plans he has to consult on further measures to protect the public from sex offenders. [33278]

Mr. Howard: I shall be publishing a consultation document on the sentencing and supervision of sex offenders at 11 am on Monday 17 June. Copies will then be available in the Library.

TRANSPORT

Traffic Area Office (Cardiff)

Mr. Jon Owen Jones: To ask the Secretary of State for Transport how many personal callers visited the south Wales traffic area office in Cardiff in *(a)* April 1996 and *(b)* May 1996; and if he will make a statement. [32224]

Mr. Norris: I refer the hon. Member *to the answer I gave* on 10 June to the hon. Member for Sutton and Cheam (Lady O. Maitland), *Official Report*, column *30*. In April 1996, there were 193 personal callers and 246 callers in May 1996 to the south Wales traffic area office.

Light Dues

Mr. Austin Mitchell: To ask the Secretary of State for Transport what evidence he has *(a)* commissioned and *(b)* evaluated of other countries' methods of levying light dues; and if he will make a statement. [32471]

Mr. Norris: We contributed to the study of "user pays" carried out by the European Commission by providing an adviser on secondment for one year. We are currently awaiting the final results of that study.

School Buses

Ms Walley: To ask the Secretary of State for Transport what steps he has taken to ensure that where seat belts are fitted to coaches and minibuses for use by school children *(a)* tested equipment is fitted, *(b)* equipment is fitted safely, *(c)* the three-to-two rule is not used, *(d)* counterfeit equipment is not allowed and *(e)* seat belts are worn. [32572]

Mr. Norris: The safety of equipment and its fitting must ultimately remain the responsibility of the installer. We intend to issue guide lines in support of the legislation and are exploring options for checking installations at the annual test. We are also considering other safeguards but they can be of only a limited nature.

Additional steps beyond the legal measures already in place are not currently considered necessary for three to two, counterfeit equipment and the wearing of seat belts.

Ms Walley: To ask the Secretary of State for Transport what steps he is taking to ensure that each child on a school bus has a seat; and if he will make a statement on standing on buses and on blocking of gangways and emergency exits by baggage. [32573]

Mr. Norris: The responsibility for providing suitable home to school transport for children rests with the local education authority. Both the operators and the LEA must be satisfied that the transport provided enables children to travel in safety.

The carriage of standing passengers on buses is controlled by the Public Service Vehicles (Carrying Capacity) Regulations 1984. Both seating and standing capacities must be marked clearly on the vehicle. Vehicles intended to carry more than eight standing passengers must meet minimum requirements for both standing space and headroom. Sufficient hand grips must be fitted for each standing passenger. Gangways and emergency exits must not be obstructed at any time.

Ms Walley: To ask the Secretary of State for Transport what discussions he has had with the Secretary of State for the Environment in respect of discounting of extra expenditure incurred by local education authorities in respect of implementation of the end of the three-to-two rule on school travel. [32571]

Mr. Norris: The additional costs to local authorities of implementing changes to the three-for-two concession, following the new seat belt regulations, were taken into account along with a range of other pressures when

determining the amount for education—education standard spending—in the local government finance settlement, and reflected in the increased funding for local education authorities.

Domestic Air Services

Mrs. Dunwoody: To ask the Secretary of State for Transport what action his Department is taking to ensure that slots for domestic services are protected at Heathrow and Gatwick airports; and if he will make a statement. [32796]

Mr. Norris: The Department of Transport is taking no such action. Recommendations 8 and 9 of the Transport Committee's report on airport capacity, published on 21 May this year, address this issue. The Department aims to respond as soon as possible to the report.

Airport Capacity (London)

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will make a statement on the current evaluation of a close parallel runway at Gatwick; and if he will make a statement. [32789]

Mr. Norris: I refer the hon. Member to my answer of 22 May 1996, *Official Report*, column *231*.

Civil Aviation Authority

Mrs. Dunwoody: To ask the Secretary of State for Transport what assessment he has made of the future of the CAA following the EU third package on the liberalisation of air services. [32805]

Mr. Norris: None.

Channel Tunnel (Security)

Mrs. Dunwoody: To ask the Secretary of State for Transport what mandatory requirements are placed on European Passenger Services to undertake security inspections on passengers' baggage in respect of those travelling aboard Eurostar services. [32785]

Mr. Watts: EPS is required to security screen a percentage of passengers' baggage. The percentage varies depending on the levels of threat and risk as assessed by Government agencies.

All unaccompanied baggage—that is, baggage travelling separately from its owner—is screened.

Mrs. Dunwoody: To ask the Secretary of State for Transport how many inspections were undertaken by Transec on security measures undertaken at the channel tunnel in each of the last two years. [32784]

Mr. Watts: From June 1994 to March 1995, 124 security inspections in relation to channel tunnel services were carried out. The figure for 1995–1996 was 289.

M25 (Widening)

Mr. Mackinlay: To ask the Secretary of State for Transport (1) for what reasons traffic forecasts contained in the official assessment report for the 10 to 12 lane M25 widening scheme between junctions 12 and 15 do not allow for the road traffic impact of the consequences of a planning permission being granted for terminal 5 at Heathrow airport; and if he will make a statement; [31887]

(2) what allowance has been made within the traffic growth forecasts accompanying the junctions 12 to 15 widening scheme for the M25 for the traffic generation factors that were identified and contained in the Standing Advisory Committee on Trunk Road Assessment report of December 1994; and if he will make a statement. [31886]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Andrew Mackinlay, dated 13 June 1996:

The Secretary of State for Transport has asked me to reply to your recent parliamentary questions about the M25 widening scheme between Junctions 12 and 15.

The traffic forecasts for the scheme have taken into account the factors identified in the SACTRA report, including the potential for generated traffic. The State 3 Assessment Report, which was published with the Environmental Statement on 11 April, indicates that in overall terms, across the geographic area considered within the traffic model, no generated traffic is predicted.

Traffic forecasts for the widening do not include the effects of the proposed Heathrow Terminal 5 (T5) since the widening does not depend for its justification on T5.

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for Transport what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32664]

Mr. Norris: Initial assessment of critical operational systems has produced estimates of around 5,000 date tests needing modification. Assessment of necessary work is the subject of further detailed studies and will form the basis of cost negotiations with contractors. Replacement may obviate modification in some cases. Urgent changes have been made. Many of the Department's operational service and management systems will be replaced by the end of the century and are not being assessed. Studies are planned to cover all other systems in the Department.

Concessionary Travel

Mr. Simon Hughes: To ask the Secretary of State for Transport what assessment he has made of the implications of the Wrekin decision of the European Court of Justice on retirement ages, for concessionary travel for pensioners in *(a)* Greater London and *(b)* the rest of the metropolitan countries. [32718]

Mr. Norris: The European Court of Justice has not yet given its judgment in the Atkins *v.* Wrekin district council and Department of Transport case. When it does we shall assess the implications.

Register of Shipping

Mr. Allason: To ask the Secretary of State for Transport if entries on the British register of shipping indicate fully *(a)* the ownership of a vessel and *(b)* those with a title to the vessel. [32227]

Mr. Norris: The register of British ships records legal ownership. Title proof is required in respect of merchant ships and pleasure vessels on part I of the register, and of

fishing vessels with full registration on part II of the register. Title proof is not required on part III—small ships—part IV—bareboat charter ships—or for fishing vessels with simple registration on part II of the register.

TREASURY

European Union

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will publish a White Paper on the same lines as the economic assessment published in February 1970 showing the gains and losses to the average British family resulting from membership of the EU. [31820]

Mr. Heathcoat-Amory: There are no plans to publish such an assessment.

Standard of Living

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will assess the gains and losses to the standard of living in the United Kingdom of *(a)* abolishing the common agricultural policy, *(b)* ending contributions to the EU budget, *(c)* ending free trade with the EU and its associations and *(d)* taking control over (i) fishery and (ii) other resources. [32085]

Mr. Heathcoat-Amory: There are no plans to do so. Any such calculation would be very imprecise as it would require hypothetical assumptions to be made about the level of UK spending in the absence of contributions to, and receipts from, the Community budget; the policies which replaced those in the EU; the performance of the UK economy outside the Community; and the impact on trade outside the EU.

British Manufacturing and Research Company

Mr. Purchase: To ask the Chancellor of the Exchequer what was the cost of the investigation into the BMARC affair; and if he will publish the findings of the investigation. [32199]

Mr. Heathcoat-Amory *[holding answer 11 June 1996]:* To date, the direct costs of the Customs investigation into alleged breaches of UK export controls by BMARC have been approximately £20,000. This figure is based on the National Investigation Services' time recording system. The figure does not include costs incurred by departmental management and legal advice provided by departmental lawyers, or the costs of giving evidence to the Trade and Industry Committee. Customs inquiries are, however, not yet complete and decisions on the form of any announcement on the outcome of these inquiries will be taken at the appropriate time.

Alcohol Smuggling

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer if he will make a statement on his policy on the harmonisation of taxes on beers, wines and spirits; and what is his assessment of the revenues lost to the Treasury through such smuggling in the latest year for which figures are available. [32542]

Mr. Heathcoat-Amory *[holding answer 12 June 1996]:* Member states should be free to set excise duty rates at the level they feel are appropriate to their own particular circumstances, subject only to the agreed minimum rates. This was the basis of the agreement reached by all member states at ECOFIN on 19 October 1992. Nevertheless, the Government consider that there should be movement towards the approximation of excise duty rates across the EU, and that some steps in the direction of the UK pattern of indirect taxation makes sense. The mechanism for achieving this aim is through the Commission's biennial review of the minimum rates of excise duty, the next such review being due by the end of 1996.

Customs does not, at present, have a reliable estimate of the extent of cross-border smuggling of alcoholic products. It is liaising with the drinks industry with the aim of achieving an objective measurement.

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer what estimate he has made of *(a)* the total value and *(b)* the total volume of the cross-border smuggling of (i) beer, (ii) wines and (iii) spirits in the latest year for which figures are available; and what value of smuggled goods was seized in that year. [32540]

Mr. Heathcoat-Amory *[holding answer 12 June 1996]:* Customs does not at present have a reliable estimate of the extent of either the total volume or total value of cross-border smuggling of alcoholic products. It is liaising with the drinks and tobacco industry with the aim of achieving an objective measurement. The revenue value of intra-EU smuggling detected by excise verification officers in the year ending 31 March 1996 is shown in the table:

Category	*Revenue value detected (£ million)*
Beer	3.090
Wine	0.664
Spirits	4.312

Mr. Winterton: To ask the Chancellor of the Exchequer what recent representations he has received relating to the impact upon British companies and traders of cross-border smuggling of beers, wines and spirits; and what response he intends to make to those representations. [32541]

Mr. Heathcoat-Amory *[holding answer 12 June 1996]:* The Chancellor receives many representations from the trade and other interested parties about the cross-border smuggling of alcoholic drinks and its consequential impact on legitimate UK trade. These representations are taken into account by the Chancellor when making his Budget decisions.

Customs has deployed excise verification officers to seek out and prosecute those engaged in smuggling activity. In addition, in November 1995 Customs, together with the various associations representing the industries concerned, formed an excise alliance for the purpose of developing a co-operative approach leading to the detection of smugglers and fraudsters, and to exchange high level information on excise smuggling and fraud matters.

ATTORNEY-GENERAL

Computers (Millennium)

Mr. Ingram: To ask the Attorney-General what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32675]

The Solicitor-General: The departments and agencies for which my right hon. and learned Friend is responsible are assessing the impact of the millennium date change.

In the case of the Treasury Solicitor's Department and Government Property Lawyers, no significant cost effects are expected.

The Serious Fraud Office estimates that several man months of work will be required to implement the change.

The Crown Prosecution Service has started a programme of work to assess the implications of the change but is not yet in a position to give an estimate of costs.

FOREIGN AND COMMONWEALTH AFFAIRS

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32678]

Mr. Hanley: In line with Central Computer and Telecommunications Agency recommendations, the Foreign and Commonwealth Office diplomatic wing has completed a study to determine which of its computer systms will be affected by this problem. The findings show that approximately 60 per cent. of Foreign and Commonwealth Office computer systms will be affected in some way. Further study is now taking place to determine what the cost will be.

The Overseas Development Administration is updating its systems, most of which already recognise the year 2000.

Wilton Park

Mr. Duncan Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs how the Wilton Park agency performed against the targets which were agreed for 1995–96; and if targets have been agreed for the current year. [33275]

Mr. Hanley: According to provisional figures which are subject to audit, Wilton Park exceeded all four of the agreed targets set for 1995–96 financial year, for the number of conference participants, income, cost recovery and cost per head to the FCO overall.

The Wilton Park departmental board met in April. We have agreed to the recommendation of the board that the following key targets be adopted for this financial year:

To increase overall income from £1,309.000 in 1995–96 to £1,368.000.

To increase cost recovery from 82.8 per cent. in 1995–96 to 85.1 per cent.

To increase the target for the overall number of Wilton Park Conference participants from 1,350 in 1995–96 to 1,500.

To reduce the average cost to the FCO of each participant from £165 in 1995–96 to £160.

ENVIRONMENT

Housing Associations

Mr. Llew Smith: To ask the Secretary of State for the Environment what percentage of housing association tenants have been in receipt of housing benefit in each year since 1988. [32014]

Mr. Clappison: Definitive information is not yet available but on the basis of sample surveys the percentages have increased from the order of 52 to 55 per cent. in 1988 to about 61 to 65 per cent in 1994–95—figures for England.

Water Leakages

Mr. Harry Greenway: To ask the Secretary of State for the Environment what were the average water leakage levels in *(a)* 1988 and *(b)* the latest year for which figures are available; and if he will make a statement. [32048]

Mr. Clappison: The Office of Water Supply Services report, "Leakage of Water in England and Wales", published on 30 May 196, gave a total leakage level for 1994–95 of about 30 per cent. of water put into the distribution system. Of this percentage, companies attribute about 23 per cent. to leakage from the distribution system and 7 per cent. from customers' supply pipes.

Further detail is contained in the body of the report, a copy of which is in the Library.

Leakage levels for 1988 are not available on a comparable basis.

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for the Environment what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [326679]

Sir Paul Bereford: My Department is aware of the issue and is currently investigating the scale and complexity of the problem and its potential cost effects. The Department's computer systems are primarily based upon modern technology, not affected by the millennium date problem. It is expected that those systems still residing on older technology will reach the end of their natural life and be replaced before 2000.

Local Government (Professional Work)

Mr. Congdon: To ask the Secretary of State for the Environment what plans he has to take action under section 13 of the Local Government Act 1988 against authorities who have subjected white collar professional work to competition; and if he will make a statement. [33153]

Sir Paul Beresford: My right hon. Friend the Secretary of State has today served notices under section 13 of the Local Government Act 1988 on the London boroughs of Enfield and Hounslow, the London Fire and Civil Defence Authority and the metropolitan district of Barnsley setting

out his view that these authorities may have acted anti-competitively during competitions for legal services work. He has also served notices on the cities of Liverpool and Manchester setting out similar views in respect of construction-related services work.

Although the circumstances differ in each case, the most common grounds cited in the notices are: work was not packaged in a way which took proper account of the market's ability to provide the services, that tender documents did not indicate how much work was on offer, and that onerous conditions featured in some contracts.

They have four weeks in which to explain their actions in assigning work in-house after competitions against the private sector.

Special Waste Regulations

Mr. Patrick Thompson: To ask the Secretary of State for the Environment, pursuant to his answer of 1 April, *Official Report*, column *15*, what guidance will be issued on the Special Waste Regulations 1996. [33154]

Mr. Clappison: Detailed guidance on the Special Waste Regulations 1996 has been issued today in the form of a joint circular from the Department of the Environment, the Scottish Office Agriculture, Environment and Fisheries Department and the Welsh Office. A copy of the circular has been placed in the Library.

The guidance was issued in draft form for public consultation in 1995. The final text takes account of the many comments received. It gives an outline of the procedures which are to be followed by those who handle special waste and incorporates in a separate annexe technical guidelines on the definition of special waste, technical aspects of assessing whether a particular consignment of waste is special, and the hazard criteria which apply.

Copies of the circular have been distributed to local authorities, the Environment Agency and the Scottish Environment Protection Agency, which will have a supervisory role in the system of controls.

In addition, we have produced a free 10-page leaflet on the regulations. This is designed for those who handle special waste and answers to the main questions which are likely to arise.

Estates Renewal Challenge Fund

Mr. Congdon: To ask the Secretary of State for the Environment when he will announce the allocations for the 1996–97 round of the estates renewal challenge fund. [33236]

Mr. Curry: I shall be announcing allocations for the 1996–97 round of the estate renewal challenge fund tomorrow and shall place both copies of the press notice detailing the successful authorities in the Libraries of both Houses.

Social Housing

Mr. Austin-Walker: To ask the Secretary of State for the Environment if he will publish the responses to the consultation papers, "Our Future Homes: Opportunity, Choice, Responsibility" and "More Choice in the Social Rented Sector". [32460]

Mr. Clappison *[holding answer 12 June 1996]:* Six explanatory and consultation papers were published by my Department setting out the details of proposals in last year's White Paper "Our Future Homes". Copies of responses to these papers were made available for inspection through the Department of the Environment library in line with normal practice.

Water Companies

Mrs. Helen Jackson: To ask the Secretary of State for the Environment, what voluntary leakage reduction target each water company has set over the next five and 10 years. [27164]

Mr. Clappison *[pursuant to his reply, 30 April 1996, c. 420]:* The Water Services Association has notified a correction to the data it originally provided. A revised summary table of water service companies' targets for reducing leakage follows:

Water service company leakage targets

Company	
Anglian water	Aim to reduce leakage to around 10 per cent. by 2000.
DWR Cymru	Aim to achieve a reduction in leakage of 17 per cent. by 2000 and over a third by 2010.
Northumbrian water	Aim to reduce leakage to 15 per cent. in the coming years.
North west water	Aim to reduce leakage to 22 per cent. by 2000.
Severn Trent water	Aim to reduce leakage to 12 per cent. over next five years.
Southern water	Aim to reduce levels to 10 per cent. by 2000.
South west water	Aim to reduce leakage to 15 per cent. by 2000.
Thames water	Aim to halve leakage by 2005.
Wessex water[1]	Aim to achieve 15 per cent. leakage by 2005.
Yorkshire water	Aim to reduce leakage by 60Ml/d by 1998 and to 20 per cent. in the longer term.

Source:
Water Services Association May 1996.
[1] October 1995.

HEALTH

Tobacco-related Cancer

Mr. Austin Mitchell: To ask the Secretary of State for Health how many people in *(a)* the United Kingdom and *(b)* Germany have died of tobacco-related cancers in each of the last 10 years. [31765]

Mr. Horam: The Health Education Authority report "The Smoking Epidemic", copies of which are available

in the Library, estimated that there were about 44,000 cancer deaths attributable to smoking in the United Kingdom in 1988.

No comparable figures are available for Germany.

Carers

Mr. David Nicholson: To ask the Secretary of State for Health how many meetings his Department, at ministerial or official level, has had with the Carers National Association since 1 January 1995 regarding the drafting and implementation of the Carers (Recognition and Services) Act 1995; and if he will make a statement. [32483]

Mr. Bowis: We have had several meetings with the Carers National Association since January last year to discuss the legislation, and it was involved in the preparation of the policy guidance and practice guide. We regularly meet CNA—and other organisations—to discuss a variety of issues, including new legislation.

Mr. Nicholson: To ask the Secretary of State for Health what measures he has taken to assist local authorities to implement the Carers (Recognition and Services) Act 1995; and what extra funds have been provided for this purpose *(a)* in England and *(b)* in each county in the south West. [32482]

Mr. Bowis: In February this year, we issued the carers (recognition and services) policy guidance and practice guide to all local authorities. Draft versions of the guidance were issued for consultation in October last year—some six months before the Act came into force. The Act enshrines in law principles of good practice which we recommended in previous guidance issued at the time of the implementation of the community care reforms. Examples of good practice on carers are described in the social service inspectorate reports published in 1995: notably "Caring Today" and "What Next for Carers?".

The Act should not involve significant extra costs. It enshrines in statute many of the principles of good practice which we had recommended local authorities follow.

Walsgrave Hospital, Coventry

Mr. Jim Cunningham: To ask the Secretary of State for Health how many patients had their operations cancelled on the day of admission at Walsgrave hospital, Coventry, in each year since 1990. [32256]

Mr. Horam: The information on individual hospitals is not available centrally. The hon. Member may wish to contact Mr. Gary Reay, chairman of the Walsgrave Hospital NHS trust for details.

Mr. Jim Cunningham: To ask the Secretary of State for Health what was the percentage of patients not assessed within five minutes at Walsgrave hospital, Coventry, for each year for which figures are available. [32255]

Mr. Horam: This information can be obtained from the performance tables publication for 1993–94 and 1994–95, copies of which are available in the Library.

Lariam

Ms Corston: To ask the Secretary of State for Health how many cases of reported and suspected adverse reactions to Lariam have been notified during the last three years for which figures are available. [32282]

Mr. Malone: The Medicines Control Agency has received 878 reports of 2,493 suspected adverse reactions associated with Lariam between 7 June 1993 and 7 June 1996. During this time, in excess of four hundred thousand patients have received Lariam. The reports received are consistent with the known safety profile of Lariam as described in the authorised product information.

Ms Corston: To ask the Secretary of State for Health what representations he has received from professional bodies and the Committee on Safety of Medicines on the anti-malarial drug Lariam. [32284]

Mr. Malone: The Department and the Medicines Control Agency have received representations from doctors and other health professionals and bodies representing health professionals and have responded to the issues raised. The Committee on Safety of Medicines, as an independent expert advisory body to the Licensing Authority, provides advice on the quality, efficacy and safety of medicines, including Lariam, to the Licensing Authority.

Ms Corston: To ask the Secretary of State for Health if he will make a statement on the indicated side effects of the drug Lariam. [32283]

Mr. Malone: Warnings on the side effects of Lariam are included in the product information. This includes the data sheet provided to all doctors and pharmacists and the information leaflet for patients.

Magnetic Resonance Imaging Scans

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what is the average waiting time for an MRI scan in *(a)* north-east Warwickshire and *(b)* Walsgrave hospital, Coventry; [32254]

(2) what is the average waiting time for an MRI scan in the United Kingdom. [32253]

Mr. Horam: Information for England is not available centrally. Questions relating to Scotland, Wales and Northern Ireland are matters for my right hon. Friends the Secretaries of State for Scotland and for Wales and my right hon. and learned Friend the Secretary of State for Northern Ireland.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for Health how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32416]

Mr. Horam: I refer the hon. Member to the reply I gave the hon. Member for Warrington, South (Mr. Hall) on 1 March, *Official Report,* columns *762–64.* Within the overall cost of ministerial visits to other countries, it is not possible to identify separately the element attributable to civil servants accompanying Ministers.

General Medical Services (East London and City)

Ms Harman: To ask the Secretary of State for Health if he will make a statement on the general medical services budget and proposed budget in the East London and City health authority. [32561]

Mr. Malone: I refer the hon. Member to the reply I gave the right hon. Member for Derby, South (Mrs. Beckett) on 21 April 1995, *Official Report*, column *312*.

Oral Contraceptives

Mr. Simon Hughes: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Gordon (Mr. Bruce) of 19 December 1995, *Official Report*, column *1153*, what factors prevented commencement of the despatch of letters relating to desogestrel and gestodene before 16.30 on 18 October 1995. [32723]

Mr. Malone: My right hon. Friend the Secretary of State for Health made an oral statement to the House on 23 October 1995, columns *701-02* which described the urgent arrangements put in place to communicate the Committee on Safety of Medicines' advice to health professionals. In addition, I refer the hon. Member to the reply I gave him on 5 June, *Official Report*, column *448*.

Medicines Commission

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list the members of the Medicines Commission as at 1 January indicating for each member his or her principal professional appointment, the date of first appointment to the commission, the scheduled termination of the period of membership and which of the criteria laid out in section 2(3) of the Medicines Act 1968 is relevant to the appointment of each member. [32722]

Mr. Malone: Members of the Medicines Commission are appointed for their knowledge and expertise which encompass the activities set out in section 2(3) of the Medicines Act 1968. The members of the Medicines Commission, as at 1 January 1996, are listed in the table, indicating for each member his or her principal professional appointment, the date of first appointment and the scheduled termination date of the current period of membership.

	Date of first appointment	*End of current membership*
Dr. Christine McCartney BSc PhD FRCPath Assistant Director of the Public Health Laboratory Service, London	1 January 1996	31 December 1999
Dr. Agnes McKnight MD MB Bch FRCGP Regional Adviser in General Practice, Belfast	1 January 1996	31 December 1999
Mr. David Miller BVMS (Glas) MRCVS Advisor on Medicines to British Veterinary Association	1 January 1996	31 December 1999
Professor J. Michael Newton BPharm PhD DSc FRPharmS Head of Department of Pharmaceutics, The School of Pharmacy, University of London	1 January 1996	31 December 1999
Professor Stuart Pocock BA MSc PhD Professor of Medical Statistics, London School of Hygiene and Tropical Medicine	1 January 1996	31 December 1999
Dr Andrew Renwick BSc PHD DSc Reader in Clinical Pharmacology, University of Southampton	1 January 1992	31 December 1999
Mrs Jane Short BPharm MRPharmS Associate Director, Procter and Gamble	1 January 1994	31 December 1997
Dr. David Williams BSc PhD CChem FRSC Director, Anitox Ltd.	1 January 1985	31 December 1999
Cowan Wilson Esq OBE BVMS FRCVS General Veterinary Practitioner, Fife	1 January 1985	31 December 1999
Professor David Lawson CBE MD FRCPEdin FRCPGlasg FFPM (Chairman) Consultant Physician, Glasgow Royal Infirmary, Honorary Professor of Medicine, University of Glasgow and Visiting Professor, University of Strathclyde	1 January 1994	31 December 1997
Professor Stuart Campbell MB ChB FRCOG DObst Professor of Obstetrics and Gynaecology and Head of Department, Kings College School of Medicine and Dentistry, London	1 January 1994	31 December 1997
Professor Stanley Davis BPharm PhD DSc FRSChem FRPharmS Lord Trent Professor of Pharmacy and Head of Department, Nottingham University	1 January 1994	31 December 1997
Professor Anthony Dayan MD FRCP FRCPath FFOM FFPM FTBioL Professor of Toxicology, St. Bartholomew's Hospital, London	1 January 1986	31 December 1997
Professor Edzard Ernst MD PhD Director of the Centre for Complementary Health Studies, University of Exeter	1 January 1994	31 December 1999
Professor Ronald Jones MVSc Dr Med Vet DVSc DVA DipECVA FIBiol FRCVS Professor of Veterinary Anaesthesia, University of Liverpool	1 January 1996	31 December 1999
Dr Parveen Kumar BSc MD FRCP FRCP(Edin) Senior Lecturer in Gastroenterology and Consultant Physician at St. Bartholomew's the Royal London and Homerton Hospitals	1 January 1994	31 December 1997

	Date of first appointment	End of current membership
Miss Ann Lewis LLB FRPharmS MCPP Chief Pharmaceutical Officer, Countess of Chester Hospital	1 January 1994	31 December 1997

Cancelled Operations

Ms Harman: To ask the Secretary of State for Health how many operations were cancelled in the NHS *(a)* last year and *(b)* in each of the previous 10 years. [32806]

Mr. Horam: Information is available for the last two years only. Tables will be placed in the Library.

Committee on Safety of Medicines

Mr. Simon Hughes: To ask the Secretary of State for Health what is the statutory basis for the appointment of members for the day of the Committee on Safety of Medicines. [32724]

Mr. Malone: All members of the Committee on Safety of Medicines are appointed under section 4(5) of the Medicines Act 1968. In the case of members for the day, the terms in their letters of appointment limit membership to a particular meeting of the committee. The statutory basis for such terms is regulation 4 of the Medicines Commission and Committees Regulation 1970 (S.I. No. 746).

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for Health what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32677]

Mr. Horam: Preliminary analysis of the Department of Health's own mainframe computer systems has already been undertaken to assess the likely impact of the change of millennium. A further more detailed analysis is to be carried out during 1996–97 fully to assess the impact and likely cost of the change.

DEFENCE

Army Courts Martial

Ms Abbott: To ask the Secretary of State for Defence how many Army courts martial were convened each year since 1979. [32551]

Mr. Soames: Details of courts martial prior to 1990 are not held centrally and could be provided only at disproportionate cost. The number of individuals tried by Army courts martial convened since 1990 are as follows:

1990: 930
1991: 707
1992: 780
1993: 688
1994: 594
1995: 440.

Mormond Hill Radar Base

Mr. Salmond: To ask the Secretary of State for Defence what are his plans for his Department's former radar base at Mormond Hill, near Fraserborough; what public consultation will take place; and if he will make a statement. [32758]

Mr. Soames: I have nothing to add to the answers which I gave on 16 April, *Official Report*, columns *458–59*.

Gordon Foxley

Mr. David Hunt: To ask the Secretary of State for Defence if he will make a statement about steps to reclaim moneys from the companies involved in the payment of commissions to Gordon Foxley relating to defence contracts. [33235]

Mr. Arbuthnot: A satisfactory settlement has been concluded with one of the companies concerned, Raufoss AS of Norway, under which the company will pay an agreed sum in redress to my Department, including interest and a contribution to costs, for payments made contrary to contractual conditions.

A statement of contrition by the company, a copy of which has been placed in the Library of the House, forms part of the agreement with the Ministry of Defence. We have decided that in the light of this agreement the company will become eligible to be considered for Ministry of Defence orders, although normal commercial relations will not be resumed for some months during which period we shall monitor the operation of the agreement.

Discussions are taking place with the other companies involved in the Foxley case, against whom proceedings are still in train.

Thermal Identity Beacons

Mr. Colvin: To ask the Secretary of State for Defence what use has been made in the past of thermal identity beacons for military vehicles; if he will make a statement on the new requirement for such beacons in future, purchase No. ASIC/31 of the MOD contracts bulletin volume 10 No. 16; and if such beacons are in use with other NATO forces. [30784]

Mr. Arbuthnot: No use has been made of thermal identity beacons for military vehicles in the past. The new requirement, outlined in MOD "Contracts Bulletin" volume 10 No. 16, is for the United Kingdom contingent of The NATO implementation force—IFOR No. 16 in Bosnia and is being procured to reduce the risk of friendly fire. The beacons are not in use with other NATO forces but we intend to share the technology with other IFOR nations.

Dump Trucks

Mr. Colvin: To ask the Secretary of State for Defence what assessment he has made of the advantages of *(a)* leasing and *(b)* using the private finance initiative in relation to the supply of self-loading dump trucks for the Royal Engineers as set out in tender No. EM and D1A/155 of the MOD "Contract Bulletin" volume 10 No. 16. [30785]

Mr. Arbuthnot: Self-loading dump trucks to meet the specific military requirement of the Royal Engineers are not currently available for lease on the commercial market. No assessment was made of the advantages of using the private finance initiative for this specific requirement.

A study commissioned by the Procurement Executive is currently under way to examine the potential for greater private sector/private finance involvement in the management and supply for future requirements of this type. The study will not be complete in time to influence this procurement because the existing fleet has reached the end of its economic life and requires replacement now. Recommendations of the study will be carefully considered for future requirements.

Royal Navy (Fuel)

Dr. David Clark: To ask the Secretary of State for Defence if he will list the quantity of fuel purchased by his Department for allocation to the Royal Navy fleet in each of the last five years. [32647]

Mr. Arbuthnot: The full information requested is not held centrally and could be obtained only at disproportionate cost. Such information as is available is as follows:

Fuel purchased for the Royal Naval Fleet (1,000 cubic metres)

	Financial year 1994–95	*Financial year 1995–96*	
DIESO F76[1]	405	330	Naval fuel for ships
AVCAT F44[1]	36	20	Naval fuel for aircraft
Marine gas oil	55	Not held	Commercially supplied fuel for ships

[1] These fuels are produced by refineries to specific NATO standards.

Royal Navy (Exercises)

Dr. David Clark: To ask the Secretary of State for Defence in how many exercises the Royal Nay has taken part in each of the last 10 years. [32648]

Mr. Soames: Royal Navy exercises range in scale from very small activities involving individual elements of establishments, units or ships, to participation in major tri-service and international exercises.

Details of all of the various exercises in which the Royal Navy has participated in some form over the last 10 years are not held centrally, and the information could be provided only at disproportionate cost.

Army Equipment

Dr. David Clark: To ask the Secretary of State for Defence if he will list the Army's battlefield equipment reliability return in each of the last three years for *(a)* Warrior vehicles, *(b)* Challenger tanks and *(c)* the multiple-launch rocket system. [32649]

Mr. Arbuthnot: The information requested is classified and cannot be released.

Clansman Radio System

Dr. David Clark: To ask the Secretary of State for Defence what was the cost of spare parts for the Clansman radio system in each of the last three years. [32650]

Mr. Arbuthnot: The cost of spare parts for Clansman for each of the last three years was as follows:

1993–94: £9.8 million

1994–95: £10.7 million

1995–96: £10.3 million.

EH101 Merlin Helicopter

Dr. David Clark: To ask the Secretary of State for Defence what is the current estimated total cost of the EH101 Merlin helicopter; what was the original total estimated cost of the helicopter at current prices; what was the original in-service date and what is its current estimated in-service date; and if he will make a statement. [32651]

Mr. Arbuthnot: The current estimated total cost of the EH1O1/Merlin programme is £4,307 million. The prime contractor is Lockheed-Martin-ASIC.

The estimated total cost, at current prices, when the Main Production Contract—MPC—was awarded was £3,922 million.

The in-service date agreed when the MPC was awarded was December 1998 and this has not changed.

British Companies (America)

Dr. David Clark: To ask the Secretary of State for Defence what recent discussions he has had with his American counterpart to allow British companies greater access to American markets; and if he will make a statement. [32653]

Mr. Arbuthnot: Regular discussions are held at all levels with the US Administration and Congress to convey Her Majesty's Government's concerns regarding the level of access that United Kingdom companies have to the American defence market. My right hon. Friend the Secretary of State for Defence has raised this issue with Dr. Perry on two occasions this year and during my visit to the United States last month I discussed this subject with a number of senior officials.

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for Defence what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32670]

Mr. Arbuthnot: The capability of MOD's existing computer systems to recognise the millennium date change is under investigation and will be the subject of MOD-wide guidance requiring those responsible for current and planned information systems to assess fully the extent of the problem. Until this is known, it will not be possible to assess the cost effects of the year 2000 date change.

NATO Joint Task Force

Dr. David Clark: To ask the Secretary of State for Defence if he will make a statement concerning recent changes to NATO's combined joint task force initiative. [32654]

Mr. Soames: The recent meeting of NATO Foreign Ministers in Berlin welcomed the approval of the combined joint task forces concept which, when implemented, will facilitate the mounting of NATO contingency operations as well as those undertaken by the Western European Union. Ministers asked for a report on implementation of the concept. We expect these recommendations to come forward in December.

Maritime Patrol Aircraft

Dr. David Clark: To ask the Secretary of State for Defence if he will list the criteria to be used in the placing of a contract for the replacement maritime patrol aircraft. [32655]

Mr. Arbuthnot: The contract for the replacement maritime patrol aircraft—RMPA—will be measured against criteria that will offer the best value for money. Many factors will influence the decision including: performance, reliability, commonality with equipment already in service and the cost of operating and maintaining equipment through its expected life. A combined operational effectiveness and investment appraisal exercise is one of the tools which has been employed in determining the best value for money.

The RMPA decision will take account of the benefits that come from having a strong indigenous defence industry and, in that respect, due weight will be given to industrial capabilities which the UK has an interest in retaining in order to support the equipment we procure. Industrial participation proposals have been sought from the prime contractors and, where foreign contractors are employed, due account will be taken of the nature and cost of the work put back into United Kingdom industry.

Procurement Decisions

Dr. David Clark: To ask the Secretary of State for Defence by what mechanisms he assesses the impact on the United Kingdom defence industrial base of his Department's procurement decisions. [32656]

Mr. Arbuthnot: My Department's practice on the consideration of United Kingdom defence industrial base issues in procurement decisions was set out in written and oral evidence to the Select Committee on Defence and Trade and Industry in joint session during 1995. The minutes of evidence were published as daily parts on 9 August 1995 (HC 333-iv) and the Committee's final report was published on 5 December 1995 (HC 61 and 62).

In its response to the Committee's report, published on 8 February 1996 (HC 209 and 210), the Government noted that industrial factors had always been taken into account in equipment procurement decision making processes. However, following a review of its internal procedures, my Department will in future take a more systematic account of such factors. Guidance is currently being prepared to this end.

Armed Forces (Dismissals)

Mr. Flynn: To ask the Secretary of State for Defence how many people have been dismissed from each of the services in each of the past five years for *(a)* alcohol misuse and *(b)* illegal drug misuse. [32055]

Mr. Soames *[holding answer 10 June 1996]:*

(a) Those dismissed for alcohol abuse following a sentence of dismissal from service at court martial, summary trial or summary proceedings, or a sentence of imprisonment from a service or civilian court in each of the past five years:

	RN/RM	*Army*	*RAF*	*Total*
1990	3	1	0	4
1991	1	1	0	2
1992	0	0	0	0
1993	3	1	0	4
1994	1	1	0	2

Those administratively discharged for alcohol dependency

	RN/RM	*Army*	*RAF*	*Total*
1990	10	7	—	17
1991	7	3	—	10
1992	6	4	3	13
1993	6	0	2	8
1994	6	7	3	16

1. No records are held for Army officers.
2. No figures prior to July 1992 are held by RAF.
3. RN/RM and RAF figures include officers.

(b) Those dismissed for drug abuse following a sentence of dismissal from service at court martial, summary trial or summary proceedings, or a sentence of imprisonment from a service or civilian court in each of the past five years:

	RN/RM	*Army*	*RAF*	*Total*
1990	23	87	8	118
1991	65	87	13	165
1992	94	116	15	225
1993	51	81	20	152
1994	45	59	8	112

Those administratively discharged for drugs offences

	RN/RM	*Army*	*RAF*	*Total*
1990	0	35	—	35
1991	1	50	11	62
1992	1	208	24	233
1993	2	204	10	216
1994	0	136	22	158

[1] The RAF holds no records prior to 1991.
[2] No records are held for Army officers.
[3] RN/RM and RAF figures include officers.

Former Yugoslavia

Sir Donald Thompson: To ask the Secretary of State for Defence what plans he has to call out further Army Reserve and Territorial Army personnel in support of the operations in the former Yugoslavia. [33142]

Mr. Soames: Approval has been given to call out up to 251 members of the Army Reserve and Territorial Army to provide support to operations in the former Yugoslavia, and volunteers are being sought. The majority will replace those called-out last February, but there is also an additional need to fill 55 posts to reinforce regular units. This arises from some units having dual commitments. Those called out will report to a mobilisation centre between 8 and 12 July, and those who are selected for service will undergo training before deployment.

SOCIAL SECURITY

Compensation Recovery Unit

Mr. Worthington: To ask the Secretary of State for Social Security (1) how much income has been received in the current year by the compensation recovery unit; and what is the projected income by the end of the current financial year; [2904]

(2) what was the total amount recovered by the compensation recovery unit in 1994–95. [2905]

Mr. Andrew Mitchell: Compensation recovery is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Peter Mathison to Mr. Tony Worthington, dated 5 December 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about how much income has been received in the current year by the Compensation Recovery Unit; and what is the projected income by the end of the current financial year and what was the total amount recovered by the Compensation Recovery Unit in 1994–1995.

In the period 1 April 1995 to 31 October 1995 the total amount recovered by the Compensation Recovery Unit was £72.6M. Based on the pattern of recoveries to date it is expected that the total recovery for 1995/96 will be in the range of £123M to £130M.

The total amount recovered by the Compensation Recovery Unit in the period from 1 April 1994 to 31 March 1995 was £110.1m.

I hope you find this reply helpful.

Mr. Worthington: To ask the Secretary of State for Social Security (1) how much compensation has been recovered by the compensation recovery unit in the current financial year from sufferers from asbestos-related diseases; how many sufferers there have been; and what have been the individual sums recovered; [2901]

(2) how much compensation was recovered by the compensation recovery unit in 1994–95 from sufferers from asbestos-related diseases; how many suffers there were; and what were the individual sums recovered. [2907]

Mr. Mitchell: Compensation recovery is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Peter Mathison to Mr. Tony Worthington, dated 5 December 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about how much compensation has been recovered by the Compensation Recovery Unit in the period 1994/95 and the current financial year from sufferers from asbestos related diseases; how many sufferers there have been; and what have been the individual sums recovered.

Statistics are not available about the numbers of sufferers from asbestos related diseases. However, in the period from 1 April 1994 to 31 March 1995 there were 138 recoveries made in relation to asbestosis and the total amount recovered was £1,030,457.77. During the period 1 April 1995 to 31 October 1995 there have been 112 recoveries made in relation to asbestosis. The total amount recovered was £863,370.89.

The individual amounts recovered from sufferers of asbestosis during the period 1 April 1994 to 31 March 1995 are outlined in the enclosed Table A. Table B details the individual amounts recovered during the period 1 April 1995 to 31 October 1995.

I hope you find this reply helpful.

TABLE A: AMOUNTS RECOVERED FROM ASBESTOSIS SUFFERERS FROM 1 APRIL 1994 TO 31 MARCH 1995

£42.00
£100.00
£126.00
£173.70
£399.00
£433.50
£484.64
£621.20
£621.60
£672.20
£787.24
£852.20
£862.93
£1,032.31
£1,111.29
£1,114.88
£1,123.77
£1,208.80
£1,219.80
£1,329.95
£1,431.85
£1,491.20
£1,565.76
£1,582.87
£1,677.16
£1,692.18
£1,738.24
£1,773.16
£1,798.56
£1,853.68
£1,927.64
£1,937.45
£1,957.64
£2,069.31
£2,135.36
£2,147.76
£2,288.80
£2,298.58
£2,393.92
£2,414.16
£2,454.00
£2,507.88
£2,547.84
£2,572.01

£2,579.18
£2,627.42
£2,629.67
£2,655.15
£2,676.40
£2,768.28
£3,002.10
£3,061.41
£3,125.32
£3,270.80
£3,361.35
£3,416.08
£3,422.72
£3,662.04
£3,851.20
£3,949.30
£4,010.28
£4,038.28
£4,095.03
£4,119.04
£4,135.12
£4,170.67
£4,279.80
£4,297.84
£14,333.49
£4,357.65
£4,392.76
£14,406.56
£4,498.68
£4,503.20
£4,566.90
£4,582.56
£14,647.28
£4,814.80
£4,831.38
£4,847.76
£4,873.36
£4,904.82
£5,059.80
£5,083.30
£5,263.56
£5,442.85
£5,527.24
£5,909.44
£6,247.02
£16,304.15
£6,546.48
£6,559.10
£6,603.92
£6,668.43
£6,689.10
£6,691.50
£6,870.25
£6,973.50
£7,609.61
£7,758.84
£8,029.77
£8,082.43
£8,610.70
£8,969.48
£9,076.00
£9,416.76
£9,533.69
£9,693.21
£10,022.67
£10,170.90
£10,367.62
£10,595.32
£10,917.52
£10,965.35
£11,037.20
£11,725.80
£112,796.04
£14,464.08
£14,946.17
£15,130.33
£15,421.76
£15,862.47
£16,832.00
£18,781.01
£19,027.45
£23,719.15
£24,395.44
£25,355.18
£27,518.62
£28,421.77
£28,855.99
£31,153.19
£32,203.62
£35,444.33
£36,558.38
£40,268.42
£47,994.18

TABLE B: AMOUNTS RECOVERED FROM ASBESTOSIS SUFFERERS FROM 1 APRIL 1995 TO 31 OCTOBER 1995

£83.30
£140.10
£182.80
£367.50
£449.00
£457.80
£470.40
£607.10
£621.60
£628.00
£641.20
£987.80
£999.45
£1,058.80
£1,064.03
£1,104.75
£1,167.86
£1,344.40
£1,346.88
£1,403.29
£1,431.85

£1,456.32
££1,478.68
£1,482.64
£1,531.70
£1,685.35
£1,752.63
£1,777.15
£1,814.09
£2,070.26
£2,209.73
£2,238.48
£2,316.95
£2,451.20
£2,574.15
£2,575.71
£2,603.72
£2,696.40
£2,699.73
£2,859.10
£2,867.61
£2,935.46
£3,252.84
£3,257.66
£3,298.72
£3,307.22
£3,455.70
£3,492.44
£3,541.62
£3,827.88
£3,851.20
£3,972.04
£4,003.92
£4,166.06
£4,233.05
£4,347.69
£4,406.05
£4,498.68
£4,762.00
£5,000.48
£5,100.01
£5,521.05
£5,685.20
£6,152.34
£6,244.98
£6,317.54
£6,351.20
£6,448.01
£6,541.68
£6,546.48
£6,658.80
£6,697.85
£7,135.82
£8,014.20
£8,089.90
£8,157.48
£8,690.95
£9,036.75
£9,079.60
£9,154.24
£9,950.40
£10,043.62
£10,376.94
£10,565.18
£10,917.90
£11,341.51
£11,617.37
£12,060.65
£12,752.62
£13,261.67
£13,301.29
£13,621.79
£14,540.90
£14,670.20
£15,185.20
£15,383.02
£15,421.76
£15,840.49
£15,954.68
£17,795.40
£17,970.00
£18,890.67
£18,903.48
£19,258.43
£22,983.21
£25,188.08
£25,663.20
£26,851.22
£27,775.25
£28,414.60
£34,582.90
£41,627.15

Mr. Worthington: To ask the Secretary of State for Social Security what have been the 10 largest sums recovered by the compensation recovery unit in the current financial year; and if he will list the *(a)* illnesses, *(b)* accidents and *(c)* diseases suffered by those from whom compensation was recovered. [2906]

Mr. Mitchell: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Peter Mathison to Mr. Tony Worthington, dated 5 December 1995:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about what have been the 10 largest sums recovered by the Compensation Recovery Unit in the current financial year; and to list the (a) illnesses, (b) accidents and (c) diseases suffered by those from whom compensation was recovered.

Claim form CRU 1 asks for the reasons for making a claim for compensation together with the date of any accident and details of the resulting injury, disease or if appropriate the date of death. Further details are not requested about the circumstances of individual accidents.

For record purposes information is taken from the CRU 1 about the nature of the injury or disease and recorded in broad categories only. Details of illnesses, injuries and diseases can only therefore be provided within these categories.

Appendix A which is attached contains information about the ten largest amounts recovered from individual customers by the Compensation Recovery Unit.

I hope you find this reply helpful.

Appendix A: The ten largest amounts recovered from individual customers by the Compensation Recovery Unit and a brief description of the injury or disease

£ *Amount recovered*	*Brief description of injury/disease*
70,522.25	Head/facial injury
67,165.00	Back/spinal injury
66,775.53	[1]Multiple injuries
64,704.06	Back/spinal injury
61,943.44	[2]Miscellaneous
59,142.57	[1]Multiple injuries
59,137.28	[1]Multiple injuries
59,131.70	[2]Miscellaneous
59,017.48	[2]Miscellaneous
57,773.28	Head/facial injury

[1] Multiple injury—more than one injury to different parts of the body or a combination of injury/amputation to the same part of body e.g. broken left arm and amputated right arm.
[2] Miscellaneous—this includes lacerations/cuts/bruising or any combination where no specific part of the body is mentioned.

Cold Weather Payments

Mr. Redmond: To ask the Secretary of State for Social Security how many persons who qualified for severe weather payments for each month from 1 November 1995 to 30 April 1996, applied to each of the Benefits Agency offices in the Doncaster and Mexborough area; and what were the figures for the period 1 November 1994 to 30 April 1995. [31432]

Mr. Roger Evans: Once a cold weather period has been identified, a scan of the income support database is run to establish those who are eligible for a cold weather payment. Payment is sent out automatically; there is no need for a claim to be made.

Information relating to cold weather payments made for the periods 1 November 1994 to 30 April 1995 and 1 November 1995 to 30 April 1996 can be found in the statistical section of the Library. The data are held in the social fund statistical load file under "Cold Weather Payments by District Office".

Mr. Touhig: To ask the Secretary of State for Social Security what plans he has to alter the qualification requirements for cold weather payments to enable ex-service men on war pensions but not receiving income support to entitlement to these payments. [32250]

Mr. Evans: There are no plans to change the existing qualifying groups. The current scheme targets available resources towards those regarded as most vulnerable during a sustained period of very cold weather.

Suspension of Benefit

Mr. Bradley: To ask the Secretary of State for Social Security in how many cases the suspension of benefit under regulation 37A of the Social Security (Claims and Payments) Regulations 1987 was lifted following representations by or on behalf of claimants; and if he will give a breakdown of the reasons for the lifting of the suspension in each of those cases and in total. [31808]

Mr. Roger Evans: The information could be obtained only at disproportionate cost.

Mr. Bradley: To ask the Secretary of State for Social Security how many awards of benefit he has suspended in each year since 1990 under regulation 37 of the Social Security (Claims and Payments) Regulations 1987. [31806]

Mr. Evans: I refer the hon. Member to the reply I gave him on 14 May, *Official Report*, column *392*.

Mr. Bradley: To ask the Secretary of State for Social Security how many awards of benefit he has suspended pending appeals in the cases of *(a)* Bate, from the Court of Appeal to the House of Lords, *(b)* Graham, from the commissioner to the Court of Appeal, including the reference to the European Court of Justice and *(c)* Halliday (aka Fairey) in relation both to the appeal to the Court of Appeal and to the appeal to the House of Lords. [31809]

Mr. Evans: The information is set out in the table:

Lead case	*Number of suspensions*
Bate	2,768
Graham	46,418
Halliday (aka Fairey)	3,017

Mr. Bradley: To ask the Secretary of State for Social Security how many awards of benefit he has suspended under regulation 37A of the Social Security (Claims and Payments) Regulations 1987 since its introduction in March 1992. [31807]

Mr. Evans: I refer the hon. Member to the reply I gave him on 11 March, *Official Report*, columns *480–81*.

War Pensions

Mr. Touhig: To ask the Secretary of State for Social Security what is the number of people in the United Kingdom who currently receive a war pension. [32252]

Mr. Heald: It is estimated that at 31 March 1996, the most recent date for which figures are available, 301,379 people in the United Kingdom were receiving either a war disablement pension, war widow's pension or other war dependants pension.

Reduced Earnings Allowance

Mr. Foulkes: To ask the Secretary of State for Social Security, pursuant to his oral statement in the Scottish Grand Committee of 20 May, *Official Report*, column 19, what plans he had to review the reduced earnings allowance. [23533]

Mr. Roger Evans: None at present.

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for Social Security what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32666]

Mr. Burt: The Department is aware of the information technology issues which arise as a result of the millennium, and work is under way to establish the cost effects on departmental systems.

Incomes

Mr. Luff: To ask the Secretary of State for Social Security what are his Department's plans for the households below average income and the pensioners' incomes statistical series. [33113]

Mr. Andrew Mitchell: I have today published the report of the Department's review of the methodology underlying the households below average income series. A copy has been placed in the Library. One of its recommendations is that future issues should highlight information on income mobility derived from longitudinal sources.

Incorporating the review results, together with the move in the survey sources from calendar to financial years, means that publication of the next households below average income is expected to be in October. Publication of the pensioners' incomes series, which draws on the households below income database, is expected to follow in November.

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 13 June. [31179]

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 13 June. [31180]

The Prime Minister: This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition on to my duties in the House, I shall be having further meetings later today.

LORD CHANCELLOR'S DEPARTMENT

Royal Family (Records)

Mr. Redmond: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer to the hon. Member for Newham, North-West (Mr. Banks) of 20 May, *Official Report*, column *60*, if he will list the three criteria which govern closure of records; and if he will make a statement. [31552]

Mr. Streeter: The three categories of public record which are to be closed for public inspection for longer than 30 years are as set out in chapter 9 of the 1993 White Paper, "Open Government" (Cm 2290).
They are:

- exceptionally sensitive records containing information, the disclosure of which would not be in the public interest in that it would harm the defence, international relations, national security—including the maintenance of law and order—or the economic interests of the United Kingdom and its dependent territories;
- documents containing information supplied in confidence, the disclosure of which would or might constitute a breach of good faith; and
- documents containing information about individuals, the disclosure of which would cause either substantial distress, or endangerment from a third party, to persons affected by disclosure or their descendants.

Court Service

Mr. Redmond: To ask the Parliamentary Secretary, Lord Chancellor's Department what consideration has been given to market testing of the services provided by the Court Service agency; and if he will make a statement. [31553]

Mr. Streeter: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from Michael Huebner to Mr. Martin Redmond, dated 13 June 1996:

The Parliamentary Secretary, Lord Chancellor's Department has asked me to reply to your Question about market testing of services provided by the Court Service.

Since the establishment of the Court Service as an Executive Agency on 2 April 1995, no further consideration has been given to market testing its services. Most of the ancillary services it uses such as cleaning, catering, judges' car hire, security and maintenance are already contracted out. Other support services such as IT, Internal Audit and Pay were market tested before the Court Service became an Agency.

Statutory constraint and the fact that much of the Court Service's work is in support of the judiciary means that the scope for further market testing is very limited. Consideration is, however, being given to involving the private sector through partnership schemes under the Private Finance Initiative.

Computers (Millennium)

Mr. Ingram: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32674]

Mr. Streeter: My Department is currently assessing the impact of the millennium date change on its computer systems.

Family Law Bill

Mr. Leigh: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make available information outlining the effect of the amendments tabled by the Government to the Family Law Bill for Report stage; and if the Government intend to maintain or overturn amendments already made in Committee. [33276]

Mr. Streeter: This information has been placed in the Vote Office.

TRADE AND INDUSTRY

Port of Tyne Authority

Mr. Trotter: To ask the President of the Board of Trade if he will report progress on considering the transfer scheme submitted by the Port of Tyne Authority; and if he will make a statement. [33152]

Sir George Young: I have been asked to reply.

The transfer scheme submitted by the Port of Tyne Authority contains a number of provisions which, in our view, would constrain the operation and development of the port. I have considered the arguments offered by the

authority about the provisions in question and the legal position, and am now minded to make my own transfer scheme under section 12 of the Ports Act 1991.

Before preparing such a scheme, there is a requirement to consult the port authority. My noble Friend, the Minister for Aviation and Shipping, has today written to the chairman of the Port of Tyne Authority to seek the views of the board.

Arms Embargo (Argentina)

Mr. Dalyell: To ask the President of the Board of Trade if he will list by date the changes of policy since March 1982 in the application of arms embargoes towards Argentina; and if he will make a statement on each specific exception to the embargo in that period. [31326]

Mr. Oppenheim: Since January 1991—the date from which detailed records are readily available—12 exceptions have been made for the export of items falling within the embargo. Two were temporary licences for which the goods were returned. The remainder included equipment to be used by Argentine forces engaged in UN peacekeeping and international search and rescue duties, certain airport security, anti-terrorism and anti-drugs goods and parts for civil aircraft which fall under the embargo. One licence was granted for a sporting gun, one for .22 calibre ammunition for sporting guns. There was also one for humane cattle stunner blanks where a licence was issued to cover the export during the period when they were licensable under the existing Export of Goods (Control) Order but, where the new, 1994 order has decontrolled them.

The policy on the application of the embargo on defence sales is kept under regular review.

Industrial Tribunals

Mr. Ian McCartney: To ask the President of the Board of Trade how many cases, by region, are waiting to be heard in industrial tribunals in England and Wales; and how long his Department estimates it will take to clear this backlog in each case. [32020]

Mr. John M. Taylor: The number of cases awaiting hearing by region at April 1996 is set out in table 1. The industrial tribunals work to a performance target of 80 per cent. of cases to be heard within 26 weeks of being registered. Performance against this target by region for the first quarter of 1996 is shown in table 2. The two London regions remain below target but have made good progress, following measures taken to reduce delays, and this is expected to continue.

Table 1: Cases awaiting hearing (April 1996)

Region	*Awaiting hearing*
London South	1,535
Bedford	873
Birmingham	995
Bristol	490
Cardiff	763
Leeds	1,033
Manchester	2,138
Newcastle	410
Nottingham	963
Southampton	1,228
London North and Stratford	3,097

Table 2: Performance against target (January to March 1996)

Region	*Hearing target 80 per cent. within 26 weeks*
London South	70
Bedford	88
Birmingham	83
Bristol	95
Cardiff	81
Leeds	93
Manchester	81
Newcastle	97
Nottingham	85
Southampton	82
London North and Stratford	59

Inward Investment

Mr. Gordon Prentice: To ask the President of the Board of Trade what was the level of inward investment from Korea in each year since 1990. [32073]

Mr. Oppenheim: The stock of inward direct investment into the UK from South Korea in each year since 1990, as calculated by the Office for National Statistics, is:

1990: Disclosive (this figure would release details of an investment by a particular company)

	£ million
1991	–44.1
1992	–29.0
1993	–3.7
1994	–167.0

No figures are available on investment into the UK from North Korea, nor are figures on portfolio investment from either North Korea or South Korea.

Mrs. Jane Kennedy: To ask the President of the Board of Trade if he will list for each year since 1979 the number of inward investment strategies developed by his Department for each region of England. [31825]

Mr. Oppenheim *[holding answer 7 June 1996]:* The DTI Invest in Britain Bureau promotes the benefits of the United Kingdom to potential inward investors. In the English regions, it is the responsibility of each of the regional development organisations to produce an annual inward investment strategy that draws upon the particular strengths and selling points of their respective regions.

The Invest in Britain Bureau also part funds the RDOs on the basis of agreeing this forward programme of inward investment promotional activities each year.

Exports

Mr. Amess: To ask the President of the Board of Trade if he will list the value of exports from the United Kingdom for each of the years since 1992 of *(a)* office machinery and data processing equipment, *(b)* electrical and electronic engineering, *(c)* motor vehicles, *(d)* aircraft, *(e)* other transport equipment, *(f)* North sea oil and derivatives and *(g)* the chemical industry. [32529]

Mr. Oppenheim: The information is given in the table. The figures for 1992 are not exactly comparable with those of later years, due to a change in the system of classification.

£ billion

	1992	*1993*	*1994*	*1995*
Office machinery and data processing equipment	6.3	8.2	9.6	11.8
Electrical and electronic engineering	12.4	11.4	14.3	17.9
Motor vehicles	9.9	9.6	11.2	13.5
Aircraft	6.9	6.2	5.8	6.0
Other transport equipment	0.5	0.5	1.2	0.7
North sea oil and derivatives	2.4	3.0	2.7	2.6
Chemical industry	15.8	18.1	19.6	22.2

Source: Business Monitor MQ10, Office for National Statistics.

European Fusion Programme

Ms Walley: To ask the President of the Board of Trade what expenditure Her Majesty's Government have made via the UK Atomic Energy Authority/AEA Technology for the joint European trans-sonic wind tunnel—JET—fusion project and other projects in *(a)* the last year and *(b)* since the beginning of the European fusion programme. [32565]

Mr. Page: The expenditure made by the Government via the UKAEA for the JET fusion project was £7.7 million in 1995 and £109.12 million since the European fusion programme began. The expenditure made by the Government via the UKAEA for other fusion projects in the UK was £8 million in 1995 and £240.95 million since the UK became part of the European fusion programme in 1973. The UK has received additional support from Euratom for its own programme during the period at a level of approximately 30 per cent. of its own expenditure.

Ms Walley: To ask the President of the Board of Trade what expenditure Her Majesty's Government have made via Euratom and the JET fusion project and other fusion projects *(a)* in the last year and *(b)* since the beginning of the European fusion programme. [32566]

Mr. Page: The expenditure made by the Government via Euratom for the JET fusion project was £8.4 million in 1995 and £123.60 million since the European fusion programme began. The expenditure made by the Government via Euratom for other fusion projects in Europe was £13.97 million in 1995 and £168.52 million since the European fusion programme began.

Post Offices

Mr. Llwyd: To ask the President of the Board of Trade what measures he is proposing to encourage the sale of vehicle tax discs and the issuing of passports by smaller post offices and sub-post offices; and if he will make a statement. [32266]

Mr. Oppenheim: Decisions on the overall number of post offices issuing motor vehicle licences and passport application forms are respectively matters for the Driver and Vehicle Licensing Agency and the UK Passport Agency.

Foresight Challenge Programme

Mr. Ingram: To ask the President of the Board of Trade how many foresight challenge bids have been received to date. [32660]

Mr. Ian Taylor: Five hundred and fifteen foresight challenge bids have been received to date.

Mr. Ingram: To ask the President of the Board of Trade what criteria are being used for the evaluation of foresight challenge bids. [32659]

Mr. Taylor: The criteria used for the evaluation of foresight challenge bids are contained in section 6 of the challenge terms and conditions document, which was issued to interested bidders by the Office of Science and Technology in September 1995.

Mr. Ingram: To ask the President of the Board of Trade when the bid timetable for the foresight challenge was announced; and if he will make a statement. [32661]

Mr. Taylor: The timetable for the foresight challenge was announced in September 1995, in the terms and conditions document issued by the Office of Science and Technology.

Mr. Ingram: To ask the President of the Board of Trade how many of the successful applicants for funding under the foresight challenge programme were also members of the foresight panels. [32657]

Mr. Taylor: I shall make an announcement about the successful applicants on 24 June. I shall write to the hon. Member soon after the announcement.

Mr. Ingram: To ask the President of the Board of Trade how payments made under the foresight challenge programme are to be monitored. [32680]

Mr. Taylor: Payments under the foresight challenge programme will be made and monitored by the research councils.

Mr. Ingram: To ask the President of the Board of Trade how many successful applications there have been for funding under the foresight challenge programme. [32658]

Mr. Taylor: I shall make an announcement on 24 June regarding the winning applications.

Computers (Millennium)

Mr. Ingram: To ask the President of the Board of Trade what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32665]

Mr. John M. Taylor: In line with guidance recently issued by the Central Computer and Telecommunications Agency and the Cabinet Office central IT unit, my Department has initiated studies to assess the extent to which its computer systems will need to be amended to take account of the millennium date change. The results of these studies, including estimates of the cost of the corrective work, are expected later this year.

Home Shipbuilding Credit Guarantee Scheme

Mr. Sykes: To ask the President of the Board of Trade if he will make a statement on the future of the home shipbuilding credit guarantee scheme. [33155]

Mr. Eggar: The review of the scheme, which I announced to the House on 15 March 1995, has now been completed.

I have decided that the scheme should continue. When the Organisation for Economic Co-operation and Development shipbuilding agreement comes into force, the currently subsidised interest rate of 7.5 per cent. will be replaced by the appropriate commercial interest reference rate used in export finance. The scheme will continue to provide credit for up to 80 per cent. of a ship's contract value, the maximum permitted by OECD rules.

I have also decided to make an amendment to the scheme designed to enhance the scheme's attractiveness in appropriate cases. I have invited main banks involved in shipping business to participate in arrangements which would come into play when the terms offered under the scheme are not able to provide 80 per cent. financing on the basis of the vessel's mortgage and other readily available security, and it is felt that, by the standards of the international market place, better terms should be possible. In such circumstances, the new banking facility would aim to provide an additional tranche of financing. The DTI and the participating bank would share the risk in this additional tranche, normally on a 50–50 basis, although in some circumstances my Department would be prepared to take two thirds of the risk if necessary to secure 80 per cent. financing. Additional margins would be charged to reflect the additional risk undertaken.

This new banking facility will come into effect as of the date of this announcement. Applications for loans under the scheme, for which offers have not yet been made, will also be eligible.

The changes to the current interest rate offered under the scheme will be made with the entry into force of the OECD agreement presently targeted for 15 July. The success of this new banking facility will depend on the response from the banks. However, I believe that it is a valuable development of the scheme and responds to the concerns of the shipbuilding industry.

Overdue Commercial Debt

Mr. William Powell: To ask the President of the Board of Trade if he will announce the outcome of the review of the case for a statutory right to interest on overdue commercial debt that was announced on 11 January, *Official Report*, column *293*. [33148]

Mr. Page: I announced to the House that the Government were meeting the commitment made in the 1994 competitiveness White Paper to review again the case for legislation for a statutory right to interest. That review has been informed by updated submissions from representative bodies which responded to the public consultation on this subject in 1994, the regional "Your Business Matters" conferences and commercial and academic research.

Following the review, I can confirm that the Government will not be introducing legislation to enact a right to interest on overdue commercial debt.

It is right that the Government listen to and act upon the views of the business community and it is clear that there has been a significant shift in opinion, particularly by the small firms representative organisations, against legislation. Eight of the nine main small firms organisations have stated that they are against legislation because of the detrimental impact they fear it would have on small businesses. Even a number of organisation which responded to the review in favour of legislation had serious reservations about its effectiveness. Additionally the regional "Your Business Matters" conferences concluded against legislation.

The Government introduced a significant package of measures to tackle late payment in 1994. Good progress has been made in their implementation, although it is too early to gauge their effectiveness. That is something we shall continue to review and evaluate. In addition, the Prime Minister announced on 11 March this year a package of additional measures including consultation on whether public companies should be required to publish their payment performance.

Recent research by the university of Bradford has identified that effective credit management procedures can significantly reduce the incidence and impact of late payment experienced by small businesses. The Government will therefore continue to work with all sectors of the business community to help small firms improve their credit management procedures. Business links in England, business connect in Wales, local enterprise companies in Scotland and the Local Enterprise Development Unit in Northern Ireland will be able to provide advice and guidance in this area.

Export Credits Guarantee Department

Mr. William Powell: To ask the President of the Board of Trade if he will make a statement about the privatisation of the short-term business of the Export Credits Guarantee Department. [33149]

Mr. Lang: The then Secretary of State for Trade and Industry, my right hon. Friend the Member for St. Albans (Mr. Lilley), announced on 2 December 1991, *Official Report*, columns *11–12*, the sale of the short-term business of the Export Credits Guarantee Department to NCM Holding NV. The £20 million goodwill element of the sale price included a deferred element up to a maximum of £5 million payable in 1996 subject to the privatised company's financial performance. I am pleased to be able to report that, on the basis of the company's actual performance, a sum of £5,479,127, made up of the basic sum due of £4,928,296 plus index linking, has now been paid to ECGD by the company.

I welcome this as the final formal stage in a highly successful privatisation which has provided UK exporters with the benefits deriving from the most competitive private sector export credit insurance market in Europe.

Radio Spectrum (Licensing)

Mr. William Powell: To ask the President of the Board of Trade what arrangements are being made for the contracting out of the management and licensing of the radio spectrum used for making programmes and similar activities. [33150]

Mr. Lang: The Radiocommunications Agency published on 15 May the report of its review of spectrum used in programme making and related activities by broadcasters, independent programme makers and others. The spectrum is currently managed and licensed on the

agency's behalf by ASP Frequency Management Ltd. and the Broadcasters' JFMG Ltd. One of the main recommendations of the review was that a single spectrum management organisation should be established with responsibility for licensing all programme making spectrum. I have decided to accept this recommendation and intend to establish new arrangements under a contract which would run from 1 April 1997. The agency will shortly advertise the intention to appoint a single contractor and will invite expressions of interest. I intend, in exercise of powers conferred by section 69 of the Deregulation and Contracting Out Act 1994, to make an order enabling me to authorise another person to exercise my licensing function under section 1 of the Wireless Telegraphy Act 1949 in respect of programme making spectrum. The contract will be made under the order.

Contracts

Mrs. Roche: To ask the President of the Board of Trade what response his Department has made to the European Commission's recommendation that public entities wishing to advertise invitations for tenders should break down large contracts into lots. [31889]

Mr. Oppenheim *[holding answer 10 June 1996]:* The European Commission is expected to present shortly a Green Paper on procurement policy in the European Union. My Department will consider, in consultation with business interests and with HM Treasury, which are the lead Government Department on procurement policy, any such recommendations which are made.

"Tenders Electronic Daily"

Mrs. Roche: To ask the President of the Board of Trade what translation facilities are provided by his Department for potential tenderers to the "Tenders Electronic Daily". [31901]

Mr. Oppenheim *[holding answer 10 June 1996]:* None. Although overseas tender notices on "Tenders Electronic Daily" are published in full only in the language of the purchasing authority, a summary of such notices is provided in English.

Small and Medium Businesses

Mrs. Roche: To ask the President of the Board of Trade what evidence his Department has evaluated for the first quarter of 1996 regarding business *(a)* demand, *(b)* optimism and *(c)* output amongst small and medium manufacturing companies. [31905]

Mr. Oppenheim *[holding answer 10 June 1996]:* Evidence from business surveys shows demand, optimism and output increasing in the first quarter of 1996.

Electric Batons

Mr. Tony Lloyd: To ask the President of the Board of Trade on what date Her Majesty's Government were advised that a market report partially funded through his Department's export marketing scheme would state that there was a future requirement for electric batons in a named country; what action he took in respect of that report; and what steps he has taken to ensure *(a)* that Her Majesty's Government does not fund such reports in the future and *(b)* that the contents of market reports are sanctioned before publication. [31139]

Mr. Oppenheim *[holding answer 6 June 1996]:* The report was partially funded through the export marketing research scheme under the terms and conditions applicable at the time for trade associations using the scheme for the first time. The report covered six countries in the Arabian peninsula and was restricted to marketing research only.

This independent marketing research was carried out on behalf of the members of a trade association. The two lines from the 200–page report which refer to this issue solely reflect the views expressed by the authorities in the named country. The two lines are

"The Special Forces are interest in procuring anti-ballistic helmets as well as electronic batons"

and

"The force has access to riot vehicles and body armour which was rarely used, although interest has been shown in anti-ballistic helmets and electronic batons".

The Department cannot dictate the contents of a marketing research report. Such reports are a reflection of the views of those interviewed by the researchers and the Department confers no authorisation to any of the views expressed. The Department is not notified in advance of the contents of any reports. However, a copy of the final report of projects conducted on behalf of trade associations is placed in the Department's export market information centre. Accordingly, a copy of this report was placed in the EMIC on 10 August 1994.

The UK strictly controls the export of military and paramilitary equipment. The use of the EMRS in no way subverts, circumvents or undermines this process.

DUCHY OF LANCASTER

Central Computer and Telecommunications Agency

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster what consideration has been given to market testing the services provided by his Central Computer and Telecommunications Agency; and if he will make a statement. [31554]

Mr. Freeman: Responsibility for the subject of the question has been delegated to the CCTA under its chief executive, Mr. Robin Guenier. I have asked him to arrange for a reply to be given.

Letter from Robert Guenier to Mr. Martin Redmond, dated 10 June 1996:

The Chancellor of the Duchy of Lancaster has asked me to reply to your Parliamentary Question concerning market testing of CCTA's services.

You will be aware that, following CCTA's becoming a Next Steps Agency on 1 April 1996, one of the objectives of the Chief Executive is to achieve full cost recovery by financial year 1997–98. In conjunction with this objective, the Chief Executive is also required to achieve demanding annual financial, efficiency and quality of service targets.

With this in mind, I have a responsibility to ensure that all CCTA services are competitive and provide value for money to those who use them. CCTA, therefore, makes use of whatever efficiency savings are appropriate to achieve these objectives, market testing being one of many options. Of course, use of CCTA's services is not mandatory and departments and Agencies do so at their own discretion. It is, therefore, important for users of our services to ensure that they do so taking into account options such as market testing.

Deregulation

Mr. Steen: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 30 April, *Official Report*, column *487*, when he expects to declare the results of the review of provisions of the Merchant Shipping and Fishing Vessels (Medical Stores) Regulations 1995. [31386]

Mr. Freeman: We aim to complete the review and consultation exercise by 30 September 1996. An announcement on the conclusions will be made at that time by the Department of Transport.

Computers (Millennium)

Mr. Ingram: To ask the Chancellor of the Duchy of Lancaster what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32667]

Mr. Willetts: My Department and its agencies are currently in the process of assessing the impact of the millennium date change on their computer systems, including any costs that may arise.

OVERSEAS DEVELOPMENT ADMINISTRATION

Burundi

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with the French Government about their decision to suspend military co-operation with Burundi. [32567]

Mr. Hanley: We remain in close touch with our French and other European partners about the situation in Burundi.

WALES

Official Material

Mrs. Clwyd: To ask the Secretary of State for Wales if he will make it his policy to make official material available to hon. Members before release to the media. [31243]

Mr. Hague: In line with the guidance set out in "Questions of Procedure for Ministers", it is my policy to ensure that, when the House is sitting, major policy announcements are given to Parliament before they are released to the media.

Nursery Voucher Scheme

Mr. Martyn Jones: To ask the Secretary of State for Wales, pursuant to his answer of 13 May, *Official Report*, column *111*, how many *(a)* representations and *(b)* petitions his office has now had concerning the implementation of the nursery voucher scheme; for each, how many were in favour and how many against the implementation of nursery vouchers; and if he will make a statement. [31846]

Mr. Jonathan Evans: In addition to a number of letters to Welsh Office Ministers, some 35 petitions and some 4,000 separate representations have been received, the vast majority of the latter consisting of printed pro forma letters and postcards.

There continues to be general support for the Government's objective of making nursery education available for all four-year-olds, although only one letter offers specific support for the voucher scheme as the most appropriate means to achieve that objective. This is not surprising, given that most of the representations contain misunderstandings of some basic elements of the scheme.

Traffic Area Office (Cardiff)

Mr. Jon Owen Jones: To ask the Secretary of State for Wales what discussions he has had with the Secretary of State for Transport concerning the future of the south Wales traffic area office. [32288]

Mr. Gwilym Jones: My hon. Friend the Minister with responsibility for local transport has announced plans to restructure the traffic area offices, including the closure of the South Wales traffic area office in Cardiff. The decision to close the Cardiff office is regrettable, but I understand that it is necessary in order to make best use of limited resources.

Ear Operations

Mr. Hanson: To ask the Secretary of State for Wales (1) if he will list the NHS trust hospitals in Wales that currently meet the standard set out in the patients charter for waiting times for ear operations; [32150]

(2) if he will list the average waiting times for ear operations for each of the national health service trusts in Wales. [32152]

Mr. Gwilym Jones: At 31 March 1996, there were no patients waiting for admission to Welsh hospitals for treatment in the specialty of ear, nose and throat who had been waiting for more than the standard set by the patients charter for all operations. Information on the average waiting times for ear operations is not readily available. However, the percentage of patients admitted within three and 12 months in the year to 31 March 1996 for the specialty of ENT will be published in "The Patients Charter, NHS Wales Performance Tables 1996" in July.

Highways (Costs)

Mr. Llew Smith: To ask the Secretary of State for Wales if he will make a statement on the typical works costs associated with *(a)* the construction of one mile of major dual carriageway in open countryside and *(b)* on-line upgrading of a mile of single carriageway to dual carriageway. [32038]

Mr. Gwilym Jones: Construction costs can be affected by many factors, including topography, the number of structures and ground conditions.

In the last 10 years, for trunk road schemes constructed to dual carriageway standard in open countryside, the costs at March 1996 prices were *(a)* in a range £2.5 million to £5.5 million per mile and *(b)* approximately £2 million per mile.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for Wales how much his Department spent during the financial years 1994–1995 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32423]

Mr. Hague: The information requested is not readily available and could be provided only at disproppportionate cost.

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for Wales what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32672]

Mr. Hague: An assessment of the effect of the millennium date change on my Department's computer systems has recently been undertaken. I do not expect there to be any major costs involved in ensuring that my Department's computer systems can cater for the year 2000.

Welsh Economic Performance

Mr. Sweeney: To ask the Secretary of State for Wales what recent assessment he has made of the performance of the Welsh economy. [33147]

Mr. Hague: The Welsh economy has made great progress over recent years and is now acknowledged to have significant strength, not least in its manufacturing sector.

I have today published a comprehensive report, entitled "Meeting the Challenge", analysing Wales's current position. Copies have been placed in the Library of the House.

NORTHERN IRELAND

Scottish Visitors

9. **Mr. Foulkes:** To ask the Secretary of State for Northern Ireland what estimate he has made of the number of visitors from Scotland to Northern Ireland in *(a)* 1995 and *(b)* 1994. [30931]

Mr. Ancram: The total number of visitors from Scotland to Northern Ireland in 1995 was 207,000—up 22 per cent. on the 170,000 of the previous year. The number of holidaymakers increased by 76 per cent. in that period.

Peace Process (Terrorists)

11. **Mr. William Ross:** To ask the Secretary of State for Northern Ireland if he will make a statement on the number of persons with convictions for terrorist offences who are *(a)* members of the forum and *(b)* involved in the negotiating teams. [30933]

Sir Patrick Mayhew: The considerable difficulties involved in obtaining the information make it impossible for me to make available the details requested. Such investigations would require not only the full name, date of birth and current address of each individual concerned but, in order to be absolutely sure of correct identification, a full set of fingerprints.

Terrorist Murders Monument

12. **Mrs. Ann Winterton:** To ask the Secretary of State for Northern Ireland what plans he has to commission a national monument to those civilians and members of the police and armed forces who have been killed by terrorist action. [30934]

Sir John Wheeler: There are no plans to commission such a monument.

Peace Process

13. **Mr. Robert Ainsworth:** To ask the Secretary of State for Northern Ireland if he will make a statement on progress in the peace process. [30935]

15. **Mr. Winnick:** To ask the Secretary of State for Northern Ireland if he will make a statement on the latest position over political developments in Northern Ireland. [30937]

23. **Mr. Trimble:** To ask the Secretary of State for Northern Ireland if he will make a statement on the all-party talks process at Stormont. [30947]

25. **Mr. Soley:** To ask the Secretary of State for Northern Ireland if he will make a statement on the peace negotiations in Northern Ireland. [30950]

Sir Patrick Mayhew: All-party negotiations began on Monday 10 June in plenary session involving negotiating teams from those parties invited to participate together with the British and Irish Governments.

The Prime Minister and the Taoiseach opened the proceedings. Following a round of intensive bilateral discussions on 10 and 11 June, Senator Mitchell assumed the chair of the opening plenary session. General de Chastelain and Mr. Holkeri were appointed as chairman of strand 2 and the business committee, and alternate chairman respectively. All the delegations present committed themselves to the Mitchell principles of democracy and non-violence and the Democratic Unionist party and Mr. McCartney also did so during later discussions. The parties are now conferring on various important procedural issues.

Arts Funding

14. **Mr. Harry Greenway:** To ask the Secretary of State for Northern Ireland what is the current expenditure from public funds on the arts; what it was *(a)* five, *(b)* 10, *(c)* 15 and *(d)* 20 years ago in real terms; and if he will make a statement. [30936]

Mr. Ancram: Government expenditure on the arts in the last year was £7.2 million compared, in real terms, with £6.5 million five years ago; £5.2 million 10 years ago; £3.8 million 15 years ago and £3.5 million 25 years ago.

Decommissioning

16. **Mr. David Shaw:** To ask the Secretary of State for Northern Ireland what progress is being made in decommissioning paramilitary-held weapons in Northern Ireland. [30938]

Sir John Wheeler: I refer my hon. Friend to the reply which I gave earlier today to the hon. Member for Lewisham, East (Mrs. Prentice).

Terrorism

17. **Dr. Spink:** To ask the Secretary of State for Northern Ireland what assessment he has made of the level of the current terrorist threat. [30939]

21. **Mr. Nigel Evans:** To ask the Secretary of State for Northern Ireland if he will make an assessment of the current terrorist threat. [30945]

Sir John Wheeler: The various terrorist gangs retain their structures and weaponry; they continue to train and to target individuals and installations. Recent activity has included robberies, punishment attacks and murders in Northern Ireland, and the renewed bombing campaign in London.

Punishment Beatings

18. **Mr. Jacques Arnold:** To ask the Secretary of State for Northern Ireland what are the current levels of punishment beatings; and what assessment he has made as to the responsibility for them. [30941]

Sir John Wheeler: So far this year, there have been 124 so-called punishment attacks. Of these, 72 have been attributed to Republican groups and 52 to loyalist groups, including five victims who were shot.

These crimes are against all concepts of justice and human rights. There is no doubt that terrorist groups control these barbaric activities and that, if they wished to call a halt, they could do so immediately. Sinn Fein claims to have signed up to the principles set out in the report of the international body, but one of these principles calls for a commitment to try to stop "punishment" attacks and to take effective steps to prevent such actions. The House will note that to date there is no evidence of these attacks ceasing.

Deregulation (Small Businesses)

20. **Mr. Steen:** To ask the Secretary of State for Northern Ireland what progress he is making with regard to reducing costs to small businesses as a result of UK deregulation initiatives. [30943]

Mr. Ancram: Good progress has been made:

104 NI regulations affecting business have been repealed or amended;

food legislation and planning and building requirements have been simplified;

tax, national insurance and value added tax systems have been streamlined;

a major initiative to simplify health and safety guidance and reduce paperwork is in hand.

Elections

22. **Mr. Riddick:** To ask the Secretary of State for Northern Ireland if he will make a statement on the outcome of the elections in Northern Ireland. [30946]

Mr. Ancram: As intended, the 30 May election opened the way to substantive all-party negotiations which began on 10 June and allowed the various parties to come fortified by an electoral mandate. The high turnout demonstrated the wish of the people of Northern Ireland for political dialogue.

Employment and Training

24. **Mr. Mackinlay:** To ask the Secretary of State for Northern Ireland what further measures are proposed to increase employment and training opportunities in Northern Ireland over the next 12 months. [30949]

Mr. Ancram: The Government continue to give a very high priority to those successful policies which have contributed to the development of the economy and provided increased employment opportunities. This is clearly evidenced by the high levels of employment being maintained, currently at 573,880 (March 1996). Our on-going commitment is further witnessed by the allocation in 1996–97 of some £455 million in support of a wide range of employment and training measures. Additionally, £7.3 million has recently been made available from the EU's special support programme for peace and reconciliation which will support a range of additional innovative programmes aimed at investment and employment development.

Grammar School Pupils

26. **Mr. Beggs:** To ask the Secretary of State for Northern Ireland how many primary school pupils who received grades other than A in the transfer procedure will obtain a grammar school place in Northern Ireland for the 1996–97 school year; and if he will publish a list of Northern Ireland grammar schools and the number of pupils in each grade to be admitted for the 1996–97 school year. [30951]

Mr. Ancram: The transfer procedure processes are not yet completed for the 1996–97 school year; and accordingly the information required is not yet available. It will be available in the autumn.

Royal Ulster Constabulary

Mr. Corbyn: To ask the Secretary of State for Northern Ireland when he expects to publish the results of his consultation on restructuring of the RUC. [30942]

Sir John Wheeler: The Government White Paper "Foundations for Policing" stated that the importance of the forthcoming all-party talks was such that no finite consultation period for comments was being set. Work on the fundamental review is continuing. When the report is finalised, the main findings will be made public.

Child Support Agency

Mr. Redmond: To ask the Secretary of State for Northern Ireland what consideration has been given to

market testing the services provided by the child support maintenance services of the Child Support Agency; and if he will make a statement. [31556]

Mr. Moss: Responsibility for taking forward the competing for quality initiative rests with the chief executive of the Child Support Agency and to date all the agency's support services have been contracted out. The agency will be the subject of an agency review in 1997–98 and the prior options stage of that review will include, inter alia, an examination of the potential for the market testing of the agency's main functions including child support maintenance.

Social Security Agency

Mr. Redmond: To ask the Secretary of State for Northern Ireland what consideration has been given to market testing the services provided by the Social Security Agency; and if he will make a statement. [31565]

Mr. Moss: My right hon. and learned Friend announced the outcome of the review of the Social Security Agency on 19 April 1996, *Official Report*, column *622–23*. The second stage of that review required the Department to examine the prior options of abolition, privatisation and wholesale contractorisation. The report concluded that there was no scope for abolition or privatisation, nor was there any evidence to suggest that wholesale contractorisation of functions was a viable option, given the lack of a mature market or interest in the private sector for this work at present. However, the study report went on to recommend that the Social Security Agency should develop a comprehensive strategy for achieving efficiency improvements through involving the private sector in all aspects of its business, including benefit administration. The strategy should be completed during the 1996–97 year, for implementation to begin in 1997–98 or earlier. The agency is currently taking forward these recommendations. A copy of the executive summary of the prior options report is available in the Library.

Sexual Abuse (Compensation)

Dr. Hendron: To ask the Secretary of State for Northern Ireland (1) what provisions apply to claims for compensation by people who are sexually abused as children and take legal action as adults; [32516]

(2) if adults who were sexually abused as children are not eligible for financial compensation; and if he will make a statement; [32517]

(3) if he will make a statement regarding the changes he is planning to the Criminal Injuries (Compensation) Northern Ireland Order 1988 in order to allow sex abuse victims to claim compensation after they reach the age of 21 years; [32518]

(4) in what circumstances he may make ex gratia payments to Northern Ireland sex abuse victims who were abused as children and cannot claim compensation after they reach the age of 21 years; [32519]

(5) on how many occasions he has made ex gratia payments to sex abuse victims who were abused as children and cannot claim compensation after they reach the age of 21 years. [32520]

Sir John Wheeler: Under the terms of the Criminal Injuries (Compensation) Northern Ireland Order 1988, a person has three years within which to lodge an application for compensation. However, in the case of victims aged under 18 when the injury was sustained, my right hon. and learned Friend has discretion to admit applications made outside the three-year time limit, if there was a reasonable cause for not making the application at any earlier time. This discretion is applicable for up to three years after the victim's 18th birthday, and acknowledges the fact that children and young persons who are criminally injured are not always in an immediate position to protect their interests or have them protected.

The 1988 order also introduced a three-year time limit for claims made under the earlier Criminal Injuries (Compensation) (Northern Ireland) Order 1977 which continues to apply to injuries sustained before the 1988 order came into effect on 1 July 1988. However, the order did not make an exception in respect of those criminally injured while under 18. This anomaly was rectified by article 5 of the Criminal Justice (Northern Ireland) Order 1991 so that they too could apply for compensation up to the age of 21. In short, 21 is the effective cut-off point for all claims relating to injuries to minors.

As for violence within the family—which encompasses many sex abuse cases, including incest—article 5(2) of the 1988 order provides that no compensation can be paid in respect of an injury where the victim was, at that time, living in the same household as the person responsible for causing the injury unless:

(a) the person who caused the injury has been prosecuted (or there is a sufficient reason why this could not happen);

(b) the victim and the person who caused the injury have stopped living together (unless there are exceptional circumstances which prevent them from ceasing to live in the same household); and

(c) the person responsible for causing the injury cannot benefit from the compensation if it is paid.

Officials are currently considering whether it would be feasible to admit for consideration applications made after a victim has reached the age of 21, possibly by way of ex gratia payments to be made in cases which are now time barred but which meet all the other criteria. This work is still in progress. I shall let the hon. Gentleman know when it has been completed. No ex gratia payments have been made outside the terms of the 1988 order to any victim of child sex abuse.

Economic Co-operation

Mr. Miller: To ask the Secretary of State for Northern Ireland what steps are being taken to increase trade and economic co-operation between Northern Ireland and the Republic of Ireland. [30928]

Mr. Ancram: Government agencies and private sector business organisations in Northern Ireland have been co-operating with their counterparts in the Republic of Ireland on a wide range of cross-border trade and economic development projects. Co-operation will continue in the future on any initiatives which will contribute to the provision of job opportunities and prosperity for people in both parts of the island.

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for Northern Ireland what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32669]

Sir John Wheeler: Within Northern Ireland Departments there is an initiative to identify the scope of the millennium problem and to ensure that those with responsibility for systems potentially at risk are made aware of the implications. Steps are being taken to ensure that whatever remedial action needs to be taken is planned for and completed by 1 January 2000. Investigations are currently in progress, but as yet there has been no assessment of the full costs involved.

AGRICULTURE, FISHERIES AND FOOD

SHL Software

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what contracts his Department and his agencies have with SHL software computer system; what is the current cost; when each contract ends; what are the penalties involved should he seek early termination of the contract; and if he will make a statement. [31436]

Mr. Boswell: Neither the Ministry nor any of its agencies hold contracts with SHL. Between March 1994 and June 1996, the Ministry spent £4,494 with SHL Technical Solutions Ltd. for the provision of IT training courses. There are no contract end dates or potential penalty fees. Fees for early discharge of contractual arrangements are a matter for negotiation between the Ministry and its suppliers.

Fishermen (Early Retirement and Compensation)

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food (1) what practical steps the Government are taking to implement the new measures of Council regulation (EC) No. 2719/95 amending Council regulation 3699/93; and when it intends to introduce an early retirement and compensation scheme for fishermen as prescribed in the regulation; [32532]

(2) how many EU member states have replied positively to Council regulation EC 2719/95 of 20 November 1995; in what terms Her Majesty's Government have replied; and if Her Majesty's Government are participating in the Commission's study of practical arrangements for complementing the new measures. [32534]

Mr. Baldry: The Government did not support Council regulation 2719/95, which gives member states the option of using part of their existing financial instrument for fisheries guidance—FIFG—funds to finance early retirement schemes and make payments to crews of decommissioned vessels. No additional EU money is available. The Government believe that FIFG funds should be concentrated on other priority areas, leaving member states' social security systems to deal with any employment consequences.

The Government have no information on the number of EU member states implementing Council regulation 2719/95 and is not aware of any related Commission study of practical arrangements.

Recruitment

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31417]

Mr. Boswell: The information in respect of the use of executive search agencies and employment companies to fill vacancies in core MAFF and the Pesticide Safety Directorate is as follows:

1994–95

Trading Standards Advisor
2 Administrative Fast Stream
2 Grade 7s (Legal)
4 Assistant Statisticians
2 Assistant Economists
1 Legal Officer
1 Grade 7 (PPO)
5 Fisheries Officers II
1 Grade 7 (PSO)
2 Higher Scientific Officers
4 Senior Professional and Technical Officers
6 Veterinary Officers
2 Veterinary Investigation Officers
Core MAFF also undertook a recruitment exercise for a chief executive, on behalf of the Meat Hygiene Service
Total costs=£160,538.29

1995–96

5 Administrative Fast Stream
Head of Resource Management Division
1 Grade 7 (Legal)
2 Assistant Economists
4 Investigation Officers (including 1 fixed term appointment)
1 Grade 7 (PPO)
7 Horticultural Marketing Inspectors
1 Higher Scientific Officer
1 Scientific Officer
3 Fisheries Officers II
1 Grade 6
2 Veterinary Investigation Officers

Core MAFF also undertook recruitment exercises for a head of operations on behalf of the Meat Hygiene Service; and a chief executive for the intervention board.

Total Cost = £220,188.06

All the above recruitment exercises were carried out by the Recruitment and Assessment Services with one exception in 1994–95.

Executive agencies will reply separately by chief executive's letter.

Letter from Philip Needham to Mr. Brian Donohoe, dated 13 June 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply direct to your Parliamentary Question in which you ask what use the Executive Agencies have made of executive search agencies or employment companies in filling vacancies within the Executive Agency during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. (31417)

The information for ADAS is as follows:

Year	*Cost* £	*Consultancy*	*Staff recruited*
1994–95	6,000	St. James's Recruitment Consultants	One
1995–96	4,621	Cherry Consultants	One

Letter from Johnston McNeill to Mr. Brian Donohoe, dated 13 June 1996:

As Chief Executive of the Meat Hygiene Service, your questions to the Minister of Agriculture, Fisheries and Food concerning the use of executive search agencies or employment companies for recruitment and the expenditure on, and number of staff recruited during 1994/95 and 1995/96 have been passed to me for reply with respect to this Executive Agency.(31417)

The Meat Hygiene Service (MHS) was established on 1 April 1995 as an Executive Agency of MAFF and took over from some 300 local authorities the responsibility for enforcing hygiene, inspection and welfare requirements in licensed fresh meat premises in Great Britain. The majority of the Agency's staff are meat inspectors and official veterinary surgeons. Some 711 meat inspectors transferred over to the MHS on 1 April 1995 from local authorities under the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 1981.

In 1994/95 before the launch of the MHS an initial recruitment exercise was carried out to appoint senior and middle management posts as well as the administrative posts required to ensure the effective operation of the Service. The Recruitment and Assessment Services (RAS) Agency were used for the recruitment of 61 staff. Assistance was provided by RAS in the advertisement of posts as well as their staff sitting on the interview panels for the more senior management positions. The total cost for their services was approximately £287,500. £78,000 of this sum was funded by the Ministry of Agriculture, Fisheries and Food.

The MHS spent approximately £44,000 (excluding expenditure for the services of RAS) in 1994/95 on the recruitment of staff. This was primarily for the services of members of the Personnel team of the Ministry of Agriculture, Fisheries and Food and consultants on interview panels for the afore-mentioned posts.

Approximately £39,000 was spent by the MHS in 1995/96 on the recruitment and selection of 375 additional meat inspectors and veterinary staff and a relatively small number of administrative and clerical support staff. This sum has been mainly incurred in advertising costs, as the MHS has fully utilised the services of its own personnel department in recruitment exercises.

Letter from P. I. Stanley to Mr. Brian Donohoe, dated 13 June 1996:

You asked the Minister of Agriculture, Fisheries and Food two questions relating to executive search or employment agencies to recruit staff. The Minister has asked me to reply to you in respect of his Central Science Laboratory (CSL) Agency, as this is an operational matter for which I am responsible.(31417)

It is only in exceptional circumstances, such as filling a very senior or specialist post, that we would use the services of an outside agency for recruitment purposes in preference to our own personnel staff.

You ask specifically for details of expenditure in the financial years 1994/95 and 1995/96. During these two years no executive search agencies were employed but in 1995/96 an employment agency was used at a cost of £6.5k to recruit a senior member of staff to a specialist scientific post.

Letter from Dr. J. M. Rutter to Mr. Brian Donohoe, dated 13 June 1996:

The Minister has asked me to reply to your question about the use of executive search agencies or employment companies in filling vacancies as this is an operational matter for which I am responsible.(31417)

The Veterinary Medicines Directorate did not use these methods for filling vacancies during the financial years 1994–95 and 1995–96.

Letter from T. W. A. Little to Mr. Brian Donohoe, dated 13 June 1996:

The Minister has asked me to reply to your questions on recruitment in the Veterinary Laboratories Agency (VLA).(31417)

The VLA was established on 1 October 1995, from the merger of the existing Central Veterinary Laboratory with the Veterinary Investigation Service, which was part of the State Veterinary Service. Figures quoted below relate only to the Central Veterinary Laboratory.

In reply to your question on executive search agencies and employment companies, the VLA did not make use of any such organisation during 1994–95 and 1995–96.

The cost of recruiting permanent staff and the numbers of staff recruited are as follows:-

	Recruitment cost £	*Recruitment numbers* £
1995–96	25,046	61
1994–95	13,347	45

The above costs include advertising and the costs of candidates travelling to interview. A higher number of specialist professional posts in areas such as BSE, bovine tuberculosis and rabies have been filled over the last year, resulting in increased costs.

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31402]

Mr. Boswell: It is not readily possible to separate out costs for recruitment.

The number of staff recruited to core MAFF and the Pesticide Safety Directorate is 426 for 1994–95 and 667 for 1995–96.

Executive agencies will reply separately by chief executive's letter.

Letter from Dr. J. M. Rutter to Mr. Brian Donohoe, dated 13 June 1996:

The Minister has asked me to reply to your recent question about the cost and numbers of staff recruited during the 1994–95 and 1995–96 financial years as this is an operational matter for which I am responsible. [31402]

During 1994–95 the Veterinary Medicines Directorate recruited five members of staff at a cost of £20,529 and in 1995–96 recruited sixteen members of staff at a cost of £69,286.

Letter from Philip Needham to Mr. Brian Donohoe, dated 13 June 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply direct to your Parliamentary Question in which you ask how much his Agencies have spent in recruiting staff during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31402]

The figures for ADAS are as follows:

Year	*Cost £*	*Number of staff*
1994–95	21,793	88
1995–96	80,762	138

The figures above exclude short term casual appointments and the two posts recruited through an executive search agency.

Letter from P. I. Stanley to Mr. Brian Donohoe, dated 13 June 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply to your question about the cost and number of staff recruited in each of the financial years 1994/95 and 1995/96 in respect of his Central Science Laboratory (CSL) Agency, as this is an operational matter for which I am responsible.(31402)

The figures are as follows:

1994/95: £77330; 86 staff

1995/96: £63465; 250 staff

The costs relate to recruitment advertising and expenses of candidates and independent members of interview boards. The number of staff includes permanent, causal and fixed-term appointments. The number of staff recruited in 1995/96 shows a significant increase. This reflects recruitment of new staff associated with the Agency's relocation of the majority of its existing sites to a single new site near York later this year and the need to make casual appointments to fill posts where some staff not relocating to York have already left the Agency.

Letter from Johnston McNeill to Mr. Brian Donohoe, dated 13 June 1996:

As Chief Executive of the Meat Hygiene Service, your questions to the Minister of Agriculture, Fisheries and Food concerning the use of executive search agencies or employment companies for recruitment and the expenditure on, and number of staff recruited during 1994/95 and 1995/96 have been passed to me for reply with respect to this Executive Agency. (31402)

The Meat Hygiene Service (MHS) was established on 1 April 1995 as an Executive Agency of MAFF and took over from some 300 local authorities the responsibility for enforcing hygiene, inspection and welfare requirements in licensed fresh meat premises in Great Britain. The majority of the Agency's staff are meat inspectors and official veterinary surgeons. Some 711 meat inspectors transferred over to the MHS on 1 April 1995 from local authorities under the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 1981.

In 1994/95 before the launch of the MHS an initial recruitment exercise was carried out to appoint senior and middle management posts as well as the administrative posts required to ensure the effective operation of the Service. The Recruitment and Assessment Services (RAS) Agency were used for the recruitment of 61 staff. Assistance was provided by RAS in the advertisement of posts as well as their staff sitting on the interview panels for the more senior management positions. The total cost for their services was approximately £287,500. £78,000 of this sum was funded by the Ministry of Agriculture, Fisheries and Food.

The MHS spent approximately £44,000 (excluding expenditure for the services of (RAS) in 1994/95 on the recruitment of staff. This was primarily for the services of members of the Personnel team of the Ministry of Agriculture, Fisheries and Food consultants on interview panels for the afore-mentioned posts.

Approximately £39,000 was spent by the MHS in 1995/96 on the recruitment and selection of 375 additional meat inspectors and veterinary staff and a relatively small number of administrative and clerical support staff. This sum has been mainly incurred in advertising costs, as the MHS has fully utilised the services of its own personnel department in recruitment exercises.

Letter from T. W. A. Little to Mr. Brian Donohoe, dated 13 June 1996:

The Minister has asked me to reply to your questions on recruitment in the Veterinary Laboratories Agency (VLA). (31402)

The VLA was established on 1 October 1995, from the merger of the existing Central Veterinary Laboratory with the Veterinary Investigation Service, which was part of the State Veterinary Service. Figures quoted below relate only to the Central Veterinary Laboratory.

In reply to your question on executive search agencies and employment companies, the VLA did not make use of any such organisation during 1994/95 and 1995/96.

The cost of recruiting permanent staff and the numbers of staff recruited are as follows:—

	Recruitment cost £	*Recruitment numbers*
1995–96	25,046	61
1994–95	13,347	45

The above costs include advertising and the costs of candidates travelling to interview. A higher number of specialist professional posts in areas such as BSE, bovine tuberculosis and rabies have been filled over the last year, resulting in increased costs.

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food in what circumstances his Department or its executive agencies uses an executive search or employment agency to recruit staff in preference to using personnel staff within his own Department or its executive agencies. [31530]

Mr. Boswell: Use of executive search agencies by my Department and its agencies is limited to occasional recruitment, including head hunting, for senior management posts, or posts where a high degree of specialist skill is needed. In addition, employment agencies, most notably Recruitment and Assessment Services, are used wherever this reflects best use of resources to recruit all grades of staff.

The chief executive of the Central Science Laboratory has replied separately by letter.

Letter from I. P. Stanley to Mr. Brian Donohoe, dated 13 June 1996:

You asked the Minister of Agriculture, Fisheries and Food two questions relating to executive search or employment agencies to recruit staff. The Minster has asked me to reply to you in respect of his Central Science Laboratory (CSL) Agency, as this is an operational matter for which I am responsible. (31530)

It is only in exceptional circumstances, such as filling a very senior or specialist post, that we would use the services of an outside agency for recruitment purposes in preference to our own personnel staff.

You ask specifically for details of expenditure in the financial years 1994/95 and 1995/96. During these two years no executive search agencies were employed but in 1995/96 an employment agency was used at a cost of £6.5k to recruit a senior member of staff to a specialist scientific post.

Women (Promotion)

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food what measures his Department has implemented during the last 12 months to encourage the

promotion of women into senior positions with his Department and its executive agencies; and what progress his Department has made in encouraging the promotion of women over the last five years. [31534]

Mr. Boswell: The Ministry has in place a programme of action for women and is a member of Opportunity 2000. Each of MAFF's executive agencies also either has a programme in place or will be implementing one shortly. Promotion is entirely on merit. While there have been limited opportunities for promotion for all staff over the last 12 months in both the Ministry and its agencies, more women are entering the senior grades and progress over the last five years has been steady.

Total women in grades SEO—Grade 1 in MAFF and its agencies as at 1 April 1990 and 1 April 1995

Grade	*1990*	*1995*
1	0	0
2	0	1
3	1	1
4	0	0
5	8	11
6	10	22
7	113	226
SEO	119.5	187
Total	251.5	448

Farming (Jobs)

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the number of jobs in the farming industry in each year since 1979; and if he will make a statement. [32333]

Mr. Boswell: Statistics on the number of people working on agricultural holdings are collected by the annual agricultural census. The results from 1982 are published in "The Digest of Agricultural Census Statistics" and figures prior to 1982 are available in "Agricultural Statistics United Kingdom".

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32415]

Mr. Boswell: In the financial year 1995–96 the Ministry spent a total of £47,911 on officials accompany Ministers on official duties abroad.

In the financial year 1994–95, Ministry records indicate that from 23 November 1994, a total of £22,250 was spent on officials accompanying Ministers on official duties abroad.

EDUCATION AND EMPLOYMENT

School Funding

Mr. Blunkett: To ask the Secretary of State for Education and Employment what is the average level of delegation of potential schools budgets by local education authorities; and which local education authorities and what percentage delegate more of their potential school budgets than they are required to under current legislation. [31836]

Mr. Robin Squire: The average level of potential schools budget, PSB, delegated by local education authorities in 1996–97 is 90.5 per cent. This percentage is derived from the financial budget statements published by LEAs in England under section 42 of the Education Reform Act 1988, and relates to expenditure on schools covered by their schemes for the local management of schools, LMS. All LEAs from whom statements have been received have planned to exceed the required delegation level—85 per cent. of PSB—in the current financial year. I understand that this is also true of the two LEAs—Redcar and Cleveland and York—from whom statements are still awaited.

Training and Enterprise Councils

Mr. Byers: To ask the Secretary of State for Education and Employment if she will place a copy of the training and enterprise council operating agreement for 1996–97 in the Library. [32580]

Mr. Paice: Copies of the training and enterprise council operating agreement 1996–97 and the TEC licence and annual funding agreement 1996–97 are held in the Library.

Grant-maintained Schools

Mr. Duncan: To ask the Secretary of State for Education and Employment if she will publish lists comparing the most recent general certificate of secondary education results of grant-maintained schools in England and Wales with the results of the same schools in the years before they went grant maintained. [32088]

Mr. Robin Squire: The data are contained in a number of lists, copies of which have been placed in the Library. The lists give details of the GCSE results for grant-maintained schools in England for 1994–95 with their results for the most recent year before they became grant maintained. No previous results for schools that were grant maintained in 1992 are available since 1992 was the first year of the school performance tables. The information on grant-maintained schools in Wales is the responsibility of my right hon. Friend the Secretary of State for Wales.

Learning Vouchers

Mr. Spearing: To ask the Secretary of State for Education and Employment what consultations she has had with *(a)* the Headmasters Conference, *(b)* the Conference of Head Mistresses, *(c)* the Professional Association of Teachers, *(d)* university departments of education and *(e)* education committees of the county councils associations or associations of municipal authorities concerning the use of vouchers for years 12 and 13 in secondary schools. [32449]

Mr. Paice: None. The Government have no plans to introduce vouchers for years 12 and 13 in secondary schools. We have announced our intention to consult on the introduction from 1997 of a system of learning credits. These will set out for all 16 to 19-year-olds their entitlement to the education and training they choose.

Barred Teachers

Mr. Milburn: To ask the Secretary of State for Education and Employment what cross-checking is carried out of names recorded on list 99 against those on the Department of Health's consultancy index. [32591]

Mr. Robin Squire: The Department of Health consultancy index includes details of people on the Department's list 99. The Department of Health receives an up to date copy of list 99 each year, and is notified of changes as names are added or removed throughout the year.

Mr. Milburn: To ask the Secretary of State for Education and Employment (1) how many applications there have been to check names against list 99 in each of the last five years; [32597]

(2) how many names have been on the Department for Education and Employment list 99 in each of the last five years; [32596]

(3) how many names have been removed from list 99 in each of the last five years. [32592]

Mr. Squire: Statistics about the number of checks made against list 99 are not collected centrally. The majority of checks are carried out by local education authorities and establishments of further education which hold copies of the list.

The number of people on list 99 varies as cases are dealt with throughout the year. The most recent version of the list, issued in April, contained details of 1,882 people who are either barred from teaching and related employment in England and Wales, or are subject to restrictions on their employment. The table shows the number of people added to, and removed from, the list in each of the last five years.

Period	*Number added*	*Number removed*
1 April 1991 to 31 March 1992	57	4
1 April 1992 to 31 March 1993	49	5
1 April 1993 to 31 March 1994	54	5
1 April 1994 to 31 March 1995	98	10
1 April 1995 to 31 March 1996	85	5

School Uniforms

Mr. Rathbone: To ask the Secretary of State for Education and Employment if she will investigate the decision by East Sussex education authority to stop grants for schoolchildrens' uniforms; and if she will take steps to ensure that children from poorer families are not penalised. [32646]

Mrs. Gillan: I will write to my hon. Friend as soon as possible and place a copy of the letter in the Library.

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for Education and Employment what assessment has been made of the cost effects of the millennium date change on the computer systems operated by her Department. [32681]

Mr. Robin Squire: The Department is currently assessing the impact of the millennium date change on its computer systems. The assessment will be completed towards the end of this year. Only then will it be possible to estimate the cost of dealing with the problem.

Nursery Voucher Scheme

Mr. Fabricant: To ask the Secretary of State for Education and Employment what plans she has for assessing the working and effects of phase 1 of the nursery education voucher scheme. [33151]

Mr. Robin Squire: The nursery education voucher scheme will be assessed in three stages. First, the operational aspects of the scheme will be evaluated, drawing on data on the issue and redemption of vouchers provided by the voucher agent and on surveys of parents and providers. Initial results will be placed in the Library as they become available, with an overall assessment in the autumn. The first inspection reports will also be published in the autumn, and the Office for Standards in Education proposes to publish an overview report of early findings around January 1997.

Secondly, to assess medium-term changes in the provision and use of places, a survey will be undertaken of current use of places by three and four-year-olds. The results will be compared with those of similar surveys in subsequent years. Thirdly, the Department is considering tender proposals for assessing the longer-term effects of pre-school education by a longitudinal cohort study.

In all of this, the Department will liaise as appropriate with other bodies making assessments of the scheme.

County Farms

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment if he will list the local authorities which own county farms. [31589]

Mr. Boswell: I have been asked to reply.

At 31 March 1995, the following county councils in England owned county farms:

Avon
Bedfordshire
Berkshire
Buckinghamshire
Cambridgeshire
Cheshire
Cleveland
Cornwall
Cumbria
Devon
Dorset
Durham
East Sussex
Essex
Gloucestershire
Hampshire
Hereford and Worcester
Hertfordshire
Humberside
Isle of Wight

Kent
Lancashire
Leicestershire
Lincolnshire
Norfolk
Northamptonshire
Northumberland
North Yorkshire
Nottinghamshire
Oxfordshire
Shropshire
Somerset
Staffordshire
Suffolk
Warwickshire
West Sussex
Wiltshire

HOUSE OF COMMONS

Payroll Giving

Mr. Rooker: To ask the Lord President of the Council how many right hon. and hon. Members are currently signed up to the charity payroll giving arrangement operated by the Fees Office. [32075]

Mr. Newton: There are currently 46 right hon. and hon. Members signed up to the payroll giving arrangement operated by the Fees Office.

LORD PRESIDENT OF THE COUNCIL

Computers (Millennium)

Mr. Ingram: To ask the Lord President of the Council what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32668]

Mr. Newton: The Privy Council Office operates only personal computers and the millennium date change is expected to entail negligible costs, if any.

SCOTLAND

Private Investigators

Mr. Donohoe: To ask the Secretary of State for Scotland what use his Department has made of private detective agencies or investigators during 1995–96 and 1994–95; what agencies have been employed; for what purposes; and at what cost to his Department. [30566]

Lord James Douglas Hamilton: The information is set out in the table.

Purpose	*Year*	*Cost (£)*	*Number of cases*	*Agencies employed*
Trace students who have withdrawn from their courses and are required to pay back their grant	1994–95	17,993	685	Lewis Investigation Services
	1995–96	10,003	480	John Campbell Investigation Services
Locate individuals or companies who have defaulted on the terms and conditions of their regional enterprise grants	1994–95	394	6	George Ferrier and Company
	1995–96	345	5	

Seals

Mr. Galbraith: To ask the Secretary of State for Scotland what plans he has to review the Conservation of Seals Act 1970; and if he will make a statement. [31298]

Mr. Raymond S. Robertson: The Government's policy on conservation of seals is kept under review. There are no plans to amend the Act.

Clyde Fishermen (Sharks)

Ms. Walley: To ask the Secretary of State for Scotland how many sharks have been caught by lone Clyde fishermen in each of the last five years. [31338]

Mr. Raymond S. Robertson: The information requested is not available.

Bird Habitats

Sir David Steel: To ask the Secretary of State for Scotland what research his Department has commissioned into trends in the number of farmland birds. [31313]

Mr. Kynoch: The Scottish Office Agriculture, Environment and Fisheries Department is currently providing funding for a number of projects covering research into the impact of agricultural practices on the environment, which include bird-related studies. Research work on farmland bird numbers is also being funded through Scottish Natural Heritage, the Government's statutory adviser on nature conservation matters.

Examples include the joint funding of the Natural Environment Research Council-led special project on large-scale processes in ecology and hydrology. Three of the projects in that programme are concerned with aspects of bird populations, including analysis of trends. Scottish Natural Heritage has funded research into farmland bird numbers through a Joint Nature Conservation Committee contract let with the British Trust for Ornithology.

Septic Tanks

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement on the policies adopted by each of the new Scottish water boards on regular emptying of septic tanks serving dwelling houses, and the charges to be levied for the service. [31615]

Mr. Kynoch: The water authorities in Scotland are required to provide on request a septic tank emptying service for dwelling houses where it is reasonably practicable to do so, and where all proper charges for doing so are timeously paid. For 1996–97, each of the authorities has set a charge of £25 for the first emptying of a septic tank; any subsequent emptyings requested in 1996–97 may be charged at a higher rate or actual cost.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for Scotland how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32422]

Lord James Douglas-Hamilton: Detailed information is not kept in the precise form requested. I refer the hon. Member to the answer I gave to the hon. Member for Warrington, South (Mr. Hall) on 22 May, *Official Report*, columns *262–64*, which provides information on the cost of ministerial visits overseas.

NHS Pre-payment Certificates

Mr. Donohoe: To ask the Secretary of State for Scotland how much his Department has collected through the issuing of pre-payment certificates under NHS regulations in each year for which information is available. [32430]

Lord James Douglas-Hamilton: The information for Scotland for the financial years 1991–92 to 1995–96 is as follows:

1991–92: £3.035 million

1992–93: £3.425 million

1993–94: £4.103 million

1994–95: £4.587 million

1995–96: £4.633 million.

Water (Fluoridation)

Mr. Donohoe: To ask the Secretary of State for Scotland if the approval of both a health board and the relevant water authority in an area is necessary before the introduction of fluoride to public water supplies. [32407]

Lord James Douglas-Hamilton: Section 1 of the Water (Fluoridation) Act 1985 provides that a statutory water undertaker may, where a health authority has made an application to it to do so, increase the fluoride content of the water supplied by it within the area specified in the application.

Prescriptions

Mr. Donohoe: To ask the Secretary of State for Scotland how many prescriptions were issued by general practitioners *(a)* in total and *(b)* in each health board area in Scotland in (i) 1993–94, (ii) 1994–95 and (iii) 1995–96. [32450]

Lord James Douglas-Hamilton: The information for Scotland and for each health board for the financial years 1993–94 to 1995–96 is set out in the table. The figures include prescriptions written by general medical practitioners, general dental practitioners, hospital-generated prescriptions, prescriptions from England and prescriptions written for personnel serving in the armed forces. Prescriptions written by other than general medical practitioners account for less than 1 per cent. of the total.

The number of prescriptions issued to patients but not presented for dispensing is not known.

Number of prescription items issued: 1993–94 to 1995–96

Health board	*1993–94*	*1994–95*	*[1]1995–96*
Argyll and Clyde	4,682,393	4,831,133	4,955,014
Ayrshire and Arran	4,073,508	4,200,161	4,291,811
Borders	1,049,644	1,083,012	1,109,136
Dumfries and Galloway	1,514,202	1,602,072	1,668,424
Fife	3,186,806	3,308,832	3,427,578
Forth Valley	2,761,543	2,858,780	2,937,833
Grampian	4,288,124	4,421,445	4,518,156
Greater Glasgow	10,143,448	10,376,647	10,608,351
Highland	1,771,531	1,863,025	1,939,259
Lanarkshire	6,105,927	6,257,910	6,486,009
Lothian	6,249,471	6,439,037	6,601,523
Orkney	167,126	169,555	174,979
Shetland	203,180	205,234	213,517
Tayside	3,783,897	3,906,985	4,036,802
Western Isles	276,615	293,959	305,671
Scotland	50,257,415	51,817,787	53,274,063

[1] Provisional.

Mr. Donohoe: To ask the Secretary of State for Scotland how many private prescriptions were issued by doctors in Scotland in each financial year for which information is available. [32448]

Lord James Douglas-Hamilton: This information is not available.

Mr. Donohoe: To ask the Secretary of State for Scotland how much revenue his Department raised in the financial years 1993–94, 1994–95 and 1995–96 from NHS prescription charges *(a)* in total and *(b)* for each health board area in Scotland. [32427]

Lord James Douglas-Hamilton: The information is set out in the table. Figures have been taken from audited annual accounts of the 15 Scottish health boards. The figures for 1995–96 are currently not available.

£ thousand

Health board	*1993–94*	*1994–95*
Argyll and Clyde	2,553	2,734
Ayr and Arran	2,375	2,521
Borders	753	826
Dumfries and Galloway	1,065	1,146
Fife	2,086	2,559
Forth Valley	1,868	2,004
Grampian	3,772	4,208
Greater Glasgow	3,985	4,257
Highland	1,280	1,443
Lanarkshire	3,221	3,389
Lothian	4,535	4,950
Orkney	188	192
Shetland	157	170
Tayside	2,541	2,756
Western Isles	136	166
Scottish totals	30,515	33,321

School Boards

Mr. Donohoe: To ask the Secretary of State for Scotland if he will make a statement indicating for the school year 1995–96 how many members of school boards were appointed; how many have been subject to election by parents; and what the average turnout was in these elections for each education authority area. [32231]

Mr. Raymond S. Robertson: Information on the number of schools with school boards following the 1995–96 round of biennial elections is currently being collected with a view to publication later this year.

Ministerial Visits (Prisons)

Mr. McFall: To ask the Secretary of State for Scotland which penal establishments he has visited since assuming office; and on what dates. [32305]

Lord James Douglas-Hamilton: My right hon. Friend visited Her Majesty's prison, Shotts on 31 August 1995 and Her Majesty's institution, Cornton Vale on 26 February this year.

Private Finance Initiative

Mr. Donohoe: To ask the Secretary of State for Scotland which NHS trusts and health boards in Scotland are currently involved in discussions about financing projects through the private finance initiative. [32446]

Lord James Douglas-Hamilton: NHS trusts and health boards in Scotland must consider options for the use of private finance for all capital schemes.

The PFI is being actively explored in the sense that proposals from the private sector have been invited under open competition for the projects set out. These schemes are all listed in the recently published document "Public Services and Private Finance: A Partnership for Scotland"—the Scottish Office, June 1996—which is available in the Library of the House.

	£ million
Grampian health board: Stonehaven health services	3.8
Greater Glasgow Community and Mental Health Services NHS trust: Stobhill mental health in-patient unit	7.5
Hairmyres and Stonehouse NHS trust: new hospital	56.0
Law Hospital NHS trust: new hospital	120.0
Perth and Kinross Healthcare NHS trust: health information system	2.3
Royal Infirmary of Edinburgh NHS trust: new hospital	178.0
Western General Hospitals NHS trust: redevelopment of hospital	95.0
Ayrshire and Arran Community Healthcare NHS trust East Ayrshire community hospital	8.6
Dumfries and Galloway Acute and Maternity Hospitals NHS trust: day care and maternity unit	6.0
Southern General Hospital NHS trust: care of the elderly unit	8.5
Stirling Royal Infirmary NHS trust: rehabilitation unit	1.3
Renfrewshire Healthcare: Larkfield development: care of the elderly	9.0
Western Isles health board: Benbecula community hospital	6.0
Yorkhill Hospitals NHS trust: health information system	4.2
Highland Communities NHS trust: acute psychiatric unit	10.0

The West Glasgow Hospitals University NHS trust infectious diseases unit will not now be procured through the PFI.

Mr. Donohoe: To ask the Secretary of State for Scotland if he will list the private finance initiative projects in which NHS trusts and health boards in Scotland are involved; the organisations they have entered into agreement with in pursuing these initiatives and the amounts of financing involved. [32445]

Lord James Douglas-Hamilton: The recently published document "Public Services and Private Finance: A Partnership for Scotland"—the Scottish Office, June 1996—available in the House of Commons Library lists schemes for which contracts have been signed. Each of these involves the provision of certain services, capital investment by the private sector and risk transfer to that sector, in line with the private finance initiative. The schemes listed are:

	£ million
Lothian and Forth Valley health boards/Clinical Waste Ltd.—clinical waste disposal	4.5
Northern trusts/boards/Scotsafe—clinical waste disposal	6.0
Edinburgh Healthcare NHS trust/Ferryfield Ltd.—Ferryfield house	2.5
Law Hospital NHS trust/HBO and Co.—HISS IT system	2.5

There are other smaller projects developed on the same principles which fall within trust and board delegated limits and for which information is not held centrally. Those of which the Scottish Office is aware are:

	£ million
Royal infirmary of Edinburgh/IGE medical systems—CT/MRI scanner	2.4
Greater Glasgow health board/associated nursing services—elderly care beds (Darnley)	3.5
Greater Glasgow health board/Takare—elderly care beds (Rutherglen)	5.0
Greater Glasgow health board/Westminster Healthcare—elderly care beds (Ruchill)	3.2
Greater Glasgow health board/St. Andrew's Homes—elderly care beds (Shettleston)	3.8
Lanarkshire health board/Scotcare—elderly care beds (Cumbernauld)	3.0
Lanarkshire health board/Takare—elderly care beds (Bellshill)	2.8
Dundee teaching hospitals/Bayer technician SMAC analyser	0.3
Ayrshire and Arran health board/Irvine Care—elderly care beds (Irvine)	2.5
Ayrshire and Arran health board/Takare—elderly care beds (Irvine)	3.7
Grampian health board/Skene group—mental illness beds (Elgin)	1.1

Health Service (Lifting and Handling Regulations)

Mrs. Ewing: To ask the Secretary of State for Scotland what steps he has taken to ensure that each NHS trust complies with EU lifting and handling regulations as they relate to NHS employees. [32506]

Lord James Douglas-Hamilton *[holding answer 11 June 1996]:* It is entirely a matter for individual employers to ensure they meet their statutory responsibilities and follow guidance to create workplace safety for their staff. To assist in this respect, the management executive issued comprehensive guidance on 12 April 1995.

Customer Charters

Mr. Donohoe: To ask the Secretary of State for Scotland if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32832]

Mr. Raymond S. Robertson: The following charters are in use in my right hon. Friend's Department:

Patients charter
Parents charter
Tenants charter
Justice charter
Further and higher education charter
Local environment charter

In addition, the following charter standard statements are in use in my right hon. Friend's Department and its executive agencies:

Serving Scottish Farmers
Serving Crofting
Planning
Scottish Office Inquiry Reporters Unit
Rent Registration Service
Scottish Prisons Complaints Commission
Scottish Office Statistical Services
Historic Scotland
Scottish Prison Service
Scottish Office Pensions Agency
Scottish Agricultural Science Agency
Student Awards Agency for Scotland
Scottish Fisheries Protection Agency

None of these charters or charter standard statements has been withdrawn.

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for Scotland what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32662]

Lord James Douglas-Hamilton: The Scottish Office does not expect to incur substantial additional costs as a result of the effect of the millennium date change on computer systems which it operates.

Written Answers to Questions

Monday 17 June 1996

HOME DEPARTMENT

Promotion (Women)

Mr. Donohoe: To ask the Secretary of State for the Home Department what measures her Department has implemented during the last 12 months to encourage the promotion of women into senior positions with his Department and its executive agencies; and what progress her Department has made in encouraging the promotion of women over the last five years. [31545]

Mr. Howard: The Home Office is committed to the implementation of the Office of Public Service programme for action to achieve equality of opportunity for women in the civil service. It is also a founder member of Opportunity 2000, which aims to increase opportunities for women and promote the achievement of a balanced work force. The Department has continued to encourage measures which increase opportunities for women to reach senior positions. It monitors regularly the number of women in each grade, their annual report markings and their performance on promotion boards. It also makes available career breaks, flexible working arrangements and subsidised child care to assist women who want to combine work with domestic responsibilities.

There has been steady progress in the promotion of women into senior positions over the past five years. The percentage of women in grades 1 to 7, excluding the Prison Service, has risen from 21 per cent. to 28 per cent. Within that group, the representation of women at the former grade 3 level has risen from 27 per cent. to 43 per cent. and at grade 7 level from 20 per cent. to 33 per cent. Examples of progress elsewhere within the Department are that of the 12 people reaching governor 4 grade on the accelerated promotion scheme in the Prison Service, five have been women, representing 43 per cent., and that representation at grade 7 level in the Forensic Science Service has quadrupled over the past five years.

Life Prisoners

Mr. Steinberg: To ask the Secretary of State for the Home Department how many life sentence prisoners released on licence in the period 1990–95 were subsequently recalled. [32151]

Miss Widdecombe: Provisional data show that there were 578 life sentence prisoners released on licence between 1990 and 1995 inclusive, of whom 37 had their licence revoked and were subsequently returned to prison.

Prisoners (Phone Calls)

Mr. Cox: To ask the Secretary of State for the Home Department if appropriate equipment exists in all prisons in England and Wales to monitor phone calls being made by inmates. [32466]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Tom Cox, dated 17 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to answer your recent Question about the monitoring of telephone calls in prison.

Cardphones for prisoners' use are provided in all establishments in England and Wales and appropriate equipment for monitoring calls is installed in all closed prisons. Arrangements for the monitoring of prisoners' calls are set out in Prison Service Circular Instructions 61/1989 and 21/1992, copies of which are in the Library.

Consideration is being given to the introduction of new telephone technology which minimises the risk of prisoner making unauthorised calls. This follows a recent successful pilot study at Full Sutton prison.

Prison Officers

Mr. Cox: To ask the Secretary of State for the Home Department what is the present policy of his Department in respect of the wearing by prison officers of name badges when on duty in a prison establishment in prisons in England and Wales; and if he will make a statement. [32465]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Tom Cox, dated 17 June 1996:

The Home Secretary of State has asked me, in the absence of the Director General from the office, to reply to your recent Question about name badges.

Prison Service policy on the wearing of name badges has remained unchanged since it was introduced in 1993. The policy is that staff who come into contact with prisoners or the public will be required to wear name badges; and staff will be encouraged to wear name badges in any circumstances where it will be useful or courteous to do so.

The implementation of the policy has been by encouragement rather than by active enforcement. There is a high level of non-compliance by staff, particularly from prison officers.

It is planned that name badges will be superseded by new security passes which will be worn by all staff. Information on the new style passes will include the name and a photograph of the member of staff. The new style passes should be introduced throughout the Prison Service by April 1997.

Non-human Primates

Mr. Morley: To ask the Secretary of State for the Home Department if measures to deal with the adverse effects which may be encountered by non-human primates during transport prior to arrival in the United Kingdom will be incorporated into section 5(4) of the Animals (Scientific Procedures) Act 1986. [32811]

Mr. Sackville: There are no plans to amend section 5(4) of the 1986 Act. In advising the Secretary of State on the acceptability of overseas sources of non-human primates, the Home Office animals (scientific procedures) inspectorate takes into account any adverse effects which may arise during transport.

Prison Service Annual Report

Mr. Mullin: To ask the Secretary of State for the Home Department when he expects to publish the Prison Service annual report for the year up to March 1995; and if he will make a statement. [32223]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Chris Mullin, dated 17 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the publishing of the Prison Service annual report for the year up to March 1995.

The report will be published on 20 June.

Drug Addicts

Mr. Cox: To ask the Secretary of State for the Home Department what is the present number of registered drug addicts in England and Wales. [32910]

Mr. Sackville: The information requested is published in table A3 of the Home Office statistical bulletin, issue 17/95. "Statistics of drug addicts notified to the Home Office, United Kingdom, 1994 (Area Tables)". A copy of this publication is in the Library.

Immigration Offenders

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of people held in prisons in England and Wales for immigration offences as of 1 June. [32464]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Tom Cox, dated 17 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of people held in prisons in England and Wales for immigration offences as of 1 June.

The available information is for 30 April 1996. On that date, 536 persons were detained under Immigration Act powers in Prison Service establishments in England and Wales.

Prisoners (Body Belts)

Mr. Cox: To ask the Secretary of State for the Home Department on how many occasions a body belt was used on a prison inmate in each prison in England and Wales during 1995. [32478]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Tom Cox, dated 17 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of occasions a body belt was used on a prison inmate in each prison in England and Wales during 1995.

The number of applications of body belt restraints under rule 46(1) of the Prison Rules 1964 and rule 49(1) of the Young Offender Institution Rules 1988 are shown in the attached table.

Body belt restraints[1] applied to violent or refractory inmates in Prison Service establishments, by establishment, 1995[2]

Establishment	*Number of body belt applications*
Local prisons/remand centres	
Bedford	1
Belmarsh	4
Birmingham	2
Blakenhurst	1
Brinsford	1
Bristol	3
Bullingdon	1
Canterbury	1
Chelmsford	7
Doncaster	2
Elmley	2
Highdown	2
Highpoint	1
Holloway	1
Hull	2
Leicester	1
Lincoln	3
Norwich	2
Rochester	1
Shrewsbury	1
Wandsworth	2
Winchester	4
Woodhill	1
Wormwood Scrubs	5
Training prisons	
Acklington	2
Albany	2
Blundeston	4
Featherstone	3
Frankland	3
Full Sutton	3
Littlehey	2
Long Lartin	2
Maidstone	2
Moorland	1
Parkhurst	5
Stocken	1
Swaleside	6
Wakefield	5
Wayland	2
Whitemoor	1
Total	95

1. Under rule 46(1), Prison Rules 1964; Rule 49(1), Young Offender Institution Rules 1988.

2. Provisional figures.

Toxicity Tests

Mr. Morley: To ask the Secretary of State for the Home Department if the pre-1990 category acute and subacute whole body lethal toxicity tests is equivalent to the post-1990 category acute and subacute quantative whole body lethal toxicity tests in statistics on scientific procedures on living animals in Great Britain. [32813]

Mr. Sackville: The categories are not equivalent. The definition was widened to include all lethal toxicity tests.

Dangerous Dogs

Mr. Gale: To ask the Secretary of State for the Home Department how many dogs in *(a)* the Metropolitan police area and *(b)* the rest of the country, held under the Dangerous Dogs Act 1991 as alleged pit bull or pit bull type terriers are still in custody when proceedings have been (i) discontinued and (ii) dismissed; and if he will list the weekly cost to public funds of keeping these dogs in custody. [32941]

Mr. Sackville: The Metropolitan police currently hold four pit bull terriers in custody where proceedings have been discontinued and three pit bull terriers where proceedings have been dismissed. There are no such dogs in either category being held by other police forces in England and Wales. The weekly cost of kennelling these dogs in £460.

Curfew Orders

Mr. Thurnham: To ask the Secretary of State for the Home Department what discussions he has had with his United States counterpart about prosecutions arising from breaches of curfew orders. [31643]

Mr. Sackville: None, but my right hon. and noble Friend the Minister of State plans to visit the United States later this year among other things to discuss with interested bodies the systems in place for the electronic monitoring of offenders.

Criminal Records

Mr. Ian Bruce: To ask the Secretary of State for the Home Department if he will make a statement on the new arrangements he intends to introduce for access to criminal records for employment and related purposes. [33375]

Mr. Howard: A White Paper will be published on Wednesday, 19 June setting out the Government's proposals for new arrangements for access to criminal records for employment and related purposes.

Irish Prisoners

Mr. Bermingham: To ask the Secretary of State for the Home Department (1) how many Irish prisoners were being held *(a)* on remand and *(b)* after being sentenced in prisons in England and Wales for (i) the latest date available and (ii) for equivalent dates in (1) 1986 and (2) 1991; [32712]

(2) what is the total number of persons being held in prisons in England and Wales *(a)* of Irish descent and *(b)* designated as travellers, for the latest date available. [32716]

Miss Widdecombe *[holding answer 13 June 1996]:* Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Gerald Bermingham, dated 17 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Questions asking for information on the number of Irish nationals in prison and the number of persons designated as travellers in prison on the latest date available and for details on equivalent dates in 1991 and 1986.

The requested information is given in the attached table and is for 31 May 1996 and 30 June 1991, the closest available month. Information for 1986 is not available.

Information on the number of persons designated as travellers is not collected.

Irish Nationals in Prison in England and Wales

	30 June 1991	*31 May 1996*[1]
Remand	149	163
Sentenced	425	465
Total[2]	587	629

[1] Provisional.

[2] Including fine defaulters and civil prisoners.

Feltham Prison (Travellers)

Mr. Bermingham: To ask the Secretary of State for the Home Department how many white prisoners held on remand at Her Majesty's prison Feltham were deemed to be travellers for the latest date available. [32715]

Miss Widdecombe *[holding answer 13 June 1996]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Gerald Bermingham, dated 17 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of white prisoners, held on remand at Feltham young offenders institution, who are deemed to be travellers.

This information is not recorded.

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for the Home Department what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32676]

Mr. Howard *[holding answer 13 June 1996]:* My Department is aware of the problem. The Department's information technology service provider—Sema group—has been commissioned to undertake an audit of all systems to assess the requirements for changes and a report will be produced in August. An action plan will then be prepared taking into account other developments which may have an effect. At that point, likely costs will be assessed.

Prisoner Transport (Private Taxis)

Ms Lynne: To ask the Secretary of State for the Home Department (1) for what use, and under what specific circumstances, private taxis are used for the transporting of *(a)* prisoners from Buckley Hall prison and *(b)* other male category C prisons; [31888]

(2) what guidance is given by his Department as to the suitability of using private taxis for the transportation of prisoners from male category C prisons. [31885]

Miss Widdecombe *[holding answer 12 June 1996]:* Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 17 June 1996

The Home Secretary has asked me to reply to your recent Questions about the use of private taxis to transport prisoners.

Taxis are used widely to transport prisoners, particularly when there is only one prisoner to be escorted. Guidance on the use of escort vehicles, including taxis, is set out in section 52 of the Prison Service manual on Security, copies of which are in the Library.

Buckley Hall prison and other category C prisons use taxis in the circumstances set out in the guidance.

Custody Statistics

Mr. Bernie Grant: To ask the Secretary of State for the Home Department how many non-United Kingdom nationals, including asylum seekers, are currently held in custody in England and Wales; if he will list the locations where they are being held; what is the ethnic breakdown of the non-United Kingdom nationals currently in custody; how many of them are women and if he will list the locations where they are being held; and how many non-United Kingdom nationals in custody have been granted bail, but remain in custody. [31961]

Miss Widdecombe *[holding answer 12 June 1996]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Bernie Grant, dated 17 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking for information on the number, sex, ethnic origin and location of foreign nationals in the prison population.

Information for England and Wales is given in the attached table. Information for prisoners who have been granted bail but remain in custody is not held centrally.

Foreign nationals in prison in England and Wales on 30 April 1996', by sex, ethnic origin and establishment

	Ethnic origin					
	White	*Black*	*South Asian*	*Chinese and other*	*Not recorded*	*Total*
Females						
Askham Grange	1	1	0	0	0	2
Brockhill	3	3	0	1	0	7
Bullwood Hall	5	14	1	2	0	22
Cookham Wood	6	28	3	6	0	43
Drake Hall	3	6	0	1	0	10
Durham	4	5	1	1	0	11
East Sutton Park	3	7	0	1	0	11
Holloway	33	80	3	17	0	133
Low Newton	1	0	0	0	0	1
New Hall	1	3	1	3	0	8
Risley	4	6	1	0	0	11
Styal	4	19	1	2	0	26
Winchester	7	10	0	2	0	19
Total females	75	182	11	36	0	304
Males						
Acklington	5	0	1	0	0	6
Albany	15	15	5	3	0	38
Aldington	7	4	2	7	0	20
Ashwell	6	4	10	0	0	20
Aylesbury	4	8	4	2	0	18
Bedford	10	6	1	2	0	19
Belmarsh	44	46	2	18	0	110
Birmingham	22	28	92	28	0	170
Blakenhurst	11	9	17	4	0	41
Blantyre House	3	2	2	4	0	11
Blundeston	20	35	4	5	0	64
Brinsford	2	0	5	1	0	8
Bristol	4	7	4	10	0	25
Brixton	39	67	18	32	0	156
Brockhill	1	0	0	2	0	3
Buckley Hall	2	8	3	1	0	14
Bullingdon	22	12	9	4	0	47
Camp Hill	14	13	4	3	1	35
Canterbury	36	5	9	11	0	61
Cardiff	1	0	1	1	0	3
Castington	0	1	1	0	0	2
Channings Wood	11	4	3	2	0	20
Chelmsford	17	3	1	3	0	24
Coldingley	7	28	3	5	0	43
Dartmoor	16	5	4	1	0	26
Doncaster	3	5	3	1	0	12
Dorchester	2	0	0	0	0	2
Dover	3	11	3	2	0	19
Downview	6	15	4	4	0	29
Durham	6	3	0	2	0	11
Elmley	47	8	0	9	0	64

Foreign nationals in prison in England and Wales on 30 April 1996', by sex, ethnic origin and establishment

	Ethnic origin					
	White	Black	South Asian	Chinese and other	Not recorded	Total
Erlestoke	3	4	0	0	0	7
Everthorpe	1	2	5	0	0	8
Exeter	7	1	1	2	0	11
Featherstone	14	8	10	6	0	38
Feltham	15	18	6	18	0	57
Ford	20	15	5	11	0	51
Frankland	7	7	5	5	0	24
Full Sutton	22	9	3	5	0	39
Garth	6	5	7	4	0	22
Gartree	6	5	9	1	0	21
Glen Parva	10	0	4	1	0	15
Gloucester	6	2	0	0	0	8
Grendon	6	6	6	4	0	22
Guys Marsh	8	2	0	0	0	10
Haslar	6	61	18	44	0	129
Hatfield	0	0	3	0	0	3
Haverigg	5	2	0	0	0	7
Hewell Grange	0	0	6	3	0	9
Highdown	26	54	4	4	0	88
Highpoint	24	33	2	8	0	67
Hindley	3	0	2	2	0	7
Hollesley Bay	4	1	3	0	0	8
Holme House	3	1	2	1	0	7
Hull	8	0	0	1	0	9
Huntercombe	5	11	2	2	0	20
Kirkham	5	0	4	6	1	16
Kirklevington	0	0	1	1	0	2
Lancaster	1	0	1	0	0	2
Lancaster Farms	2	0	0	0	0	2
Latchmere House	10	6	2	2	0	20
Leeds	6	7	23	4	0	40
Leicester	5	2	7	0	0	14
Lewes	8	4	0	1	0	13
Leyhill	9	5	2	1	0	17
Lincoln	4	7	2	0	0	13
Lindholme	6	1	8	2	0	17
Littlehey	18	12	11	5	0	46
Liverpool	11	4	4	2	0	21
Long Lartin	17	11	9	14	0	51
Low Newton	1	0	0	0	0	1
Maidstone	36	15	11	9	0	71
Manchester	16	10	15	9	0	50
Moorland	5	3	2	1	0	11
Morton Hall	1	0	0	1	0	2
Mount (The)	23	48	10	16	0	97
North Sea Camp	2	0	1	1	0	4
Northallerton	1	0	0	0	0	1
Norwich	7	5	1	5	0	18
Nottingham	5	3	5	0	0	13
Onley	6	5	2	4	0	17
Parkhurst	20	8	4	13	0	45
Pentonville	49	58	16	32	0	155
Portland	4	5	0	0	0	9
Portsmouth	4	6	2	3	0	15
Preston	9	0	4	1	0	14
Ranby	5	1	2	2	0	10
Reading	1	1	2	0	0	4
Risley	10	6	6	5	0	27
Rochester	5	86	20	86	0	197
Send	6	6	1	1	0	14
Shepton Mallett	1	2	0	0	0	3
Shrewsbury	1	0	0	1	0	2
Stafford	6	4	3	4	0	17
Stanford Hill	15	8	8	3	0	34
Stocken	7	9	11	1	0	28
Stoke Heath	1	0	0	1	0	2
Sudbury	6	7	15	4	0	32
Swaleside	44	38	6	25	0	113
Swansea	1	1	0	1	0	3
Swinfen Hall	1	1	1	1	0	4
Thorn Cross	1	0	1	0	0	2

Foreign nationals in prison in England and Wales on 30 April 1996[1], by sex, ethnic origin and establishment

	Ethnic origin					
	White	*Black*	*South Asian*	*Chinese and other*	*Not recorded*	*Total*
Usk	1	3	1	0	0	5
Verne	35	44	5	24	0	108
Wakefield	12	6	14	0	0	32
Wandsworth	49	48	10	24	0	131
Wayland	9	27	4	9	0	49
Wealstun	5	4	13	2	0	24
Wellingborough	9	2	6	3	0	20
Whatton	3	0	2	0	0	5
Whitemoor	32	20	2	13	0	67
Winchester	18	2	6	4	0	30
Wolds	6	2	2	5	0	15
Wood Hill	18	8	4	6	0	36
Wormwood Scrubs	92	102	31	58	0	283
Wymott	8	2	3	2	0	15
Total males	1,300	1,264	644	707	2	3,917
Total males and females	1,375	1,446	655	743	2	4,221

[1] Provisional data.

TREASURY

Married Man's Allowance

Dr. Lynne Jones: To ask the Chancellor of the Exchequer what is the total revenue forgone as a result of the married man's tax allowance in the last financial year for which figures are available, attributed to *(a)* families with children, *(b)* childless couples where both are in work and *(c)* childless couples with only one partner in work. [31603]

Mr. Jack: The estimated full year revenue cost of the married couple's allowance at 1996–97 income levels is about £3.3 billion. This includes the cost of related allowances—the additional personal allowance and the widow's bereavement allowance. A detailed breakdown of the cost is given in the following table. The estimates are based on a projection of the 1993–94 survey of personal incomes and the 1994–95 family expenditure survey in line with assumptions in the Budget forecast. Employment income is taken to include income from employment and self-employment.

Analysis of the cost of the married couple's and related allowance

	Cost at 1996–97 income levels £ million
Married couples where both partners are aged under 65 and:—	
Both are paying tax, both have employment income[1]	
—with children	570
—without children	800
One spouse pays tax, other spouse has employment income but does not pay tax	
—with children	250
—without children	180
One spouse pays tax, other spouse has no employment income	
—with children	370
—without children	310
Married couples with at least one partner aged 65 or over	580

Analysis of the cost of the married couple's and related allowance

	Cost at 1996–97 income levels £ million
Individuals in receipt of the APA	220
Individuals in receipt of the WBA	20

[1] There are a few couples where both spouses are paying tax, but only one spouse has income from employment and the other spouse pays tax on investment income. These are included in this group.

Health Insurance

Mr. Alan Howarth: To ask the Chancellor of the Exchequer what was the cost of tax exemption for permanent health insurance payments in 1995–96. [32237]

Mr. Jack: Precise figures are not available centrally, but, based on the latest information from the Association of British Insurers, it is estimated that in 1995–96 the cost of exempting benefits payable under permanent health insurance policies is about £30 million.

Computers (Millennium)

Mr. Ingram: To ask the Chancellor of the Exchequer what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32663]

Mrs. Angela Knight *[holding answer 13 June 1996]:* Work is in hand to assess the effects of the millennium date change on the computer systems operated in the Treasury.

Correspondence

Mr. Winnick: To ask the Chancellor of the Exchequer when the hon. Member for Walsall, North will receive a reply to his letter of 25 April, 9122/96, which was transferred to the Office for National Statistics. [31574]

Mrs. Angela Knight *[holding answer 7 June 1996]:* A reply was sent on 4 June.

ENVIRONMENT

Asbestos

Mr. Cohen: To ask the Secretary of State for the Environment what measures his Department has taken to ensure that those involved in the asbestos removal trade operate to proper safety standards. [32071]

Sir Paul Beresford: The health and safety of those involved in asbestos removal work is regulated by the Health and Safety Executive. HSE administers a system for licensing employers and the self-employed who work with asbestos insulation or asbestos coating, including removal. This enables HSE to monitor and inspect the work of licensed contractors. HSE also gives advice and publishes guidance.

Domestic Violence (Refuge Places)

Ms Lynne: To ask the Secretary of State for the Environment (1) if he will list the estimated number of refuge places available for women escaping domestic violence in each year since 1991; [32699]

(2) how many refuges for women escaping domestic violence have been notified to his Department in each year since 1991 *(a)* in total and *(b)* in the Greater Manchester area. [32696]

Mr. Clappison: A survey carried out by the Women's Aid Federation (England) in 1995 identified 418 refuges in England, offering 6,532 bed spaces. Twenty-two of these refuges were in the Greater Manchester area. No figures are available for earlier years.

Customer Charters

Mr. Donohoe: To ask the Secretary of State for the Environment if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32836]

Sir Paul Beresford: The Department of the Environment and its executive agencies are responsible for one of the 41 main charters. This is the council tenants charter, issued in a revised form in June 1995. No charter in DoE's area of responsibility has been withdrawn.

Postage Costs

Mr. Donohoe: To ask the Secretary of State for the Environment how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [328451]

Sir Paul Beresford: The information requested is as follows:

1994–95 cost: £959,000

1995–96 cost: £952,000.

The statistics on the numbers of items posted were collected only for the London headquarters over this period and were:

1994–95: 937,400

1995–96: 941,400.

Local Government Finance

Mr. Hinchliffe: To ask the Secretary of State for the Environment what proportion of local government expenditure was provided by *(a)* business, *(b)* domestic householders and *(c)* central Government in each of the years 1979 to 1995. [32105]

Sir Paul Beresford: The requested information is available from 1981–82. Figures for the proportion provided by domestic householders are gross of rebate or benefit—as detailed in note 2—and the grants supporting these expenditures are excluded from column 3.

Percentage

	Business rates as a proportion of local government expenditure (1)	*Domestic rates/community charges/council tax as a proportion of local government expenditure (2)*	*Central government grants as a proportion of local government expenditure (3)*
1981–82	24.9	21.6	54.4
1982–83	25.9	22.9	51.2
1983–84	26.0	23.4	49.5
1984–85	26.4	24.4	49.5
1985–86	27.8	26.3	48.2
1986–87	28.4	27.7	44.9
1987–88	27.9	27.9	43.9
1988–89	28.2	28.7	42.3
1989–90	28.8	29.2	40.5
1990–91	29.1	34.2	36.1
1991–92	31.4	21.6	47.2
1992–93	29.3	22.7	49.9
1993–94	27.8	21.5	52.2
1994–95	24.5	21.2	54.3
1995–96 (provisional outturn)	24.9	21.4	51.1
1996–97 (budget estimates)	26.9	22.1	48.5

1. For the years 1981–82 to 1989–90 this represents non-domestic rate yields net of rate relief. For the years 1990–91 to 1996–97 this represents the distributable amount from the non-domestic rates pool.

2. Gross of domestic rate rebates for the years 1981–82 to 1989–90. Gross of community charge benefit grant and transitional relief/community charge reduction scheme grant (1990–91 to 1992–93). Gross of council tax benefit grant and council tax transitional relief scheme grant (1993–94 to 1996–97).

3. For the years 1981–82 to 1989–90 Government grants comprise aggregate Exchequer grant. For 1990–91 to 1996–97 Government grants included are revenue support grant, specific and special grants in aggregate external finance, community charge grant (1991–92), teachers pay award additional grant (1992–93), standard spending assessment reduction grant (1994–95 to 1996–97), police grant (1995–96 to 1996–97).

4. The percentages do not add up to 100 per cent. The difference is funding or drawing from balances.

Mr. Pickthall: To ask the Secretary of State for the Environment if he will list those district areas in Berkshire, Cambridgeshire, Cheshire, Devon, Essex, Hereford and Worcester, Kent, Lancashire, Nottinghamshire and Shropshire where the Local Government Commission for England concluded that the costs of transition would be recovered by ongoing savings in annual running costs following structural change. [32808]

Sir Paul Beresford: The Local Government Commission's estimates are in respect of whole county areas, not individual districts, and are expressed in each case as a range. They suggest that ongoing savings may be achievable in Essex, Hereford and Worcester, Lancashire, Nottinghamshire and Shropshire. In each case the estimates of costs or savings are marginal; whether savings are in fact achieved or costs incurred will depend on the decisions of the local authorities concerned.

Mr. Tipping: To ask the Secretary of State for the Environment if he will list the estimates of the Local Government Commission for England for the transitional costs arising from the proposals for the reorganisation of local government in the counties of Berkshire, Cambridgeshire, Cheshire, Devon, Essex, Hereford and Worcester, Kent, Lancashire, Nottinghamshire and Shropshire. [33029]

Sir Paul Beresford: The Local Government Commission's estimates of transitional costs of reorganisation are:

	Transitional costs £ million
Berkshire	9.0–13.0
Cambridgeshire	[1]4.8–7.9
Cheshire	[1]3.6–8.1
Devon	5.0–9.0
Essex	[2]6.5–12.2
Hereford and Worcester	6.0–9.0
Kent	[1]7.8–11.2
Lancashire	[1]2.9–6.1
Nottinghamshire	1.0–7.0
Shropshire	[1]2.0–2.6

[1] Excludes costs of redundancy, early retirement and other staff compensation costs.

[2] Consists of £2.5 to £4.2 million for Thurrock (excluding redundancy costs etc.) and £4.0 to £8.0 million for Southend.

Mr. Berry: To ask the Secretary of State for the Environment if he will indicate the maximum allocation for supplementary credit approvals to meet transitional costs, arising from the structural change of local government, which will be available to relevant local authorities in England in the financial years 1997–98 and 1998–99. [32962]

Sir Paul Beresford: Provision for supplementary credit approvals to meet transitional costs of local government reorganisation for 1997–98 will be decided as part of the local government finance settlement later this year; that for 1998–99 will be decided in the settlement for 1998.

Mr. Dunn: To ask the Secretary of State for the Environment if he will calculate notional amounts for local authorities which are subject to local government reorganisation on 1 April 1997. [33373]

Mr. Curry: We intend to calculate a notional amount for each local authority which is subject to local government reorganisation on 1 April 1997. These figures will serve as a baseline against which to make a fair comparison of an authority's proposed 1997–98 budget requirement for capping purposes.

We have made a first calculation of notional amounts for these authorities. These figures are shown in the following table along with our estimate of what each reorganised authority's 1996–97 standard spending assessment would have been on the basis of their revised boundaries and functions.

The aim of our notional amounts calculation is to disaggregate the 1996–97 budget requirements of reorganised county councils so as to reflect the actual pattern of spending between their continuing areas and the areas of the new unitary councils. We are consulting authorities on those figures and we hope that local information will enable us to improve the calculations so as better to reflect the actual pattern of spending. We will generally be willing to accept locally-agreed budget splits put to me by both the relinquishing county and the new unitaries in its area.

Authorities have until the end of August to comment. We shall consult further on our proposed notional amounts, incorporating any changes which we may make as a result of this initial consultation, as part of the local government finance settlement for 1997–98 later this year. Final notional amounts will be included in a report under section 55 of the Local Government Finance Act 1992 which will be subject to approval by the House of Commons.

Disaggregation of county council budgets 1996–97 initial notional amounts

£ million

	Disaggregated County budget 1996–97	*District's net budget 1996–97*	*Initial notional amount*	*Notional budget including parishes*	*Indicative SSA 1996–97*
Bedfordshire					
Bedfordshire CC	238.2		238.2	238.2	226.6
Luton	121.3	24.0	145.2	145.2	145.1
Buckinghamshire					
Buckinghamshire CC	286.6		286.6	286.6	280.8
Milton Keynes	126.5	22.5	149.0	150.0	145.6
Derbyshire					
Derbyshire CC	433.4		433.4	433.4	411.0
Derby City	149.4	26.0	175.4	175.4	169.6
Dorset					
Dorset CC	211.7		211.7	211.7	206.7
Bournemouth	90.7	19.4	110.1	110.1	116.0
Poole	76.8	11.6	88.4	88.4	88.0

Disaggregation of county council budgets 1996–97 initial notional amounts

£ million

	Disaggregated County budget 1996–97	*District's net budget 1996–97*	*Initial notional amount*	*Notional budget including parishes*	*Indicative SSA 1996–97*
Durham					
Durham CC	322.0		322.0	322.0	316.8
Darlington	61.5	11.6	73.1	73.1	70.3
East Sussex					
East Sussex CC	296.2		296.2	296.2	283.2
Brighton and Hove	146.1	35.9	182.1	182.1	187.6
Hampshire					
Hampshire CC	678.2		678.2	678.2	664.2
Portsmouth	111.9	25.4	137.3	137.3	145.9
Southampton	130.7	26.9	157.6	157.6	161.5
Leicestershire					
Leicestershire CC	343.2		343.2	343.2	327.8
Leicester City	204.3	55.2	259.5	259.5	255.5
Rutland	20.7	2.9	23.6	23.8	21.0
Staffordshire					
Staffordshire CC	461.2		461.2	461.2	459.3
Stoke on Trent	152.1	28.6	180.7	180.7	177.3
Wiltshire					
Wiltshire CC	231.8		231.8	231.8	228.5
Thamesdown	98.4	17.5	115.8	116.5	115.3

Council Leaseholders

Lady Olga Maitland: To ask the Secretary of State for the Environment how he proposes to use his powers in the Housing Bill to help council leaseholders facing high service charges for repair and improvement works. [33354]

Mr Clappison: On 14 June we invited comments on our detailed proposals to reduce charges to leaseholders of local authorities and other social landlords. We wish to help leaseholders whose charges are particularly high in relation to any benefits which they receive from such works. We also wish to give landlords flexibility so that they can help those in greatest difficulty—for example, those who would suffer particular hardship as a result of high charges. We have therefore included in the Bill, in clauses 191 and 192, powers to issue directions to social landlords telling them when they can, or must, reduce charges, and to what extent.

Our consultation paper, "Leaseholders of local authorities, housing action trusts, urban development corporations, registered housing associations and other registered social landlords: further proposals to reduce charges for repairs and improvements," sets out in detail how we propose to use those powers—in particular, the circumstances in which we propose that charges should be reduced, and by how much. We plan to require social landlords to reduce charges in certain cases where these are particularly high and where they will be seeking Government financial assistance for the works on or after the date of the direction. In a wide range of other cases we propose to allow them to reduce charges, and to offer refunds on charges already paid.

I have placed a copy of the paper in the Library. We have invited comments by the end of August. The Welsh Office will be consulting similarly in Wales.

LORD CHANCELLOR'S DEPARTMENT

Marriage Working Party

Mr. Jacques Arnold: To ask the Parliamentary Secretary, Lord Chancellor's Department what progress has been made with regard to the work of the interdepartmental working party on marriage. [33546]

Mr. Streeter: The interdepartmental working party today issued a consultation paper following on from the seminar for researchers, service providers and other interested parties held on 3 April. The papers for the seminar have been published and are available in the Library. The results of this consultation exercise will inform the tender specifications being prepared for the funding of pilot projects which have particular potential for reducing the incidence and costs of marriage breakdown.

The working party has concluded its mapping exercise of existing services. It intends to publish a directory of marriage support services in the summer.

The mapping exercise has highlighted the lack of information about social attitudes to and expectations of marriage and also about the reasons why some marriages are so very successful when others sadly end in divorce or separation. Tender specifications will shortly be published for research into this field.

Probate Service

Mr. Derek Foster: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to ensure that the recommendations contained in the report on the structure of the probate service of September 1994, are subject to parliamentary debate before their implementation. [33095]

Mr. Streeter: There are currently no plans for a debate on the recommendations. Comprehensive public consultation on the proposals from the report was carried out between October and March and all hon. Members whose constituencies would be affected were included in this exercise. A submission will soon be put forward for the Lord Chancellor's and my consideration. Any change to the number of probate sub-registries will be introduced by way of statutory instrument which will be laid before the House in the usual way.

Mr. Foster: To ask the Parliamentary Secretary, Lord Chancellors's Department what assessment he has made of the extent to which the recommendations of the report on the structure of the probate service comply with the aims and commitments contained in the courts charter. [33096]

Mr. Streeter: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer. I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. Derek Foster, dated 17 June 1996:

The Parliamentary Secretary, Lord Chancellor's Department has asked me to reply to your Question about the proposed changes to the structure of the Probate Service.

The quality of service which the Probate Service would be able to provide under any new structure has been the paramount consideration when assessing the proposals. Although no final decisions have yet been made, I am satisfied that the recommended structure for the Probate Service would continue to provide a high quality service and meet the standards in the Charter for Court Users.

TRADE AND INDUSTRY

Home Shopping

Mr. Gordon Prentice: To ask the President of the Board of Trade what estimates he has made of the growth of home shopping over the next decade and what assessment he has made of the implications of such growth for the retail industry. [33077]

Mr. Eggar: No official forecasts of the growth of home shopping in the UK have been made, although I am aware that some private sector organisations have made such forecasts. However, there is already a substantial amount of home shopping through mail order, response advertising and other methods. I would expect this total to rise in the next decade as electronic shopping develops.

Contracts

Mr. David Shaw: To ask the President of the Board of Trade if he will list the *(a)* contracts with and *(b)* work carried out for (i) his Department, (ii) its agencies and (iii) development corporations by (1) Paddington Consultancy Partnership Ltd. or its directors, (2) Millbank Consultants, (3) Mr. Neale Coleman, (4) Mr. Stephen Hilditch and (5) Mr. Peter Bradley; and if he will indicate the total fees paid to (1) to (5). [32405]

Mr. John M. Taylor: In DTI headquarters, no contracts for external consultancy have been let centrally to the organisations or individuals listed. Information on other contracts is not held centrally and could be provided only at disproportionate cost. Agency chief executives have been asked to provide separate responses.

Letter from Jim Norton to Mr. David Shaw, dated 17 June 1996:

PADDINGTON CONSULTANCY PARTNERSHIP LIMITED (AND DIRECTORS), MILLBANK CONSULTANTS, MR. NEALE COLEMAN, MR. STEPHEN HILDITCH AND MR. PETER BRADLEY

The President of the Board of Trade has asked me to reply on behalf of the Radiocommunications Agency to your Parliamentary Question No. 95/2559. I can confirm that the Radiocommunications Agency has not contracted with the consultancy companies, directors or individuals listed.

Letter from Peter Joyce to Mr. David Shaw, dated 17 June 1996:

The President of the Board of Trade has asked me to reply to your question about Paddington Consultancy Partnership Limited, and its directors, Millbank Consultants, Mr. Neale Coleman, Mr. Stephen Hilditch and Mr. Peter Bradley in relation to The Insolvency Service.

None of the organisations or individuals listed has been awarded contracts with, or carried out work for, The Insolvency Service.

Letter from R. J. Marchant to Mr. David Shaw, dated 17 June 1996:

In the absence of the Comptroller General on official business overseas I am replying for the Patent Office to your question on the use of various named consultancies and individuals.

The Patent Office has used none of the organisations or individuals listed.

Letter from Seton Bennett to Mr. David Shaw, dated 17 June 1996:

The President of the Board of Trade has asked me to provide additional information on behalf of the National Weights and Measures Laboratory in reply to your question about contracts placed with Paddington Consultancy Partnership Ltd, its directors and other consultants.

None of the organisations or individuals listed have carried out work for this Agency.

Letter from John Holden to Mr. David Shaw, dated 17 June 1996:

You recently asked the President of the Board of Trade for information regarding work carried out under contract for his Department. I am replying as Chief Executive of the above Agency.

None of the persons mentioned are current suppliers to Companies House, nor have they provided any services during the financial years 1994/95 or 1995/96. Since your question did not specify any particular period, we have not checked our records for earlier accounting periods, but have no reason to believe that Companies House has ever used the services of the persons mentioned.

Ministerial Visits

Mr. Harvey: To ask the President of the Board of Trade if he will list those constituencies he has visited in the last three months on official business and those constituencies he intends to visit in the next three months; and if he will make a statement. [32336]

Mr. Lang: In the last three months I have visited Swindon, Suffolk Coastal, Esher and Brent, South constituencies on official business. I have a number of planned engagements over the next three months, but it is not the Department's policy to make public details of the forward diary.

Anglo-Yugoslav Trade

Mr. Macdonald: To ask the President of the Board of Trade if he will make a statement on the availability of statistics for trade between Britain and Yugoslavia since 1990. [33277]

Mr. Nelson: The information on trade in goods is published in Business Monitor M20, "Overseas Trade Statistics of the United Kingdom", by HM Customs and Excise, a copy of which is available in the Library of the House. Until the end of 1992 the information was provided for Yugoslavia as a whole. Since the beginning of 1993, Slovenia, Croatia, Bosnia and Herzegovina, Serbia and Montenegro and Macedonia have been treated separately.

Volatile Organic Compounds

Ms Walley: To ask the President of the Board of Trade what is his assessment of the market for VOC abatement technology in *(a)* Europe, *(b)* America and *(c)* world wide. [32594]

Mr. Page: The Government's 1994 study of the UK environment industry, "The UK Environmental Industry: Succeeding in the Changing Global Market", covered VOC control technology as part of a review of the air pollution control sub-sector. The study concluded that there were good opportunities in western Europe, but that market opportunities in eastern Europe and north America were limited. The main opportunities in the United States will be for VOC control in light industry.

Business Links

Mrs. Roche: To ask the President of the Board of Trade if he will publish his Department's recent report into business links. [32751]

Mr. Page: A copy of the report was placed in the Library of the House on 13 June.

Mrs. Roche: To ask the President of the Board of Trade how many business links chairmen and chief executives defined their relationship with the Department as "poor" in the categories set out in his Department's recent internal report. [32939]

Mr. Page: A total of 11 out of 59 surveyed.

Strategy for Global Environmental Research

Mr. Dafis: To ask the President of the Board of Trade what contribution he has requested university history departments to make to the United Kingdom national strategy for global environmental research. [32781]

Mr. Ian Taylor: No contribution has been requested specifically from university history departments. Contributions were requested through an open consultation exercise before the strategy was drafted. An open consultation meeting was subsequently held to consider the draft in March. This was attended by about 240 people from academia, industry and commerce, representative bodies, non-governmental organisations and Government Departments and agencies. Around half were academics from various disciplines. A further 100 people who were unable to attend requested sight of the report and had an opportunity to comment.

The UK national strategy for global environment research is due to be launched at a one-day conference at the British Association for the Advancement of Science annual festival of science in September 1996.

Disused Oil Wells

Mr. Gordon Prentice: To ask the President of the Board of Trade how many disused oil wells in British waters *(a)* have leaked and *(b)* are believed to be leaking from the capped reservoirs into the sea. [33072]

Mr. Page: Only one well in British waters has leaked small quantities of gas—not oil—from a shallow horizon into the sea and remains uncapped. The well, 22/4b-4, was drilled by Mobil in November 1990.

It was not physically possible at the time, or subsequently, to perform any sort of intervention into the wellbore which would have any degree of success in plugging or killing the well. It has not, therefore, been capped.

Recent inspections and sampling by Mobil have confirmed that the fluid now leaking is water, which contains no trace of hydrocarbons.

There have unfortunately been three disasters where hydrocarbons have leaked into the sea: Piper Alpha, Ocean Odyssey, and Sea Gem. These leaked hydrocarbons for a short time only, until the occurrence was controlled.

Human Genetics Report

Mr. Harry Greenway: To ask the President of the Board of Trade when the Government will respond to the third report of the Science and Technology Committee of Session 1995–96 (HC 231) on "Human Genetics: the Government's response"; and if he will make a statement. [33350]

Mr. Ian Taylor: The Government have today published their response to the Select Committee's report, "Human Genetics: the Government Response". Copies of the response have been laid before Parliament.

Advances in human genetics have great potential for improved health care, quality of life and competitiveness. The UK currently leads Europe in the research, development and application of genetic science and the Government want that lead to be maintained. As recognised by the Science and Technology Select Committee, however, advances in human genetics raise a number of important social, ethical and economic issues. It will be important that public confidence advances at a pace which reflects that of scientific discovery.

In evidence to the Science and Technology Select Committee earlier this year, the Government undertook to look at whether there was a need for a new body to take a trans-departmental view of developments in human genetics and to foster public confidence. In the light of this, and after consultations with the Chief Scientific Advisor and the Chief Medical Officer, the Government have decided to establish a new Human Genetics Advisory Commission.

The new advisory commission will report to health and industry Ministers and will be supported by a joint secretariat from the Office of Science and Technology and the Department of Health. It will report periodically and will be open to the Government to seek its advice on particular issues. More details, including the terms of reference, are given in the Government's response.

Radio Spectrum (Future Management)

Mr. Harry Greenway: To ask the President of the Board of Trade what progress has been made in the review of the future management of the radio spectrum; and if he will make a statement. [33349]

Mr. Lang: I am today publishing a White Paper, "Spectrum Management: into the 21st Century".

The radio spectrum is used by used by a wide range of businesses and public sector services and in a variety of scientific and social applications. Radio services are of considerable importance to the economy and are growing rapidly. The White Paper announces proposals to improve the way in which the finite resource of the radio spectrum is managed so that future growth can be accommodated. We intend to achieve this by bringing forward legislation on spectrum pricing when parliamentary time is available. This will allow fees for licences to use spectrum to be set to reflect its value more closely instead of being linked to the costs of spectrum management. The White Paper seeks views on the detailed application of spectrum auctions and administrative pricing.

The proposals will benefit the economy, enhance competitiveness and create jobs. By promoting spectrum efficiency, they will:

- tackle spectrum shortages and congestion affecting the most heavily used services in some parts of the country,
- increased opportunities to access spectrum so that more users can be accommodated in the finite spectrum that is available and the rapidly growing demand for radio services can be met;
- accelerate the introduction of advanced digital technology; and
- increase competition and choice.

The purpose of spectrum pricing will be to achieve spectrum management objectives, rather than to increase revenue. Pricing will be phased in and applied selectively with a review after three years. Increases in charges will be focused where congestion is worst and kept to the minimum necessary to achieve spectrum management objectives. Most users will face no increases in fees and may benefit from reductions. Some users will face increased charges, but the increased availability of spectrum will bring considerable economic benefits overall. There will be concessions for safety-of-life charities.

Radio makes a substantial and growing contribution to wealth creation, competitiveness and jobs. The UK is a world leader in the use of radio. This success is placing ever-increasing demands on the finite spectrum resource. Unless we can meet these, the UK will suffer considerable economic losses as businesses are deprived of spectrum and new services are delayed.

The Radiocommunications Agency has fully explored existing regulatory measures to manage the spectrum effectively. These are no longer sufficient, so we intend to introduce spectrum pricing to augment them. The legislation will include provisions to allow enhanced security of tenure for licensees and selective financial assistance to radio users to accelerate desirable changes in spectrum use.

The public sector, which is a major user of radio, will be charged on a basis comparable with the private sector, but there will be safeguards for the operations of essential services.

The legislation will address the way in which fees are charged for licences under the Wireless Telegraphy Act 1949. It will not affect the licensing of independent broadcasters under the Broadcasting Act 1990 and the Broadcasting Bill currently before Parliament, nor the BBC's position under its royal charter and agreement.

The adoption of digital broadcasting is the key to the Government's long-term spectrum strategy, since it has the potential to generate exciting wealth creation opportunities through the release of valuable spectrum for new broadcasting use or other applications. The Broadcasting Bill provides for a review of progress of digital broadcasting. The White Paper states that this review will consider the use of spectrum pricing to accelerate the transition from analogue to digital broadcasting.

The White Paper also deals with the organisation of spectrum management. Core functions, such as international representation, overall control of spectrum strategy and enforcement, need to be retained within Government. But there is already considerable private sector involvement in various aspects of spectrum management outside the core functions and we are keen to encourage further private sector participation where it delivers improved quality of service.

The measures announced in the White Paper are necessary to deal with pressing spectrum management problems. They will provide a framework of progressive spectrum management for continued growth and success into the next century and open the door to further market-based reforms, such as secondary trading of licences.

I am placing in the Libraries of the House copies of the White Paper and a background technical study.

Electricity Pricing

Mr. Barry Jones: To ask the President of the Board of Trade if he will order an inquiry into the electricity pool pricing system; and if he will make a statement. [32900]

Mr. Page: This is a matter for the Director General of Electricity Supply, who keeps the operation of the pool under review and publishes reports and other papers from time to time.

Nuclear Generating Stations, Scotland

Mr. Eric Clarke: To ask the President of the Board of Trade if he will publish detailed information on all nuclear generating stations in Scotland with special reference to safety, structural soundness, security, and good working practice, before privatisation. [31689]

Mr. Eggar: Detailed information on British Energy's nuclear generating stations, including those in Scotland at the Hunterston B site and at Torness, is contained in the British Energy pathfinder prospectus issued on 10 June and will also be included in the publicly available full retail prospectus which will be published on 26 June. That prospectus will also contain detailed information about the legislative and regulatory regimes which British Energy must comply with to operate. Magnox Electric's nuclear generation station at the Hunterston A site in Scotland has closed.

EDUCATION AND EMPLOYMENT

Schools (Parental Choice)

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many complaints under section 269 of the Education Act 1993 have been received by the ombudsman from parents failing to obtain a place for their child in the school of their choice in respect of (i) grant-maintained schools, (ii) voluntary-aided schools and (iii) special agreement schools for each year since the Act came into force. [32600]

Mrs. Gillan: This information is not held by the Department for Education and Employment. The annual report of the local government ombudsman for 1994–95 notes that 1,187 complaints concerning education were received in that year, and that 45 investigation reports were issued. The report does not state how many of these concerned school admissions.

Muslim Community Schools

Mr. Cox: To ask the Secretary of State for Education and Employment what is the number of Muslim community schools in England. [32872]

Mr. Robin Squire: There are currently 44 Muslim schools in England which are registered independent schools, and none in the maintained sector.

SHL Software

Mr. Redmond: To ask the Secretary of State for Education and Employment if he will list the contracts his Department and his agencies have with SHL software computer systems; what is the current cost; when each contract ends; and what are the penalties involved should he seek early termination of the contract. [32914]

Mr. Robin Squire: The Department and agencies do not have any contracts with any company under the name of SHL software systems, nor have we been able to identify a company in this name.

Employment Service

Mr. Campbell-Savours: To ask the Secretary of State for Education and Employment (1) what progress has been made on the privatisation of services provided by placement assessment and counselling teams in the Employment Service; and if he will make a statement; [32310]

(2) what progress has been made on the privatisation of local occupational psychology services within the Employment Service; and if he will make a statement; [32311]

(3) what progress has been made in the privatisation of functions carried out by the ability development centre in the Employment Service; and if he will make a statement. [32312]

Mr. Forth: Responsibility for the subject of the questions has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Dale Campbell-Savours, dated 17 June 1996:

The Secretary of State has asked me to reply to your Parliamentary Question about the privatisation of placing, assessment and counselling teams, local occupational psychology services and Ability Development Centres. As all of these relate to the market testing programme and to disability services, this letter seeks to respond to all three questions.

As a Next Steps Agency, the Employment Services (ES), is subject to systematic and periodic examination in the form of a Prior Options Review. This review, conducted in early 1995 examined all of the services provided by ES including the feasibility of abolition, privatisation, strategic contracting out and, where these were rejected, market testing or the maintenance of current arrangements. Following the review, the then Secretary of State announced via a written Parliamentary Question that the services delivered by placing, assessment and counselling teams (PACTS) should be market tested in one or two ES regions on a pilot basis.

Market testing is a means of identifying whether the private sector can take forward work currently undertaken by the public sector at better value for money. This is done by allowing a team drawn from within the in-house service to compete with private sector bidders for the contract to do the work. Privatisation on the other hand entails a firm decision that the service should no longer be undertaken by the public sector, but should be contracted directly with the private sector. In this case we are clearly engaged in a market test, not a privatisation.

As a consequence of preliminary research into how the Secretary of State's recommendations could be taken forward, ES senior managers decided that the market test should cover the whole of the ES Disability Service within the North West region. This includes the services provided within the Ability Development Centre (ADC) and the local occupational psychology service in addition to the PACTs service. This decision was taken to ensure that ES clients would continue to receive fully integrated service and would not suffer any disadvantage as a result of how the market test had been packaged.

The market test was advertised in the "Disability Now" publication, and various national papers. As a consequence expressions of interest were received from private and voluntary sector organisations and also one from a team representing the in-house service. Organisations (including the in-house service provider) who wish to pursue their interest further have been asked to send an outline of how they would propose to deliver the Disability Service in the North West region, to ES by 28 June 1996. These proposals will be evaluated and shortlisted during July, with the aim of negotiating the detailed delivery proposals with the shortlisted organisations throughout the autumn. Final decisions on the outcome of the market test and the award of contract/service level agreement are planned for April/May 1997.

Local Occupational Psychology Services (LOPS) in each of the ES regions were subjected to market testing in 1994. In each case the in-house service providers were successful. Our decision, noted above, to market test the whole of the North West Disability Services has resulted in the LOP services in North West being included in that test. Except for that region, our plans are that these services will continue to be delivered under the present arrangements for the full duration of the current service level agreements. These are scheduled to run until September 1999.

This year we asked consultants to undertake a review of the functions of Ability Development Centres (ADCs) and how they were delivered. The review concluded that all the functions of ADCs should continue to be carried out. However, it also made a number of recommendations to allow them to be delivered more flexibly and improve their effectiveness. Senior management in ES accepted the recommendations and is currently considering how best to implement them. Within North West region, since ADC functions are within the scope of the market test, the way in which these functions will be carried out here in the future will depend on the outcome of the test.

I hope this is helpful.

Customer Charters

Mr. Donohoe: To ask the Secretary of State for Education and Employment if she will list *(a)* the customer charters which are currently in use within her Department and its executive agencies and *(b)* the charters which have been withdrawn. [32824]

Mr. Robin Squire: The Department and its executive agencies publish the following charters:

the parents charter,

the jobseekers charter,

the further education charter,

the higher education charter.

No charters have been withdrawn.

Class Sizes

Mr. Blunkett: To ask the Secretary of State for Education and Employment what number and percentage of children in *(a)* primary and *(b)* secondary maintained schools in England have been in classes of (i) 30 or more and (ii) 40 or more in 1996; and if she will give the percentage change since 1995. [32964]

Mr. Robin Squire: I will write to the hon. Member at the end of June, when provisional information on class sizes in January 1996 will be available.

PRIME MINISTER

Mr. Jovan Zebic

Mr. Campbell-Savours: To ask the Prime Minister (1) on what dates Ministers met Mr. Jovan Zebic in their official capacity since 1990; [32306]

(2) on what dates Ministers met Mr. Zoran Tanic in their official capacity since 1990. [32307]

The Prime Minister: As far as I am aware, none.

Sir James Kirkham

Mr. Wilson: To ask the Prime Minister when he last met Sir James Kirkham; and if he will outline the matters discussed. [32965]

The Prime Minister: I have never heard of Sir James Kirkham. The hon. Member may be referring to Sir Graham Kirkham, whom I last met on Sunday 9 June at the Oval cricket ground and at a dinner at Downing street. We discussed raising funds for good causes, in particular Mencap, in whose interests the cricket was played and the dinner given.

Conservative Party (Donations)

Mr. Macdonald: To ask the Prime Minister, pursuant to his answer to the right hon. Member for Yeovil (Mr. Ashdown) of 21 May, *Official Report*, column 96, what reports he received in 1991 and 1992 alleging donations to the Conservative party from sources linked to Bosnian Serbs. [33285]

The Prime Minister: I have nothing further to add to my answer to the right hon. Member for Yeovil (Mr. Ashown) on 21 May, *Official report*, column 96.

DUCHY OF LANCASTER

Compliance Cost Assessments

Mr. Anthony Coombs: To ask the Chancellor of the Duchy of Lancaster if he will list those compliance cost assessments published during the latest six-month period. [33355]

Mr. Freeman: Since April 1993, the Government have required Departments to prepare and publish compliance cost assessments with all proposed legislation presented to Parliament to assess the impact on business costs. This includes a special test of the impact on small businesses. Since January 1996, the responsible Minister has had to

certify that he has seen the compliance cost assessment and is satisfied that the regulatory proposal strikes an appropriateness balance between cost and benefit.

I have presented to Parliament today a Command Paper listing 91 CCAs published between 1 July 1995 and 31 December 1995 plus four CCAs published between 1 January 1995 and 30 June 1995 which were omitted from the previous Command Paper. This is the fourth such Command Paper and further papers listing all CCAs published in the preceding six month period will be published at six monthly intervals.

FOREIGN AND COMMONWEALTH AFFAIRS

Burundi

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Belgium regarding the security situation in Burundi. [32568]

Mr. Hanley: We remain in close touch with the Belgians and our other European partners about the situation in Burundi.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the current security situation in Burundi, and if he will make a statement. [32569]

Mr. Hanley: The security situation in Burundi is a cause of grave concern and we have made clear our condemnation of violence from whatever quarter. We continue to give our full support to international efforts, led by former President Nyerere, to resolve Burundi's problems through political dialogue.

Rwanda

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the current political and security situation in Rwanda. [32570]

Mr. Hanley: Conditions inside Rwanda are generally stable. We are supporting action in the UN to deal with the deterioration in the security situation along the border in eastern Zaire.

World Heritage

Mr. Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons the United Kingdom was not represented at the biennial general assembly of states parties to the world heritage convention in November 1995. [32747]

Sir Nicholas Bonsor: Her Majesty's Government were represented at this meeting by the UNESCO observer section of the British embassy in Paris.

Mr. Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy towards world heritage matters; what are the responsibilities of the United Kingdom observer at UNESCO in this connection; and how information gathered by him is disseminated to interested parties in the United Kingdom. [32748]

Sir Nicholas Bonsor: The Government ratified UNESCO's world heritage convention in 1984 and actively supports its provisions concerning the protection of the world cultural and natural heritage. The world heritage list of sites considered to be of outstanding universal value contains 16 UK sites. Later this month we shall be nominating maritime Greenwich for addition to the list.

The Government contribute annually to the world heritage convention. For 1996, the UK contribution is approximately £129,000.

The UNESCO observer section of the British embassy in Paris monitors events and occasionally attends meetings on behalf of the lead Whitehall Department, the Department of National Heritage. The observer's reports are sent to the DNH, which informs interested UK parties as necessary.

Tibet

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to recognise the Tibetan authorities in exile as the legitimate Government of Tibet; and if he will make a statement. [33021]

Mr. Hanley: We do not recognise the self-proclaimed Tibetan Government in exile. We do, however, consider that Tibetans should have a greater say in the running of their own affairs in Tibet, and we have consistently urged the Chinese authorities and Tibetan Buddhist leaders to enter into a constructive dialogue, without preconditions.

Postage Costs

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32852]

Mr. Hanley: The cost of postage in the FCO diplomatic wing was £154,685 for the financial year 1994–95 and £150,757 for 1995–96. The number of items posted in 1995–96 was 403,322. Figures for 1994–95 are not available.

The cost of postage for the ODA was £42,000 for the financial year 1994–95 and £51,000 for 1995–96. The number of items posted in 1994–95 was approximately 104,000. The number of items posted in 1995–96 was 104,152.

Customer Charters

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32837]

Mr. Hanley: We introduced charter standard statements for overseas pensions in 1992 and consular services, legalisation work and overseas trade services in 1993. None have been withdrawn.

Burma

Mr. Fatchett: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Burmese Government about the future of human rights and democracy in Burma; and if he will make a statement. [32759]

Mr Hanley: We have taken action both bilaterally and in international fora such as the United Nations to put pressure on the ruling State Law and Order Restoration Council in Burma to implement democratic and human rights reforms. We have severed defence links and have imposed an embargo on arms sales and all non-humanitarian aid.

We issued a statement on 22 May condemning the detention of National League for Democracy members and urged the SLORC to enter into meaningful dialogue with pro-democracy groups. Our ambassador in Rangoon repeated these concerns in a démarche to the SLORC on 7 June.

Immigration

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 January, *Official Report*, column *165*, when a decision is to be taken on the application by Mr. Gultasab Hussain (ref: HO C8645) to the United Kingdom post in Islamabad to join his wife in the United Kingdom. [32958]

Mr. Hanley: I have asked the high commission at Islamabad for details and will arrange for the hon. Member to receive a substantive reply from the migration and visa correspondence unit as soon as possible.

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 14 May, *Official Report*, column *383*, if the teacher named and the letter from the Minister of State, the hon. Member for Upminster (Sir N. Bonsor), of 28 March has been able to take advantage of the new rules relating to maternity leave on St. Helena; and if he will make a statement. [33173]

Sir Nicholas Bonsor: The teacher was not able to take advantage of the new rules relating to confinement leave in St. Helena as she resigned from her job on 25 April 1996. The new rules became effective from 31 May 1996.

General Affairs Council

Mr. Duncan Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the General Affairs Council and the intergovernmental conference ministerial meeting on 10 June. [33279]

Mr. David Davis: In accordance with the current policy of non-co-operation I withheld UK agreement from 17 measures where unanimity was required. I agreed to three others: signature of the EU-Slovenia agreement, a mandate for a new EU-Algeria agreement, and a joint action on Bosnia election monitoring. As a result, the only "A" points in document 7929/96 that were adopted were items 1 to 10 inclusive, which did not require unanimity, and item 26, Bosnia election monitoring. The single item in document 8047/96 was blocked. The documents will be placed in the Libraries of the House as soon as they are available. I argued strongly for early agreement on a framework for lifting the beef ban. While other Ministers and the Commission expressed their concern at the policy of non-co-operation, many urged the Commission to produce such a framework at the earliest possible date, and both the Commission and the Presidency made clear their commitment to work for an early agreement.

The Council had a further discussion of the MEDA regulation on aid to Mediterranean countries.

The Council discussed follow-up on the Barcelona Euro-Med conference on 27–28 November 1995.

The Presidency explored their ideas for an informal Euro-Med ministerial in Rome on 17 June. The Presidency also asked for approval of conclusions on Barcelona follow-up activity, but I made it clear that I could not agree these on beef ban non-co-operation grounds.

The Council discussed the middle east peace process and the Council asked the European political directors to take forward work in preparation for the Florence European Council.

The Presidency explained arrangements for the Florence European Council.

In a discussion on the former Yugoslavia, the Presidency and the Commission reported on their tour of the region. Carl Bildt, the EU's High Representative, briefed the Council on preparations for the Florence Peace Implementation Council.

The Council discussed Commission proposals for revision of the agricultural generalised scheme of preferences.

The Council discussed the draft EU-Canada action plan.

The Commission and the Presidency reported on preparations for the EU-US summit to be held on 12 June.

The council had an exchange of views on possible Euro-African summit.

A ministerial session of the IGC focused on external issues. On defence, Ministers discussed the implications for the IGC of the recent Berlin NATO ministerial meeting. Ministers also discussed general common foreign and security policy issues, the question of whether the Union should acquire legal personality, and questions of external economic competence.

The ministerial session was preceded by an exchange of views with representatives of the European Parliament.

President Menem of Argentina briefly addressed the Council on 10 June. The first EU-Mercosur-Argentina, Brazil, Paraguay, Uruguay-ministerial meeting was held in the margins of the GAC on 10 June.

On 11 June, there were meetings of the EU-Syria Co-operation Council and the European Economic Area Council.

HOUSE OF COMMONS

New Parliamentary Building

Mr. Robert Ainsworth: To ask the Chairman of the Accommodation and Works Committee what arrangements have been made to procure the cladding for the new parliamentary building; what factors have delayed the procurement process; and if he will make a statement. [31305]

Mr. Ray Powell: The new parliamentary building is being procured using the construction management form of contracting. This involves tendering separately for each of the main elements of the building under a firm of construction managers. The tendering process includes advertising the main packages in the *EC Journal* before selecting a short list of companies to submit their offers. The criteria for awarding the packages is overall value for money.

In the particular case of the fenestration, the initial offers were all over the budget. It was therefore necessary to modify the scheme before seeking revised bids, which were received towards the end of last year. Since then, detailed discussions have taken place to finalise the technical and legal aspects of the contract.

The contract has now been awarded to Seele Avis Fenestration Ltd., a joint venture formed by Seele GmbH and Alvis plc to combine and exploit their respective skills. I understand that much of the work will be undertaken at Alvis' factory at Coventry.

Security Passes

Mr. Terry Davis: To ask the Chairman of the Administration Committee how many security passes for hon. Members have been reported lost or stolen during the last five years. [32966]

Mr. Michael J. Martin: One hundred and one.

OVERSEAS DEVELOPMENT ADMINISTRATION

ODA Fundamental Expenditure Review

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the recommendations from the Overseas Development Administration's fundamental expenditure review which *(a)* will and *(b)* will not be implemented indicating the criteria used to select those recommendations which will be implemented. [32702]

Mr. Hanley: My right hon. and noble Friend the Minister for Overseas Development confirmed on 10 June in another place, *Official Report, House of Lords,* column *147* that the Government have accepted and are implementing most of the recommendations of the fundamental expenditure review. She listed the few exceptions.

Each recommendation was considered against our development and foreign policies, whether it would enable us to pursue better key objectives and whether operational efficiency and effectiveness would be improved.

Oslo Conference (20/20 Initiative)

Mr. Watson: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 21 May, *Official Report,* column *111,* which countries attended the Oslo meeting on the 20/20 initiative; which countries committed themselves to adopting the 20/20 initiative; and which countries have indicated they will implement the 20/20 measures on time. [32578]

Mr. Hanley: Representatives from more than 30 countries attended the Oslo meeting on the 20/20 initiative. These included more than 10 donor countries. All countries present agreed the consensus, to which I referred in my answer of 21 May. Several countries indicated informally that they would pursue the initiative in future aid talks. The United Kingdom is open to approaches from developing countries which have an interest in developing the initiative. There is no time limit for implementing the initiative.

St. Helena

Dr. Marek: to ask the Secretary of State for Foreign and Commonwealth Affairs when the report of the Overseas Development Administration social security adviser on his visit to St. Helena was first made available to members of the St. Helena *(a)* Executive Council and *(b)* Legislative Council. [33170]

Mr. Hanley: The report was sent to the St. Helena Government on 12 June for consideration and distribution.

NATIONAL HERITAGE

Millennium Exhibition

Mr. Rooker: To ask the Secretary of State for National Heritage what proposals she has to use the private finance initiative to fund the proposed millennium exhibition which she announced on 28 February. [31560]

Mr. Sproat: The Millennium Commission is continuing to explore the viability of the proposed millennium exhibition at Greenwich. Sir Peter Levene is assessing commercial support for it on the commission's behalf.

Ethnic Minority Broadcasting

Ms Abbott: To ask the Secretary of State for National Heritage what plans the Radio Authority has to consult (i) black and (ii) other ethnic minorities in *(a)* Manchester, *(b)* Birmingham and *(c)* London on commercial radio; and if she will make a statement. [32558]

Mr. Sproat: It is a matter for the Radio Authority to decide on groups and bodies to be consulted in discharging its responsibilities.

Ms Abbott: To ask the Secretary of State for National Heritage what is her Department's policy in respect of ethnic minority radio broadcasting. [32556]

Mr. Sproat: The Government are committed to the promotion of diversity and choice in radio. The BBC recognises its particular duty as a public service broadcaster to represent and serve Britain's ethnic minorities by providing targeted programmes and services and through ensuring fair representation in mainstream

radio services. In the commercial sector, the Broadcasting Act 1990 requires the Radio Authority, in awarding local radio licences, to have regard to the extent to which any applicant for a licence would cater for the tastes and interests of the local community and broaden the range of programmes available to it. These principles will be taken forward into digital audio broadcasting by the Broadcasting Bill currently before the House.

Ms Abbott: To ask the Secretary of State for National Heritage (1) what consultative meetings her Department has held with representatives of the black and other ethnic minority communities on radio broadcasting in 1995–96; and if she will make a statement; [32555]

(2) what plans her Department has to consult black and other ethnic minorities nationally about commercial radio; and if she will make a statement. [32557]

Mr. Sproat: Ministers and officials from my Department meet representatives from a wide range of radio broadcasting interests from time to time. The most recent meeting with representatives of the black community involved in radio broadcasting was a visit to Choice FM by the Department's permanent secretary on 24 April. We currently have no plans for a formal consultation exercise on any aspect of commercial radio policy.

Ms Abbott: To ask the Secretary of State for National Heritage how many (i) black and (ii) other ethnic minority staff the Radio Authority employs; and if she will make a statement. [32554]

Mr. Sproat: Of the seven members of the authority appointed by my right hon. Friend, there is currently one black member. The Radio Authority has 33 staff, of whom one is from an ethnic minority. The authority also retains a former member of the authority, who is from an ethnic minority, as a consultant on ethnic minority issues.

Ms Abbott: To ask the Secretary of State for National Heritage how many radio licences have been issued to (i) black and (ii) other ethnic minority radio stations. [32553]

Mr. Sproat.: The Radio Authority has issued 10 licences to provide local radio services aimed at catering for the tastes and interests of black and ethnic minority audiences.

SOCIAL SECURITY

European Union Flag

Mr. Redmond: To ask the Secretary of State for Social Security what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31511]

Mr. Lilley: I gave instructions that the European Union flag should not be flown from Department of Social Security buildings on 8 May.

Recruitment

Mr. Donohoe: To ask the Secretary of State for Social Security in what circumstances his Department or its executive agencies uses an executive search or employment agency to recruit staff in preferences to using personnel staff within his own Department or its executive agencies. [31527]

Mr. Burt: Under the next steps programme responsibility for recruitment has been devolved to individual business units and, within agencies, to local level. Employment agencies and executive search agencies are used by personnel sections where their expertise can add value to the recruitment process. In most cases they are used to fill senior or specialist vacancies. The Department uses recruitment and assessment services to recruit staff to the fast stream grade. The Contributions Agency has contracted out its personnel services and the contractors undertake all recruitment action on the agency's behalf.

War Disablement Pension

Mr. Hanson: To ask the Secretary of State for Social Security what is the average length of time currently taken to process (a) an application for a war disablement pension and (b) an appeal against a refusal of an application for a war disablement pension. [32153]

Mr. Heald: These are matters for Mr. Kevin Caldwell, chief executive of the War Pensions Agency. He will write to the hon. Member.

Letter from K. C. Caldwell to Mr. David Hanson, dated 13 June 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about War Pension claims and appeals.

The current average time being taken by the War Pensions Agency to clear a first claim to War Pension is 169 working days and the average time to clear an appeal is 328 working days.

War Pensions claims and appeals, in many instances, relate to World War II cases and thus involve the determination of cause and effect of medical conditions arising from incidents in service over 50 years ago. The retrieval of old service records and the linkage from service incidents to current disablements, as well as the assessment of the current degree of disablement and determination of the part played by the service incident are all complicating factors.

The War Pensions Agency set about a programme of modernising its administrative processes and through 1995 introduced a substantial programme of change: restructuring its operational teams into end-to-end sections to provide holistic service to claimants; introduction of a major operational computer system linked to the Department's other systems; and moving to new purpose built accommodation. These changes, aimed at providing an improved, more cost-effective service, did lead to a down-turn in performance in the second half of 1995 as the costs of retraining staff in the new arrangements were felt. As the throughput of work has picked up, and more cases are being cleared, more of these are relatively old cases in the system and average clearance times are elongated.

The position on appeals has also been affected by the considerable increase in appeals in 1994. There are still many old appeals in the system, which will continue to depress performance, but the Agency is making inroads and now has 10,475 appeals on hand compared to 14,360 at the same time last year and is clearing about 1,000 a month against a current average intake of less than half that number.

I should explain the War Pension appeals are dealt with in two stages. First, the Agency prepares appeal papers and a Statement of Case for the independent Pensions Appeal Tribunals (PAT), who come under the jurisdiction of the Lord Chancellor's Department. The PAT, who consider all War Pension appeals, are then responsible for arranging the appeal hearing.

The figures I have quoted relate solely to the Agency's performance. I am advised by the PAT that, after receiving the appeal papers from the Agency, it is currently taking them on average 59.4 weeks to arrange a hearing.

I hope you find my reply helpful.

Incapacity Benefit

Mr. Alan Howarth: To ask the Secretary of State for Social Security what plans he has to *(a)* commission and *(b)* undertake research into the impact of incapacity benefit. [32489]

Mr. Burt: A programme of external research and in-house studies is already in place to help assess whether incapacity benefit is meeting its objectives. These are to target help on people whose medical condition makes them incapable of work and to provide help in getting them back to work through arrangements that are simple to understand and fair.

Appeals

Mrs. Jane Kennedy: To ask the Secretary of State for Social Security (1) when he intends to complete his review of the legal basis of decision-making and appeals for social security benefits. [32240]

(2) what plans he has to reform the system of independent appeals tribunals with right of audience for appellants. [32241]

Mr. Roger Evans: The review my right hon. Friend, the Secretary of State, announced in February is concerned with how to achieve simpler, more efficient and cost effective arrangements for decisions and appeals whilst preserving claimants' rights to properly based decisions and access to an independent appeals mechanism. It is too soon to say when the review will be completed.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for Social Security how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32420]

Mr. Burt: I refer the hon. Member to the reply I gave the hon. Member for Warrington, South (Mr. Hall), on 20 March, *Official Report,* columns *238–40.* Costs attributable to civil servants cannot reliably be identified separately.

Means Testing

Mr. Simpson: To ask the Secretary of State for Social Security, pursuant to his answer of 7 May to the hon. Member for Glasgow, Rutherglen (Mr. McAvoy), *Official Report,* columns *93–94,* if he will provide the same information for each year since 1978. [32579]

Mr. Burt: The information is in the table:

£ million

Year	*Social security benefit expenditure (a)*	*Means-tested benefits (b)*	*(b) expressed as a percentage of (a)*
1978–79	15,873	2,692	17.0
1979–80	18,777	2,940	15.7
1980–81	22,658	3,830	16.9
1981–82	27,698	5,587	21.1
1982–83	31,628	7,917	25.0
1983–84	35,332	9,449	26.7
1984–85	38,225	10,755	28.1
1986–86	41,699	12,163	29.2
1986–87	44,913	13,171	29.3
1987–88	46,697	13,398	28.7
1988–89	47,333	13,265	28.0
1989–90	50,174	14,050	28.0
1990–91	56,509	16,804	29.7
1991–92	66,382	20,328	30.6
1992–93	75,336	25,518	33.9
1993–94	82,427	28,707	34.8
1994–95	84,866	30,308	35.7
1995–96	88,787	31,625	35.6

"The Growth of Social Security"

Mr. Alan Howarth: To ask the Secretary of State for Social Security which of the assumptions concerning gross domestic product growth and unemployment in the three cases in "The Growth of Social Security" were used as the basis for calculating figure 10 in the Social Security departmental report, Cm3213. [32485]

Mr. Burt: The projections in "The Growth of Social Security" all assumed an unemployment level of around 3 million in 1992–93 which either stayed constant (case 1) or fell (cases 2 and 3) over the period to 1999–2000. None of these cases were appropriate for the latest projections—figure 10 of the Social Security departmental report—which assumed that the unemployment level remained constant at 2.1 million from 1995–96 to 2000–2001.

Child Benefit

Mr. Steinberg: To ask the Secretary of State for Social Security how many families with children in receipt of child benefit aged *(a)* 16, *(b)* 17, *(c)* 18 and *(d)* 19 years, have a household income of *(a)* £0 to £5,000 per annum, *(b)* £5,000 to £10,000 per annum, *(c)* £10,000 to £15,000 per annum, *(d)* £15,000 to £20,000 per annum, *(e)* £20,000 to £25,000 per annum, *(f)* £25,000 to £30,000 per annum, *(g)* £30,000 to £35,000 per annum, *(h)* £35,000 to £40,000 per annum, *(i)* £40,000 to £45,000 per annum, *(j)* £45,000 to £50,000 per annum and *(k)* £50,000 and over. [30138]

Mr. Andrew Mitchell *[holding answer 20 May 1996]:* The information is not available in the format requested as child benefit is not payable in respect of 19-year-olds. Such information as is available is set out in the table.

Numbers of benefit units receiving child benefit for children aged 16, 17 and 18, by bands of gross household weekly income, UK, 1992–93

Thousands

Gross household weekly income (January 1993 prices)	Numbers of benefit units receiving child benefit for children aged: 16	17 to 18	16 to 18
£0-£192	80	60	130
> £192 to £385	140	120	250
> £385 to £577	130	110	220
> £577 to £769	70	90	150
Over £769	90	100	180
Total	510	470	930

Notes:

1. Figures show the estimated number of benefit units which receive child benefit in respect of a child aged 16 to 18, by bands of weekly gross household income. A benefit unit is defined as a single adult or a couple with any dependent children; a household can contain one or more benefit units. Benefit units with children aged 16, and aged 17 or 18, will appear in both the first two columns; rows may therefore not sum.
2. Benefit units are grouped according to bands of gross weekly household income. If received throughout the year, these bands would correspond to annual incomes in January 1993 of: (i) £0 to £10,000 (ii) over £10,000 to £20,000 (iii) over £20,000 to £30,000 (iv) over £30,000 to £40,000 and (v) over £40,000. A more detailed breakdown would not be reliable.
3. 1992–93 is the latest period for which data is available. Figures for 1992–93 are for two calender years combined.
4. Estimates are derived from survey data and are subject to sampling error.

Estimates for 17 and 18-year-olds are combined, as are certain income groups, to reduce these sampling errors. Figures are shown to the nearest 10,000 benefit units. Columns may not sum due to rounding.

Source:

1992–93 Households Below Average Income dataset.

Child Support Agency

Miss Emma Nicholson: To ask the Secretary of State for Social Security what estimate he has made of the additional annual administration costs of the new powers of investigation which are to be given to the Child Support Agency. [32599]

Mr. Andrew Mitchell: There are no plans to give the Child Support Agency new powers of investigation.

ATTORNEY-GENERAL

Asil Nadir

29. **Mr. Winnick:** To ask the Attorney-General if he will make a statement on the current position in relation to the preparation of the case against Asil Nadir. [31641]

The Solicitor-General: Asil Nadir stands indicted before the central criminal court on 13 counts of theft involving over £33 million alleged to have been stolen from Polly Peck International plc. A warrant has been issued for his arrest. The Crown is ready to proceed as soon as he returns or is returned to the jurisdiction.

Racism

30. **Mr. Janner:** To ask the Attorney-General if he will make a statement on prosecutions for racist attacks. [31642]

The Attorney-General: From 1 October 1995 to 31 March 1996, 429 defendants in cases identified as racial incidents were prosecuted by the Crown Prosecution Service.

31. **Mr. John Marshall:** To ask the Attorney-General if he will make a statement about prosecutions for acts of racism in the last 10 years. [31644]

The Solicitor-General: There have been 29 applications for consent to prosecute under part III of the Public Order Act 1986. Twenty-four have been granted. Four have been declined and one withdrawn.

Driving Offences

Mrs. Dunwoody: To ask the Attorney-General if he will list the number of cases relating to *(a)* driving without due care and attention, *(b)* causing death by dangerous driving, *(c)* causing death by reckless driving that have been referred to the Crown Prosecution Service in each of the last five years resulting in (i) prosecutions and (ii) convictions. [32801]

The Attorney-General: Information about the number and outcome of cases by offence category is published annually by the Home Office in "Criminal Statistics England and Wales".

The Crown Prosecution Service holds no central records showing by offence category the result of cases referred to it. The information is held on individual case files, and could be obtained only at disproportionate cost.

Mrs. Dunwoody: To ask the Attorney-General if he will list for each of the last five years the number of cases relating to road traffic accidents involving death or injury that have been referred to the Crown Prosecution Service and resulted in (a) prosecution and (b) conviction. [32800]

The Attorney-General: The Crown Prosecution Service holds no central records in respect of specific offences. The information is held on individual case files, and could be obtained only at disproportionate cost.

Prosecuting Departments

Mr. Mark Robinson: To ask the Attorney-General if he will make a statement concerning his relationship with those Government Departments with prosecuting responsibilities which are not subject to his superintendence. [33363]

The Attorney-General: I do not expect to be routinely informed about prosecutions which I do not superintend merely because they are difficult or have a high, or potentially high, public profile. But it may well be appropriate to consult me in relation to cases raising, for example, particularly difficult public interest considerations, issues of propriety, or important issues of law of general importance.

It is always open to prosecutors to seek my guidance in relation to particular problems or issues, and open to any Department to drawn concerns about a prosecution to

my attention, whether or not it is one which I superintend. A fuller account of my role is contained in a paper which I have placed in the Libraries of both Houses.

Scott Report

Mr. Mark Robinson: To ask the Attorney-General is he will make a statement on the recommendation contained in Sir Richard Scott's report that there should be a formalised system of supervision of export control prosecution by the Attorney-General. [33364]

The Attorney-General: As indicated in my right hon. Friend the President of the Board of Trade in the debate on Sir Richard Scott's report on 26 February, *Official Report*, column 597, the Government have accepted that in future the role of the Attorney-General should include the exercise of increased supervision of Customs and Excise prosecutions in relation to export control matters. The arrangements to give effect to this increased supervision have now been settled and are contained in a paper which I have placed in the Libraries of both Houses.

I shall be answerable to the House for actions taken by Customs and Excise in relation to individual prosecutions relating to defence exports and to sanctions infringements, other than those involving strict liability—that is not requiring evidence of deliberate evasion. Treasury Ministers will continue to be answerable for general enforcement and prosecution policy and will also remain responsible for the investigation of such offences.

Young Offenders

Mr. Harry Greenway: To ask the Attorney-General how many children below the age of 10 years were prosecuted in the last year for which figures are available; which were the main offences; and if he will make a statement. [32059]

The Attorney-General: None. There is an irrebuttable common law presumption that children under 10 years are incapable of criminal responsibility.

European Union (Withdrawal)

Mr. Jim Cunningham: To ask the Attorney-General if he will make a statement on his Department's recent work on the implications of withdrawal from the European Union. [31637]

The Attorney-General: My right hon. Friend the Prime Minister has made it clear that there is no suggestion of the United Kingdom leaving the European Union. In any event, by convention, the fact of whether advice on any issue has been sought from or given by the Law Officers is not disclosed.

Crown Prosecution Service

Sir Gerard Vaughan: To ask the Attorney-General what was the cost to public funds of the case involving Nick Rodwell and other defendants at Northampton crown court; and what assessment he has made of the desirability of a change in the practices of the Crown Prosecution Service in such cases. [32919]

The Attorney-General: The costs incurred by the prosecution in the case involving Mr. Rodwell and other defendants are estimated at £2,856.62. The costs to the Lord Chancellor's Department of the five-day Crown court trial are assessed at £10,390. That figure includes staff and administrative costs and judicial salaries but not an element for the cost to the legal aid fund. To date no payment has been made from either the legal aid fund or from central funds. Those costs will not be known until the final bills have been assessed.

The practice of the Crown Prosecution Service in deciding whether to prosecute such cases is to apply the existing law and the code for Crown prosecutors, which is issued under section 10 of the Prosecution of Offences Act 1985.

The Crown Prosecution Service has recently issued revised guidelines to provide a consistent standard for the selection of charges for offences against the person, which gives further guidance to prosecutors in dealing with cases such as that against Mr. Rodwell. The prosecution of Mr. Rodwell reflected the proper application of those principles.

Improper Trading

Mr. Martyn Jones: To ask the Attorney-General if he will list those offences in law that may be referred to as improper trading or misrepresentation of company financial status; if he will make a statement on the position of *(a)* civil servants and *(b)* Ministers, should companies to which they hold directorships be found guilty of such offences; and if he will make a statement. [31854]

Mr. Lang: I have been asked to reply.

What offence or offences were charged in any particular case would depend on the individual circumstances of that case, but the offences which might be charged would include section 458 of the Companies Act 1985 (Fraudulent Trading), section 233 (Approval and Signing of Accounts) or section 234 (Duty to Prepare Directors' Report) of the Companies Act 1985, section 47 of the Financial Services Act 1986 (Misleading Statements and Practices), section 17 of the Theft Act 1968 (False Accounting), section 209 (Falsification of Company's Books) or section 210 (Material Omissions from statement Relating to Company's Affairs) of the Insolvency Act 1986.

The position of any civil servant found guilty of a criminal offence is a matter for the Department in which the individual is employed in accordance with its disciplinary procedures. A Minister in a similar position would be responsible for judging how best to act and for justifying his or her conduct to Parliament. Ministers can remain in office only for as long as they retain the Prime Minister's confidence.

TRANSPORT

Salvage Tugs

Mr. Redmond: To ask the Secretary of State for Transport when he hopes to implement Lord Donaldson's recommendation in respect of the stationing of salvage tugs around the coast of the United Kingdom; and if he will make a statement. [31439]

Mr. Norris: Emergency towing vessels were stationed, as a trial, at Dover and Stornoway as a result of recommendations made by Lord Donaldson's inquiry and the emergency towing study team. The next highest priority identified by the inquiry and by the emergency towing study team was the south western approaches. On the basis of our experience with the tugs in Dover and Stornoway over the last two winters, we shall station a tug at both these locations again next winter; further, we have decided to place a third tug in the south western approaches next winter. We will shortly be inviting competitive tenders for that contract.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for Transport how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32418]

Sir George Young: Information on such visits was placed in the Library in response to an earlier question from the hon. Member for Warrington, South (Mr. Hall) on 11 March 1996, *Official Report,* column *474.* No further overseas visits were made in the financial year 1995–96.

Ministerial Visits

Mr. Harvey: To ask the Secretary of State for Transport if he will list those constituencies he has visited in the last three months on official business and those constituencies he intends to visit in the next three months; and if he will make a statement. [32335]

Sir George Young: I am placing the information requested in the Library.

Heavy Goods Vehicle Licences

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the changes that will affect licences held by HGV drivers as a result of the implementation of EC directive 5415/96. [32778]

Mr. Norris: The European Commission proposal for a Council directive amending directive 91/439/EEC is to introduce the use of a set of codes on licences to signify conditions under which licences may be used. It also provides for the formation of a committee of national experts to undertake minor changes to the codes, and more generally minor changes of a scientific and technical nature to the annexes to directive 91/439/EEC. Driving licences, including those for large goods vehicle drivers, first issued or renewed after the directive comes into force would be required to include codes appropriate to their conditions of use, and may be subject, in so far as they are relevant, to other, minor changes of a scientific and technical nature as agreed by the committee.

Mrs. Dunwoody: To ask the Secretary of State for transport if he will list the number of drivers entitled to drive *(a)* class 1 HGVs and *(b)* class 2 HGVs. [32779]

Mr. Norris: Class 1 and class 2 HGV licences were replaced in 1991 by EC driving licence categories which have a different basis. Numbers of pre-1991 HGV licences are not now held in disaggregated form, and could be obtained only at disproportionate cost.

London Underground (Investment)

Mr. Spearing: To ask the Secretary of State for Transport what levels of investment were planned by his Department in 1992 in the London Underground for the period 1992 to 2000; and what was the level of investment *(a)* made in 1993–94, 1994–95, 1995–96 at (i) outturn and (ii) 1996 prices and *(b)* planned at 1996–97 prices for 1996–97 and successive years until 1999–2000. [32705]

Mr. Norris: Investment in London Underground is planned by London Transport, not the Government. The information requested is set out in the tables:

London Underground core business investment 1993–94 to 1995–96

£ million

Year	*Outturn prices*	*1996–97 prices*
1993–94	480	516
1994–95	503	531
1995–96	485	490

London Underground core business planned investment 1996–97 to 1998–99

Year	*1996–97 prices (£ million)*
1996–97	360
1997–98	446
1998–99	522
1999–2000	622

Figures supplied by London Transport.

Aircraft Inspections

Mrs. Dunwoody: To ask the Secretary of State for Transport on how many occasions, and for what reasons, aircraft operated by *(a)* Air Operations of Europe and *(b)* Air Operations of Sweden have been grounded or had their take-off delayed by the Civil Aviation Authority. [32797]

Mr. Norris: None. However, the Swedish civil aviation authority withdrew the certification of airworthiness for one aircraft operated by Air Operations of Europe in May 1995 when severe corrosion was found by engineers during routine maintenance at Heathrow. If the Swedish authorities had not taken prompt action once the fault had been uncovered, the Civil Aviation Authority would have issued a direction to prevent the aircraft from flying. The certificate of Airworthiness was restored by the Swedish authorities when the fault had been rectified.

At the request of the Department, the CAA undertook ramp checks of two further aircraft operated by Air Operations of Europe. These inspections did not delay the take-off of the aircraft concerned.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will place in the Library a copy of inspection reports compiled by the Civil Aviation Authority as a result of inspections undertaken on aircraft operated by Air Operations of Europe and Air Operations of Sweden. [32799]

Mr. Norris: The CAA did not produce reports of the two inspections carried out on aircraft belonging to Air Operations of Europe, which has now ceased trading.

However, they provided the Department with advice on the condition of the aircraft. That advice concluded that the aircraft concerned were airworthy. The CAA has not carried out any inspections on aircraft operated by Air Operations of Sweden.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list by airport for each of the last five years the number of inspections of aircraft undertaken by the Civil Aviation Authority and the number of aircraft that *(a)* were grounded and *(b)* had their take-off delayed. [32798]

Mr. Norris: The information requested can be provided only at disproportionate cost.

Airport Capacity (London)

Mrs. Dunwoody: To ask the Secretary of State for Transport what was the usage of the cross-wind 23/05 runway at Heathrow in the last 12 months. [32788]

Mr. Norris: Data provided by national air traffic services shows that the crosswind 23/05 runway at Heathrow was used for 23 landings in the 12 months up to 31 May 1996.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the declared runway and terminal capacities for Heathrow and Gatwick airports. [32790]

Mr. Norris: This is a matter for BAA plc.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the current terminal and runway throughputs for Heathrow and Gatwick airports together with the percentage usage of available capacity these represent. [32791]

Mr. Norris: I understand from BAA plc, that the current terminal and runway throughputs for Heathrow and Gatwick airports are as follows:

Throughput Year to May 1996	*Terminal passengers Thousands*	*Air transport movements*
Heathrow	54,886.3	422,337
Gatwick	23,082.2	200,955

The capacities of Heathrow and Gatwick airports are a matter for BAA plc.

British Airways

Mrs. Dunwoody: To ask the Secretary of State for Transport what percentage of UK air transport is held by British Airways and its franchisees. [32793]

Mr. Norris: British Airways and its wholly-owned subsidiary, Brymon Airways, contributed 58.3 per cent. of all available tonne kilometres offered by UK airlines in 1995. A further 1 per cent. of ATK was contributed by BA's franchise partner airlines.

Transatlantic Airline Alliance

Mrs. Dunwoody: To ask the Secretary of State for Transport what instructions he has given to his officials who have been sent to Washington to support the British Airways/American Airlines alliance. [32803]

Mr. Norris: No officials have been sent to Washington DC to support the proposed British Airways/American Airlines alliance. Informal contacts between the US and officials of this Department have continued since the UK broke off air services negotiations last year.

Central Railway Group

Sir John Stanley: To ask the Secretary of State for Transport what is the legal basis for his view that a debate in each House on the Central Railway Group's proposals is required to be on a motion moved by a Minister seeking the House's approval of the proposals, regardless of whether the Government support the motion. [33100]

Mr. Watts: Section 9(4) of the Transport and Works Act 1992 says that in the case of proposals which in the Secretary of State's opinion are of national significance the Secretary of State may not make an order authorising the proposals unless each House of Parliament has passed a resolution, on a motion moved by a Minister, approving them. A motion seeking such approval is the only certain way of securing a decision one way or the other in a single debate. A motion framed in other terms—for example, to take note of the proposals—would risk an inconclusive result and a need for a second debate.

Statistics

Mr. Fisher: To ask the Secretary of State for Transport which statistics his Department had discontinued *(a)* the collection and *(b)* the publication of since 1989. [32868]

Mr. Norris: The information requested is shown in the list:

Statistics for which collection and publication have been discontinued since 1989

Express bus passengers;

Local authority road maintenance expenditure;

Ports' accounts;

London coach survey;

Oil rig servicing at ports.

Statistics for which publication has been discontinued since 1989

Road track costs;

Passenger miles by bus passengers;

Provisional quarterly estimates of road accidents;

Average length of haul for rail freight;

Rail receipts per passenger kilometre;

Merchant navy seafarers;

Ports' employment;

Average traffic flow at selected points on the motorway network by type of vehicle;

Road lengths by county;

Average daily traffic flow on classified roads by type of vehicle (monthly data);

Fish landings at ports;

International comparisons of road capital expenditure.

Customer Charters

Mr. Donohoe: To ask the Secretary of State for Transport if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32826]

Mr. Norris: The central transport group of the Department of Transport has published a leaflet entitled "Serving the Public", which sets out the standards of service for answering correspondence, responding to telephone inquiries and handling complaints. The Highways Agency publishes its standards of service in the road users charter. Each of the Department's other executive agencies—DVLA, the Vehicle Inspectorate, and the Driving Standards, Coastguard, Marine Safety and Vehicle Certification Agencies—publishes its service standards in customer service guides, dedicated charter standard statements or codes of practice for its business customers.

Several of these charter documents have been revised and updated; none has been withdrawn.

Rail Freight Industry

Mr. Gordon Prentice: To ask the Secretary of State for Transport what discussions he *(a)* has had and *(b)* intends to have with the managing director of English, Welsh and Scottish Railway Ltd. concerning the sale by Railtrack of strategic land sites needed for the future development of the rail freight industry. [33076]

Mr. Watts: None. The arrangements for safeguarding strategic freight sites are governed by a legal agreement between Railtrack and those licensed rail freight operators either currently or formerly owned by British Rail, including English, Welsh and Scottish Railways Ltd.

Postage Costs

Mr. Donohoe: To ask the Secretary of State for Transport how much his Department spent on postage in the financial years 1995–96 and 1995–96; and how many items were posted during these periods. [32844]

Mr. Norris: My Department spent £13,262,194 in 1994–95 and £13,809,113 in 1995–96 on postage. A complete record is not kept of the number of items posted, but exceeds 61 million.

A458, Ford

Mr. Alex Carlile: To ask the Secretary of State for Transport if he will make a statement on the future of the public lavatory alongside the A458 road at Ford in Shropshire; and what assessment he has made of the adequacy of public lavatory provisions on the A458 road at Ford in Shropshire. [32206]

Mr. Norris: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Alex Carlile, dated 17 June 1996:

The Secretary of State for Transport has asked me to reply to your recent question about the future of the public lavatory alongside the A458 road at Ford in Shropshire, and what assessment he has made of the adequacy of public lavatory provisions on the A458 at Ford in Shropshire.

The funding available for trunk road routine maintenance this year has been reduced. In these circumstances the Highways Agency has examined all activities encompassed in this type of work and taken the view that it must give priority to those directly related to safety. As a result many non safety related activities including the cleaning of trunk road toilets have been reduced in frequency or stopped. This has led to closure of some trunk road toilets. Facilities where local authorities, local franchises or businesses have entered into agreements with the Agency to take over responsibility and associated costs for the day to day running are not affected.

With regard to the toilets on the A458 at Ford in Shropshire, the Highways Agency are seeking to avert closure by concluding an agreement with the owners of the "Dinkies Dinah" cafe for its day to day running. If an agreement is not concluded in the near future then the toilets are likely to be closed.

I am aware of the benefit of these facilities, but in the face of shortages, activities concerned primarily with safety must have first call on available funds.

Sea Empress Oil Spill

Mr. Ainger: To ask the Secretary of State for Transport how much the international oil pollution compensation fund and the Sea Empress insurers have paid out to victims of the spillage engaged in *(a)* fishing, *(b)* tourism, *(c)* clean-up operations and *(d)* other. [32961]

Mr. Norris: The international oil pollution compensation fund has provided the following information on the amounts paid by the joint claims handling office by 14 June:

	£
Tourism	54,596.75
Fishing	1,205,327.93
Clean-up	0
Other	45,188.29
Total	1,305,112.07

In addition, cheques amounting to £75,348.06 are awaiting collection by claimants.

Mr. Ainger: To ask the Secretary of State for Transport how much has been spent to date by *(a)* local authorities, *(b)* the marine pollution control unit and *(c)* private organisations on the Sea Empress clean-up operation. [32960]

Mr. Norris: Precise figures on local authority expenditure are not available, but it is estimated that they have incurred costs of the order of £4 million. To date, the marine pollution control unit has spent £7,372,022. Information on spending by private organisations is not held by Government.

Milford Haven Port Authority

Mr. Ainger: To ask the Secretary of State for Transport if he will place copies of the annual reports of the Milford Haven port authority for *(a)* 1994–95, *(b)* 1993–94, *(c)* 1992–93, *(d)* 1991–92 and *(e)* 1990–91 in the Library. [32959]

Mr. Norris: I understand that the Milford Haven port authority makes its annual reports publicly available on request. I have asked the authority to send copies to the hon. Member.

College Farm

Mr. John Marshall: To ask the Secretary of State for Transport if he will make a statement about the progress of his consideration about the future of College farm. [33288]

Mr. Norris: Specialist advisers have been appointed to look into all the options for College farm with a view to establishing the planning position for the site. They are expected to report to us by the end of July, following which we shall determine the way forward for the farm.

NORTHERN IRELAND

Cattle Exports

Mr. Heppell: To ask the Secretary of State for Northern Ireland how many cattle exported from Northern Ireland in 1995 and not certified for export for *(a)* breeding and *(b)* slaughter were (i) under and (ii) over six months of age. [31117]

Mr. Ancram: Cattle exported from Northern Ireland and not certified for *(a)* breeding and *(b)* slaughter are certified for further fattening.

In 1995, 7,587 further fattening cattle under six months of age and 78 over six months of age were exported to other member states.

Elections (Identification)

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will make it his policy to amend the electoral rules to permit either part of a Northern Ireland driving licence to be sufficient identification for voting purposes. [32079]

Mr. Ancram: The list is kept permanently under review, but I have no plans to alter the requirement for both parts of the driving licence to be presented. I believe it is clearer simply to request that the complete driving licence be produced.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many people, by constituency, in the 30 May elections were turned away by election staff for failing to produce required identification. [32078]

Mr. Ancram: The Chief Electoral Officer for Northern Ireland does not keep a record of the number of people turned away by election staff for failing to produce required identification. The Government are confident, however, that both of the leaflets specifying the precise identity documents and the legal requirement for them which were delivered to each household in Northern Ireland in April and May will have made it unlikely that many of the electorate were unaware of the statutory requirements.

Mr. McCartney: To ask the Secretary of State for Northern Ireland if he will arrange for the details of required identity documents to specify in future the need for both parts of a Northern Ireland driving licence to be produced at a polling station when used as evidence of identity. [32080]

Mr. Ancram: I am happy to take the hon. and learned Gentleman's suggestion on board. In future, the NIO information leaflets prior to elections will make it clear that both parts of the Northern Ireland driving licence are required at the polling stations. The chief electoral officer is also prepared to ensure that this clarification is included on the polling cards that he issues.

Elections (Invalid Votes)

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland how many votes in each constituency in the 30 May elections were invalidated for lack of the official mark or perforation; what were the equivalent figures in the 1992 general election; and if he will make a statement. [32076]

Mr. Ancram: There was a 45 per cent. drop in the number of invalidated papers at the elections on 30 May as opposed to the 1992 general election. The figures are as follows:

Constituency	*1992*	*1996*
Belfast, East	Nil	36
Belfast, North	Nil	3
Belfast, South	Nil	38
Belfast, West	11	47
North Antrim	9	17
South Antrim	49	18
East Antrim	44	16
North Down	Nil	Nil
South Down	80	1
East Londonderry	40	20
Fermanagh and South Tyrone	Nil	Nil
Foyle	38	7
Lagan valley	45	Nil
Mid-Ulster	9	1
Newry and Armagh	54	18
Strangford	3	4
Upper Bann	47	8
West Tyrone	n/a	Nil
Total	429	234

Company Directors

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland have been disqualified from being directors of companies in each of the past five years. [32178]

Mr. Ancram: The following table shows the number of people disqualified from acting as directors of Northern Ireland companies:

Financial year	*Number of directors disqualified*
1991–92	Nil
1992–93	Nil
1993–94	Nil
1994–95	2
1995–96	24

Population Growth

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what has been the population growth in *(a)* the catchment area for the Ulster hospital since its construction and *(b)* the town of Bangor in the same period; and what were the forecast figures. [32082]

Sir John Wheeler: The population in the catchment area of the Ulster hospital has grown from 207,000 in 1961 to 257,000 in 1991. The population of the municipal borough of Bangor in 1961 was 24,000. The population

of this area has since increased to 54,000. In 1961 there were no population forecasts made at the level of geographical disaggregation requested.

Schools (Capital Expenditure)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what has been the total capital expenditure of schools in *(a)* Strangford constituency and *(b)* Northern Ireland in each of the past five years. [32176]

Mr. Ancram: Capital expenditure by education and library boards on controlled schools and grants paid by the Department of Education on approved capital expenditure incurred by voluntary and grant-maintained integrated schools for each of the financial years 1989–90 to 1993–94 is as follows:

Year	*Strangford* £	*Northern Ireland* £
1989–90	2,015,000	38,570,000
1990–91	4,118,000	56,339,000
1991–92	4,607,000	61,071,000
1992–93	1,453,000	68,214,000
1993–94	1,797,000	64,962,000

Water Supply (Asbestos Cement Pipes)

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will place in the Library a copy of the Water Research Centre report on asbestos cement pipes for the Mourne to Belfast water supply; and what monitoring the department of the Environment intends to carry out on the Mourne scheme. [32087]

Mr. Moss: The Department has stated that the report of the water research centre on the use of asbestos cement pipes will be made publicly available when it makes a policy announcement on this topic. It expects to do this in the near future. A copy of the report will then be placed in the Library. Monitoring of the Mourne conduit will continue as is operationally appropriate. This monitoring takes account of the state of the conduit and the quality of water it delivers.

Public Inquiries

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what has been the cost to public funds of public inquiries held by the Planning Appeals Commission in each of the past five years. [32177]

Mr. Moss: The information is not available in the form requested. The total cost of the planning appeals commission to public funds in each of the last five years is set out in vote 4 of the Department of the Environment's appropriation accounts, copies of which are available in the Library.

CHURCH COMMISSIONERS

Assets

Mr. Bernard Jenkin: To ask the right hon. Member for Selby, representing the Church Commissioners, what plans the Church Commissioners have to reduce the value of the assets in their care. [32601]

Mr. Alison: The Church Commissioners' assets were valued at £2.7 billion as at 31 December 1995. The commissioners' liabilities include clergy pensions, the cost of which is currently met from income. Under the arrangements being discussed within the Church of England, about half of the commissioners' assets, if the proposed pensions measure is passed, will, upon the death of the last beneficiary, be fully spent out on the payment of pensions in respect of service up to 1998. The remaining assets will continue to be used to support the commissioners' other commitments, mainly to supporting the ministry in needier dioceses, bishops and cathedral staff.

HEALTH

Local Care Services (Costs)

Mr. David Nicholson: To ask the Secretary of State for Health what assessment he has made of the relative level of costs of providing local care services in rural areas. [32490]

Mr. Bowis: A number of indicators of per capita expenditure and unit costs by individual social services departments in England for 1993–94 (the latest year for which the information is available—can be found in tables E4 and E6 of the 1995 edition, and table U1 of the 1996 edition of "Key Indicators of Local Authority Social Services", copies of which are available in the Library.

Private Patients

Mr. Bayley: To ask the Secretary of State for Health how many private patients in NHS pay beds received treatment in each specialty in 1990–91 and each year since then. [31936]

Mr. Horam: The information available centrally relates to finished consultant episodes. The table shows the number of episodes, for each specialty, where a private patient underwent treatment during their first episode of care within a hospital spell.

Ordinary admissions and day cases: Number of first order episodes of private patients (category code 20-22) completed during year by specialty NHS Hospitals, England, 1990–91 to 1994–95

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
100 General Surgery	14,197	15,033	13,657	13,325	13,639
101 Urology	3,626	4,064	4,386	4,665	5,596
110 Trauma and Orthopaedics	9,007	9,263	8,611	9,884	9,645
120 Ear, Nose and Throat	5,019	5,139	4,556	4,797	4,342
130 Ophthalmology	7,069	7,793	7,512	8,274	8,746
140 Oral Surgery	2,136	2,059	1,453	1,416	1,602
141 Restorative Dentistry	2	2	1	0	4
142 Paediatric Dentistry	4	9	6	5	13

Ordinary admissions and day cases: Number of first order episodes of private patients (category code 20-22) completed during year by specialty NHS Hospitals, England, 1990–91 to 1994–95

	1990–91	1991–92	1992–93	1993–94	1994–95
143 Orthodontics	0	1	0	0	1
150 Neurosurgery	1,744	2,127	2,039	2,370	2,359
160 Plastic Surgery	1,696	1,530	1,380	1,217	1,402
170 Cardiothoracic Surgery	2,280	2,704	2,683	2,692	2,319
171 Paediatric Surgery	314	537	529	449	432
180 Accident and Emergency	135	101	84	58	67
190 Anaesthetics	507	922	701	718	828
300 General Medicine	7,253	8,044	7,308	8,183	8,011
301 Gastroenterology	419	846	889	1,189	1,664
302 Endocrinology	115	111	121	202	240
303 Haematology	663	1,025	880	990	1,281
304 Clinical Physiology	1	3	0	0	1
305 Clinical Pharmacology	304	308	308	474	421
310 Audiological Medicine	0	0	0	3	0
311 Clinical Genetics	3	0	0	0	1
314 Rehabilitation	0	1	2	17	27
315 Palliative Medicine	0	23	33	5	3
320 Cardiology	2,719	3,572	3,705	3,894	4,018
330 Dermatology	134	179	208	239	320
340 Thoracic Medicine	667	906	874	1,050	933
350 Infectious Diseases	23	107	123	138	76
360 Genito-Urinary Medicine	59	39	22	35	41
361 Nephrology	227	200	305	384	425
370 Medical Oncology	2,434	2,786	3,808	5,928	4,790
371 Nuclear Medicine	0	3	5	1	5
400 Neurology	1,214	1,145	1,219	1,238	1,244
401 Clinical Neuro-Physiology	4	4	14	13	14
410 Rheumatology	405	407	441	425	410
420 Paediatrics	947	1,113	1,058	1,406	1,425
421 Paediatric Neurology	49	206	237	181	179
430 Geriatric Medicine	229	257	228	329	381
450 Dental Medicine	0	65	24	1	0
460 Medical Ophthalmology	0	0	0	23	0
501 Obstetrics	2,259	2,429	2,220	1,894	2,070
502 Gynaecology	8,908	8,360	7,193	7,958	8,112
610 General Practice—Maternity	1	33	20	2	1
620 GP—Other Than Maternity	102	121	81	53	83
700 Mental Handicap	0	4	2	5	0
710 Mental Illness	66	59	36	32	37
711 Child and Adolescent Psychiatry	1	1	1	0	0
712 Forensic Psychiatry	1	0	1	0	0
715 Old Age Psychiatry	0	1	3	2	6
800 Clinical Oncology	1,108	1,352	1,663	2,129	6,421
810 Radiology	165	189	129	567	683
820 General Pathology	7	12	21	25	30
821 Blood Transfusion	0	0	0	0	0
822 Chemical Pathology	5	10	4	0	2
823 Haematology	487	610	880	824	912
824 Histopathology	0	2	0	0	0
830 Immunopathology	7	35	61	33	32
901 Occupational Medicine	0	0	2	0	0
Not known	203	25	38	55	246
Total	78,945	85,877	81,767	89,797	95,540

Note:
Data in this table is grossed for coverage only.
Source: HES.

Creutzfeldt-Jakob Disease

Mr. Alan W. Williams: To ask the Secretary of State for Health how many cases of the possible new strain of Creutzfeldt-Jakob disease are currently under investigation by the CJD surveillance unit at Edinburgh. [32171]

Mr. Horam: All cases of suspected Creutzfeldt-Jakob Disease referred to the CJD surveillance unit are investigated. It is impossible to differentiate between new variant and other cases while they are still under investigation.

Mr. Tyler: To ask the Secretary of State for Health how many people under 42 years have died of CJD in the last five years; and of those how many had growth hormone treatment. [33181]

Mr. Horam: From 1991 to date the Creutzfeldt-Jakob disease surveillance unit in Edinburgh have confirmed 20 deaths from CJD of people aged under 42 years, of which 10 had had human growth hormone treatment.

Medicines Control Agency

Mr. Simon Hughes: To ask the Secretary of State for Health what plans he has to examine the efficiency and quality of the operation of the Medicines Control Agency. [31839]

Mr. Horam: Key tasks and targets for the Medicines Control Agency, including efficiency and quality targets, are agreed each year by my right hon. Friend the Secretary of State and placed in the Library. Performance against these targets is monitored throughout the year and a record of the agency's performance is published in "Next Steps Review".

A review of the agency, covering its performance since it was established in 1991 and options for its future, was completed last year. A summary of the results of that review were placed in the Library.

AIDS Conference, Vancouver

Mr. Gerrard: To ask the Secretary of State for Health how many people working in community-based organisations in the United Kingdom are being sponsored to attend the eleventh international conference on AIDS in Vancouver in July. [32350]

Mr. Chris Smith: To ask the Secretary of State for Health how many people living with HIV/AIDS in the United Kingdom are being sponsored to attend the eleventh international conference on AIDS in Vancouver in July 1996. [32003]

Mr. Horam: The Department is not directly sponsoring anyone from community-based organisations nor anyone living with HIV/AIDS to attend the conference.

The Department is providing £1.6 million to HIV/AIDS voluntary organisations this year and it is for them to decide if they wish to send anyone to the conference.

General Practitioners

Ms Harman: To ask the Secretary of State for Health how many *(a)* general practitioners and *(b)* whole-time equivalent general practitioners there were in each of the last three years. [32560]

Mr. Malone: The available information is shown in the table.

	1993	*1994*	*1995*
Number of unrestricted principles	26,289	26,567	26,702
Number by contractual commitments	25,327.5	25,430.25	25,429.25

Data collected on 1 October each year for England.

Data shown for contractual commitments does not equate to whole time equivalents since general practitioners may work longer hours than those they are contracted to undertake.

Ms Harman: To ask the Secretary of State for Health if he will list the latest figures for shortages of general practitioners by *(a)* region, *(b)* health authority and *(c)* county. [32562]

Mr. Malone: The recent Medical Practices Committee survey confirmed that overall there are enough good applicants to enable appointments to be made and we have no information which suggests that general practitioner shortages exist.

NHS Pension Schemes

Ms Harman: To ask the Secretary of State for Health what plans he has to extend NHS pension schemes to all employees in primary care. [32564]

Mr. Malone: Opening up the national health service pension scheme to practice staff employed by general practices is under consideration.

Pensioners' Homes

Mr. Redmond: To ask the Secretary of State for Health what assessment he has made of the advantages of enabling pensioners who go into permanent care to hand over their homes to their children free from charges from local authorities relating to their parents' care; and if he will make a statement. [32753]

Mr. Bowis: We recognise that elderly people want independence, choice and dignity. They do not want to be a burden on their families or the state, and many want to help their children by passing on some of their savings or other assets. The proposals in the Government's consultation paper "A New Partnership for Care in Old Age" are intended to help people make better provision for their own long-term care, so that they can both meet their own care costs and bequeath assets to their children.

London Ambulance Service

Mr. Spearing: To ask the Secretary of State for Health which contracts of the London ambulance service for accident and emergency services with the health authorities in the London area will include performance requirements for activation and response that are at least equal to the national Orcon standards. [32704]

Mr. Horam: The information is not available centrally. Each health authority is responsible for ensuring that appropriate services, including accident and emergency, are provided for its residents. The hon. Member may wish to contact health authority chairmen for specific information about their contracts.

Pharmacies

Mr. Chris Davies: To ask the Secretary of State for Health what assessment he has made of the value of high street pharmacies to the health of local communities; and if he will make a statement. [32943]

Mr. Malone: Community pharmacists have a very important role to play in a primary care led national health service. Community pharmacy's position in the high street offers a readily accessible NHS dispensing service to the community and an opportunity to provide other services which use pharmacists' professional skills for the benefit of patients.

Mr. Davies: To ask the Secretary of State for Health if he will list the number of pharmacies in England by year since 1979. [33082]

Mr. Malone: The table shows the number of pharmacies in England by year since 1979. Figures for 1995–96 are not yet available.

Year	*Number of community pharmacies in England in contract to supply NHS prescriptions*
1979	8,698
1980	8,704
1981	8,790
1982	8,935
1983	9,052
1984	9,203
1985	9,490
1986	9,741
1987	9,905
1988	9,753
1989	9,694
The figures then change to a financial year basis:	
1990–91	9,714
1991–92	9,765
1992–93	9,763
1993–94	9,766
1994–95	9,771

Nursing Homes

Mrs. Lait: To ask the Secretary of State for Health which local authority social services departments pass on to their registered rest home and nursing home owners the annual cost of living increase. [32904]

Mr. Bowis: This information is not available centrally.

GPs (Patient Lists)

Mr. Cox: To ask the Secretary of State for Health what is the size of the average general practitioner's patient list in England and Wales. [33103]

Mr. Malone: The available information is contained in "General Medical Services Statistics for England and Wales (October 1995)," copies of which are available in the Library.

GP Fundholders, Wandsworth

Mr. Cox: To ask the Secretary of State for Health how many fundholders are currently in general practice in the London borough of Wandsworth. [33106]

Mr. Malone: Health service information is not collected on a local authority basis.

NHS Managers

Mr. Milburn: To ask the Secretary of State for Health how many *(a)* contracts managers, *(b)* other contract staff, *(c)* public relations managers, *(d)* other public relations staff, *(e)* risk managers, *(f)* other risk management staff and *(g)* business managers work in national health service trusts; and what is the cost of employing each category of manager. [33119]

Mr. Malone: This information is not available centrally.

Mr. Milburn: To ask the Secretary of State for Health if he will list the current *(a)* M1 management costs, *(b)* M2 management costs and *(c)* management consultancy costs (i) in total and (ii) as a percentage of income for each NHS trust. [33120]

Mr. Malone: Individual trusts' out-turn 1994–95 M1 management costs and spending as a proportion of income were published on 5 December 1995 in "Management Costs in NHS Trusts Financial Year 1994–95" copies of which are available in the Library. Trusts' out-turn 1994–95 M2 management costs are not available centrally. Trusts will be publishing their out-turn 1995–96 M1 and M2 costs in their annual accounts later in the year.

Information on trusts' spending on management consultancy is not available centrally.

Ms Harman: To ask the Secretary of State for Health how many general and senior managers there were in the national health service *(a)* in 1989–90 and *(b)* at the latest available date. [32921]

Mr. Malone: I refer the hon. Member to the reply I gave the right hon. Member for Derby, South (Mrs. Beckett) on 6 November 1995 at columns *624–25*.

Child Abuse

Mr. Nigel Evans: To ask the Secretary of State for Health what arrangements he has made to review the safeguards against harm to children in residential care and in other placements away from home. [33435]

Mr. Dorrell: As my right hon. Friend the Prime Minister announced on 13 June, I have asked Sir William Utting, the former chief inspector of the social services inspectorate in England, to review the existing safeguards for children living away from home.

I have today written to Sir William in the following terms:

Letter to Sir William Utting from Stephen Dorrell, Secretary of State for Health

CHILDREN'S SAFEGUARDS REVIEW

The government is grateful to you for agreeing to undertake this review. I enclose a copy of the terms of reference.

The new safeguards introduced in recent years for the protection of children living away from home following the Children Act were the outcome of careful thought and consultation, and of scrutiny in Parliament. Since then, however, it has become clear from court cases and criminal justice investigations that the scale of abuse and of abuse risks was higher than generally appreciated.

An important purpose of your review is to assess whether the safeguards now in place provide so far as is possible protection against these risks as they are now recognised. We are therefore concerned that it should be thorough, and that it should cover the enforcement of the safeguards as well as their principles I know that you will make the review accessible to all those with views and ideas to put across.

There are as you know a number of areas where the Government is planning further initiatives relevant to the protection of all children and other social services users. As already announced, we shall be consulting later this summer on the ethical regulation of the social services professions. Home Office Ministers are announcing today proposals for improved arrangements for checking criminal records and new measures to prevent further crimes by convicted sex offenders after their release from prison. And we shall soon be receiving Tom Burgner's review of social services regulation. If while you are conducting your review there are any points you wish to convey to us as we take the various matters forward I and the other responsible Ministers would be very glad to know of them.

It is equally important that local authorities and all others with the responsibility for ensuring the safety of children and other vulnerable people in their care should discharge that responsibility scrupulously within the framework of safeguards as it now exists. You may find ways of improving the framework, but it is essential that while your review is in progress all concerned should enforce the existing safeguards with the necessary diligence and wariness.

STEPHEN DORRELL CHILDRENS'S SAFEGUARDS REVIEW

to review the safeguards introduced for England and Wales by the Children Act 1989 at its implementation in 1991 and the further measures since taken to protect children living away from home, with particular reference to children's residential homes, foster care and boarding schools;

to assess whether these safeguards are the most effective that can realistically be designed to protect such children from abuse and other harm and whether they are being satisfactorily enforced;

to make recommendations accordingly to the Secretary of State for Health and the Secretary of State for Wales.

Mrs. Dunwoody: To ask the Secretary of State for Health if he will institute an immediate public inquiry into the alleged abuse of children in Cheshire homes. [32920]

Mr. Bowis: Investigations are continuing and prosecutions still pending in the north west. Until these are completed no decision regarding further inquiries can be made.

Supervision Registers

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 16 May, *Official Report*, column *536*, if he will break down the numbers on supervision registers by district within each region. [33099]

Mr. Bowis: I refer the hon. Member to the reply I gave him on 14 December 1995 at column *809*.

Home Help Services

Mr. Milburn: To ask the Secretary of State for Health what plans he has to encourage the provision of home help services by the private sector. [33052]

Mr. Bowis: Local authorities are required to include proposals for purchasing non-residential care services from the independent sector in their community care plans. We have encouraged providers in the independent sector to contribute to the consultation stage of these plans.

Residential Homes

Mr. Milburn: To ask the Secretary of State for Health how many people in the United Kingdom are in residential homes in the most recent year for which figures are available in the *(a)* 16 to 64, *(b)* 65 to 74, *(c)* 75 to 84 and *(d)* 85 years and over age groups; and in each of those categories if he will list the numbers funded by (i) the local authority on a means tested basis, (ii) the individuals themselves and (iii) the Department of Social Security through preserved rights; and if he will make a statement. [33056]

Mr. Bowis: Centrally available information for England is provided in the table. Questions relating to Wales, Scotland and Northern Ireland are matters for my right hon. Friends the Secretaries of State for Wales, and for Scotland, and my right hon. and learned Friend the Secretary of State for Northern Ireland.

We estimate that around 25 per cent. of elderly people in residential care currently meet their own costs in full. It is not possible to obtain the number of self-funders by subtracting local authority supported residents and people with preserved rights from the number of residents, since some people receive funding from both Department of Social Security through preserved rights and a local authority.

Residents in residential care and source of funding, by age
England, 31 March 1995[1] *Numbers*

Age	Residents in staffed residential care	Local authority supported residents	People funded by DSS through preserved rights to income support[1]
18–64	49,600	36,200	34,100
65–74	24,700	13,600	10,300
75–84	76,800	39,000	20,200
85 or over	118,900	50,900	33,700

Note:

[1] *DSS figures relate to February 1995.*

Source:

DH annual returns RAC5, SR1 and DSS QSE.

Mr. Milburn: To ask the Secretary of State for Health how many people in the United Kingdom are in nursing homes in the most recent year for which figures are available in the *(a)* 16 to 64, *(b)* 65 to 74, *(c)* 75 to 84 and *(d)* 85 years and over age groups; if he will list in each of those categories the numbers funded by (i) the local authority on a means tested basis, (ii) the individuals themselves, (iii) the Department of Social Security through preserved rights and (iv) NHS contract; and if he will make a statement. [33055]

Mr. Bowis: Centrally available information for England is provided in the table. Question relating to Wales, Scotland and Northern Ireland are matters for my right hon. Friends the Secretaries of State for Wales and for Scotland and my right hon. and learned Friend the Secretary of State for Northern Ireland.

We estimate that around 25 per cent. of elderly people in nursing care currently meet their own costs in full. It is not possible to obtain the number of self-funders by subtracting local authority supported residents and people with preserved rights from the number of residents, since some people receive funding from both Department of Social Security through preserved rights and a local authority.

Information on people funded by the NHS is not centrally available.

Residents in nursing care and source of funding, by age
England, 31 March 1995[1] *Numbers*

Age	People in nursing care	Local authority supported residents	People funded by DSS through preserved rights to Income Support[1]
18–64	11,800	3,400	7,600
65–74	19,900	5,900	7,800
75–84	51,100	16,400	20,800
85 or over	64,500	17,500	28,900

Note:
[1] *DSS figures relate to February 1995.*
Source:
DH annual returns KO36, SR1 and DSS QSE.

Mr. Milburn: To ask the Secretary of State for Health how many people in the United Kingdom were living in *(a)* residential homes and *(b)* nursing homes for the most recent year for which figures are available for (i) less than six months, (ii) between six months and a year, (iii) between one and two years, (iv) between two and three years and (v) three years and more; and if he will make a statement. [33057]

Mr. Bowis: Latest centrally available information on length of stay in residential care in England is published in table 3 of "Survey of age, sex and length of stay characteristics of residents of homes for elderly people and younger people who are physically handicapped in England at 31 March 1988", copies of which are available in the Library. Information on length of stay in nursing homes is not centrally available.

Questions relating to Wales, Scotland and Northern Ireland are matters for my right hon. Friends the Secretaries of State for Wales and for Scotland and my right hon. and learned Friend the Secretary of State for Northern Ireland.

Committee on Safety of Medicines

Mr. Simon Hughes: To ask the Secretary of State for Health who acts as chairman of the Committee on Safety of Medicines in the absence of Professor Rawlins. [32721]

Mr. Malone: Professor Breckenridge is the vice-chairman.

Licensing Authority

Mr. Simon Hughes: To ask the Secretary of State for Health on what date the Licensing Authority last met. [32744]

Mr. Malone: The Licensing Authority as constituted by section 6 of the Medicines Act 1968 does not hold formal meetings dedicated to consideration of its functions under the Act.

Oral Contraceptives

Mr. Simon Hughes: To ask the Secretary of State for Health how many representations he has received from members of the Committee on Safety of Medicines relating to desogestrel and gestodene. [32719]

Mr. Malone: None.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer of 21 March, *Official Report*, column *318*, on how many occasions since 1 January 1990 Ministers have used powers conferred by section 3(2) (c) of the Medicines Act 1968 to make requests to the Medicines Commission. [32720]

Mr. Malone: Since 1990 the Medicines Commission has been asked to review the committees established under section 4 of the Medicines Act 1968, with regard to changes in their numbers, on three occasions and following the commission's advice, statutory instruments were made as follows:

The Medicines (Committee on the Review of Medicines) (Revocation) Order 1992 (No. 606)

The Medicines (Committee on Dental and Surgical Materials) (Revocation) Order 1994 (No. 3120)

The Medicines (Advisory Board on the Registration of Homeopathic Products) Order 1994 (No. 102)

GP Prescribing

Mr. Morgan: To ask the Secretary of State for Health (1) pursuant to his letter of 1 April and his answer of 4 June, *Official Report*, column *382*, what were *(a)* the total prescribing costs in cash terms in each year and for each category of general practitioners and *(b)* the total prescribing costs in 1989–90 for first wave fundholders; [33090]

(2) pursuant to his answer of 4 June, *Official Report*, column *382*, if he will list the net ingredient cost per prescribing unit in 1989–90 for first wave fundholders; and when he expects data on prescribing costs for 1995–96 to be available. [33088]

Mr. Malone: Data for 1990–91 are shown in the table. Information on total prescribing costs by wave of fundholders for each year for 1990–91 to 1994–95 is shown in the table. The available data for 1989–90 are not held in a form which allows analysis by wave of fundholder. Data for 1995–96, as I indicated in my earlier reply, will be available shortly.

Prescribing data for General Practitioners: Non-Fundholders and Fundholders by Fundholding wave
Financial years 1990–91—1994–95

Net ingredient cost (£ million)

Year	*Non-FH*	*FH*	*Continuing Non-FH*	*1st wave*	*2nd wave*	*3rd wave*	*4th wave*	*5th wave*
1990–91	2,267	0	1,375	150	133	251	222	137
1991–92	2,424	168	1,566	168	153	289	258	158
1992–93	2,552	350	1,757	184	165	326	290	179
1993–94	2,467	732	1,943	202	181	349	323	200
1994–95[1]	2,118	1,039	1,913	204	179	350	307	204

[1] For technical reasons, a proportion of items and their associated NIC values have been excluded from the 1994–95 data. The 1994–95 figures for NIC (£ millions) are not therefore comparable with those for earlier years. The 1994–95 figures for NIC per Prescribing Unit, items per PU and NIC per item are comparable with those for earlier years.

1. Prescribing budgets for both fundholders and non-fundholders are initially set in NIC (net ingredient cost, or basic price). Fundholders' budgets are then converted to actual cost and monitored on this basis. Actual cost is not exactly equivalent to "cash", as, for example, VAT is excluded.

2. All figures in the table are given in NIC, which is the common currency normally used to compare relative prescribing costs of fundholders and non-fundholders. To convert figures for individual waves into cash would involve substantial data manipulation and would not affect the comparison of different waves.

3. Timing differences mean that the figures do no correspond to national NIC figures published elsewhere. The table should therefore be used only to compare the prescribing of fundholder waves and non fundholders relative to each other.

Private Finance Initiative

Mr. Dover: To ask the Secretary of State for Health what plans he has to encourage financial institutions to participate in PFI projects with NHS trusts and to minimise the financial difficulties in doing so. [33028]

Mr. Horam: My right hon. Friend the Secretary of State for Health is committed to the private finance initiative in the national health service. The PFI offers investment opportunities to the private sector, while enabling NHS bodies to obtain best value for money for the taxpayer when developing capital schemes. Fifty-seven PFI projects—including four major district general hospitals—with a capital value of more than £500 million have been approved since the PFI was launched in November 1992. A further 40 schemes with a total capital value of about £1.5 billion are testing private finance options as part of the procurement process.

Officials in the Department of Health's private finance unit meet with financial institutions regularly to smooth the PFI process. Where potential difficulties have arisen action has been taken promptly. For example, the National Health Service (Residual Liabilities) Act 1996 which was passed in May this year and is now in force, makes it clear to financial institutions that, should an NHS trust be dissolved, whether as a result of financial difficulties or for any other reason, its liabilities will be transferred to the Secretary of State or to some other NHS body. Also, a potential difficulty with the availability of VAT refunds in NHS PFI projects was addressed recently by a new Treasury direction which came into force on 26 April.

Vacant Doctor Posts

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 14 May, *Official Report*, column *418*, on vacant doctor posts when the information will be available. [33121]

Mr. Malone: Information for 1995 should be available in the autumn.

Rochdale Health Care Trust

Ms Lynne: To ask the Secretary of State for Health if he will ensure that future developments by the Rochdale health care NHS trust will be safeguarded following the local health authority's review of health services; and if he will make a statement. [33175]

Mr. Horam: This is a matter for Bury and Rochdale health authority. The hon. Member may wish to approach Mr. Alan Maden, Chairman, for more information.

Private Finance Initiative

Ms Harman: To ask the Secretary of State for health what is the stage reached for the planned private finance initiatives for each of the proposed new hospitals in *(a)* Norfolk and Norwich, *(b)* Amersham, *(c)* Carlisle, *(d)* Swindon, *(e)* North Durham, *(f)* Bishop Auckland, *(g)* the Royal London hospital and *(h)* St. Thomas's hospital. [31876]

Mr. Horam *[pursuant to his reply, 7 June 1996, column 587]:* I regret that my previous answer was incorrect. It should have read as follows:

"Full business cases for Norfolk and Norwich, Amersham, and Swindon have all been approved. Outline business cases for the remaining schemes have been approved. At Carlisle, North Durham and Bishop Auckland the Trusts concerned have identified preferred bidders and are preparing full business cases. At the Royal London hospital and St. Thomas' hospital, the trusts concerned have prepared shortlists, from which they will identify their preferred bidder".

Health Authorities (Guidance)

Ms Lynne: To ask the Secretary of State for Health what guidance is provided by his Department to health authorities in respect of reorganising health services in a manner which entails the serious reduction of health service provision in one area within a health authority so as to increase health services in another area within the health authority. [33174]

Mr. Horam: Departmental guidance makes clear that health authorities are responsible for assessing the health needs of their population and purchasing services to meet those needs, and the consultation requirements where this involves a substantial variation in services. Copies of relevant guidance are in the Library.

Medical Locums

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 14 May, *Official Report*, column *419*, when the information on medical locums will be available. [33126]

Mr. Malone: The data from the census of hospital and community health service medical and dental staff in post at 30 September 1995 should be available in the autumn.

Trust Mergers

Ms Lynne: To ask the Secretary of State for Health what powers are available to health authorities to merge trusts. [33176]

Mr. Horam: None.

Trusts and Health Authorities (Debts)

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 21 May, *Official Report*, column *93*, if he will analyse the last set of annual returns from each area and health authority to show the level of total debt *(a)* in financial terms and *(b)* as a percentage of income. [33098]

Mr. Horam: The information will be placed in the Library.

New Hospitals (PFI)

Ms Harman: To ask the Secretary of State for Health how many bids for the proposed private finance initiatives have been received for the proposed new hospitals in *(a)* Norfolk and Norwich, *(b)* Amersham, *(c)* Carlisle, *(d)* Swindon, *(e)* north Durham, *(f)* Bishop Auckland, *(g)* the Royal London hospital and *(h)* St. Thomas's hospital. [31881]

Mr. Horam *[holding answer 7 June 1996]:* Under EC directives and public procurement regulations, national health service trusts must publish a series of advertisements and notices in the supplement to the *Official Journal* of the European Community for all potential contracts exceeding specified thresholds. All the schemes referred to in the question exceeded the threshold. Trusts pre-qualify a smaller number of potential partners from the list of initial responses to the OEJC advert and issue an invitation to negotiate document to the pre-qualified consortia. Trusts draw up a shortlist of the most promising potential partners following rigorous evaluation of the responses and negotiation from which the best obtainable solution involving private finance is eventually identified. The numbers of bidders involved at the various stages of the process for the trusts referred to in the question are as follows:

	Responses to OEJC	*Pre-qualification*	*Shortlisted*	*Bidders remaining*
Norfolk and Norwich Health Care NHS Trust	31	8	3	1
South Buckinghamshire NHS Trust (Amersham)	38	12	4	1
Carlisle Hospitals NHS Trust	15	8	3	1
Swindon and Marlborough NHS Trust (Swindon)	42	6	5	1
North Durham Acute Hospitals NHS Trust (North Durham)	13	10	5	1
Bishop Auckland Hospitals NHS Trust	16	11	4	1
Royal Hospitals NHS Trust (Royal London Hospital)	18	3	3	2
Guy's and St. Thomas' NHS Trust (St. Thomas' Hospital)	8	3	2	2

DEFENCE

Bourlon Barracks, Catterick

Mr. Home Robertson: To ask the Secretary of State for Defence if he will make a statement on the advice obtained by his Department about the specifications for *(a)* the support rails for the crane, *(b)* the motor for the crane, *(c)* the local exhaust ventilation system, *(d)* the doors and *(e)* the space allocated for storage and specialist trades for the LAD building (No. 36) at Bourlon barracks, Catterick. [31613]

Mr. Soames: The information requested is as follows:

(a) My Department provided the crane specification and, as the contract included both the "design and build", it was the contractor's responsibility to install appropriate support rails.

(b) The statement of requirement provided by my Department in January 1993 included a requirement for exhaust extraction. The specification for the local exhaust ventilation system was developed by the design team, on advice from GKN Defence the makers of Warrior. A general extraction system was also included in the specification.

(c) The specification for the doors was written by the design team.

(d) The specification for the space allocated for storage and specialist trades were also included in the statement of requirement, and followed JSP 315 Scales 27(4) and 45.

Chemical Weapons (Devon)

Mr. Harvey: To ask the Secretary of State for Defence what monitoring has been carried on since 1966 in respect of the safety for its current use of the site used as a chemical weapons training and trials facility at South Molton, north Devon, during the second world war; what action has been taken following such monitoring; and if he will make a statement. [31768]

Mr. Arbuthnot: My Department has no record of any monitoring having been carried out at the South Molton site. The land in question is no longer part of the defence estate and prior to its return to civilian use any identified contamination relating to its former use involving chemical weapons activities would have been removed. Should the MOD have been alerted to any such contamination being revealed subsequently, we would

have taken the measures necessary to remedy the problem. In the case of South Molton we have no record of any such incident.

Military Attachés

Mr. Cox: To ask the Secretary of State for Defence if he will list the countries in which Her Majesty's Government have a military attaché. [32915]

Mr. Soames: Her Majesty's Government have service attaches resident in the following countries:

Abu Dhabi
Argentina
Australia
Austria
Bangladesh
Barbados
Belgium
Brazil
Bulgaria
Canada
Chile
China
Columbia
Croatia
Cyprus
Czech Republic
Denmark
Egypt
Finland
Former Yugoslavia
France
Germany
Ghana
Greece
Guatemala
Holland
Hungary
India
Indonesia
Ireland
Israel
Italy
Jamaica
Japan
Jordan
Kenya
Kuwait
Latvia
Lebanon
Malaysia
Mexico
Morocco
Nepal
New Zealand
Norway
Oman
Pakistan
Philippines
Poland
Portugal
Qatar
Romania
Russia
Saudi Arabia
Singapore
Slovakia
South Africa
South Korea
Spain
Sri Lanka
Sweden
Switzerland
Syria
Thailand
Turkey
Uganda
Ukraine
USA
Venezuela
Zimbabwe

A further 69 countries are covered by attachés with non-residential accreditations.

Missiles

Dr. David Clark: To ask the Secretary of State for Defence when he expects to make an announcement concerning the contract for a conventionally armed stand-off missile; how many missiles are to be purchased; and what criteria he will use in making his decision. [32652]

Mr. Arbuthnot *[holding answer 13 June 1996]:* I hope to be in a position to announce the successful bid for the conventionally armed stand off missile competition shortly. The quantity of missiles being procured is classified information and cannot be released. Many factors have been considered during our assessment, including industrial factors the total cost to public funds, operational effectiveness, and such technical aspects as performance, reliability and compatibility with our delivery aircraft.

Chemical Weapons

Mr. Llew Smith: To ask the Secretary of State for Defence (1) if he will list the sites *(a)* in the United Kingdom and *(b)* in British territories abroad where chemical weapons have been manufactured or stored since 1966; and if he will places in the Library a copy of the declarations made to date under the chemical weapons convention; [33066]

(2) if he will list the sites on which chemical weapons have been manufactured or stored since 1966 to which Crown immunity applies. [33079]

Mr. Soames: The United Kingdom relinquished its offensive chemical weapons capability in the mid-1950s and no chemical weapons have been manufactured since that time in either the United Kingdom or dependent territories. Stocks of chemical weapons held were destroyed and storage sites decommissioned prior to 1966.

Any items of chemical ordnance subsequently discovered at sites in the UK where such weapons were formerly stored or trailed, are made safe and transferred to PLSD Porton Down for temporary storage prior to destruction. Porton Down is the only site at which these items have been stored since 1966.

The chemical weapons convention requires states parties to make declarations of their chemical weapon activities since 1946. Declarations are to be made within 30 days of entry into force of the convention which is likely to occur early in 1997. No UK declaration has yet been made.

The Chemical Weapons Act 1996 implements the CWC in the United Kingdom. The Act will be commenced before the convention enters into force. The Act expressly binds the Crown subject to certain qualifications.

Computer Hackers

Dr. David Clark: To ask the Secretary of State for Defence on how many occasions in each of the last five years computer systems have been illegally accessed by computer hackers in each of the services; and if he will make a statement. [32459]

Mr. Soames: As a result of the robust security policy on connectivity to public data networks such as the Internet, enforced throughout my Department, there is no evidence of any incursion, from an external source, to any departmental information technology system.

Records of unauthorised incursions by departmental staff have been maintained centrally only for the past 18 months. None of the four recorded instances has had any operational impact and appropriate disciplinary measures were taken in each case.

Bovine Spongiform Encephalopathy

Dr. David Clark: To ask the Secretary of State for Defence which areas of his Department's property are being used to *(a)* store and *(b)* dispose of cattle as part of the Government's BSE eradication programme; how much his Department is receiving for the use of this property; how many cattle have been destroyed on his Department's property; when this practice first began; and if he will make a statement. [32695]

Mr. Soames: RAF Quedgeley is being used for the storage of rendered meat and bone meal as part of the BSE eradication programme. Use of this site started on 20 May 1996. However, deliveries have now ceased. In accordance with our normal policy, the rental paid for use of this site is commercially confidential. No cattle have been or will be stored, disposed of or destroyed on my Department's property as part of the BSE eradication programme.

Boards of Inquiry

Mr. Simon Hughes: To ask the Secretary of State for Defence, pursuant to his answer of 16 April, *Official Report*, column *462*, when the board of inquiry system was instituted; and if boards of inquiry are automatically set up after an accident or suspected accident involving British-controlled nuclear weapons. [32760]

Mr. Soames: The authority to convene naval boards of inquiry is exercised under the royal prerogative; there are no statutory rules requiring or relating to them. Records of naval boards of inquiry go back at least as far as the 18th century. The Army Act of 1881 made provision for courts of inquiry to be set up. These were adopted and adapted by the Royal Air Force when it was formed in 1918.

The rules and regulations relating to service boards of inquiry lay down a number of circumstances in which they must be convened: these do not specifically indicate nuclear weapon-related matters, although they are not necessarily excluded.

Any accident or suspected accident involving British-controlled nuclear weapons is investigated, but the appropriate form of inquiry is decided upon in the light of the particular circumstances.

Nuclear Weapons

Mr. Simon Hughes: To ask the Secretary of State for Defence who has been responsible for compiling and updating the central record of accidents and suspected accidents involving *(a)* British-controlled nuclear weapons and *(b)* United States-controlled nuclear weapons within British territory since 1966. [32762]

Mr. Soames: Such information is held on a central database maintained by the staff of the nuclear weapon safety adviser.

Mr. Hughes: To ask the Secretary of State for Defence when the nuclear weapons safety committee was set up; how many people are on the committee; and how many of members are drawn from outside his Department. [32761]

Mr. Arbuthnot: The Nuclear Weapons Safety Committee was established in 1959. It comprises 12 Members, including the chairman. All are drawn from outside my Department but currently include four who have served previously in it. They are assisted by officials from my Department and other Government Departments who also attend meetings of the committee as and when necessary.

Mr. Hughes: To ask the Secretary of State for Defence who is responsible for compiling reports on accidents and suspected accidents involving *(a)* British-controlled and *(b)* United States-controlled nuclear weapons on British territory; if the nuclear weapons safety committee receives the reports; and if reports are compiled on each accident and suspected accident. [32764]

Mr. Soames: There are established procedures for reporting any unplanned occurrence involving a nuclear weapon on British territory which has resulted in actual or potential hazard to life or property or which may have impaired nuclear safety. Responsibility for compiling an immediate report would rest with the unit which has custody of the weapon. The Nuclear Weapons Safety Committee would of course be advised of any such incidents.

Departmental Function

Mr. Bayley: To ask the Secretary of State for Defence if he will name the persons who were admitted to his office on 5 June to attend a function held during the beating of the retreat ceremony by the Household cavalry. [33054]

Mr. Portillo: It is not my practice to give such information.

WALES

Inward Investment

15. **Sir Wyn Roberts:** To ask the Secretary of State for Wales how many jobs he estimates were *(a)* created and *(b)* safeguarded by inward investment in Wales in the year to 31 March. [31661]

Mr. Hague: Inward investment recorded for Wales last year promises the creation of 6,800 new jobs and the safeguarding of 5,848 existing jobs, an increase of almost 40 per cent. on the previous year's total.

19. **Mr. Robert G. Hughes:** To ask the Secretary of State for Wales what new inward investments have recently come to south Wales. [31665]

Mr. Hague: Welcome announcements and openings have recently been made, including Ford's £300 million expansion at Bridgend; Newport Wafer-Fab's £230 million expansion near Newport; Halla's £17 million investment at Pentrebach; STS's £5 million expansion at Imperial Park; Ringtel's project at Cwmbran; the Showa Corporation's new investment at Aberaman Park in the Cynon Valley; and General Electric's £27 million expansion at Nantgarw. These projects alone account for almost 5,000 new and safeguarded jobs.

Sir Irvine Patnick: To ask the Secretary of State for Wales what progress has been made in encouraging inward investment from Taiwan. [31666]

Mr. Gwilym Jones: My right hon. Friend has recently announced the official opening of an important Taiwanese manufacturing investment—Ringtel Electronics at Cwmbran. Taiwan is a very promising market and we are confident that this important investment will be followed by others.

RAF Valley

16. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Wales what representations he has received on resources for training at RAF Valley related to the contractorisation programme. [31662]

Mr. Jonathan Evans: In addition to those made by the hon. Member, the Welsh Office received four representations.

I am sure that the hon. Member will welcome the creation of some 400 new civilian jobs at RAF Valley, following the outcome of the contractorisation process.

Planning Guidance (Town Centres)

17. **Mr. Llwyd:** To ask the Secretary of State for Wales what representations he has received on the recommendations contained in the recently published planning guidance relating to town centres and shopping; and if he will make a statement. [31663]

Mr. Hague: I have received a number of letters which have been supportive of the planning guidance issued on 21 May which recognises the importance of town centres including a strong retail base and encourages development within town centres rather than out of town sites. I will shortly be issuing for consultation a draft technical advice note on town centres and retail development.

Built Heritage

18. **Sir Sydney Chapman:** To ask the Secretary of State for Wales what initiatives he has *(a)* taken recently and *(b)* plans to take to conserve the built heritage of Wales. [31664]

Mr. Gwilym Jones: My right hon. Friend and the Secretary of State for National Heritage have recently presented our consultation document, "Protecting our Heritage", which seeks views on a wide range of issues relating to the built heritage. We hope that responses will help shape our policies in this important field into the next millennium. In addition, new planning guidance for Wales has been published, setting out the planning framework which we expect will underpin the protection of the built heritage. Both documents are available in the Library of the House.

Welsh Development Agency

20. **Mr. Murphy:** To ask the Secretary of State for Wales when he last met the chairman of the Welsh Development Agency to discuss the safeguarding of existing jobs in Wales. [31667]

Mr. Hague: I frequently meet the chairman of the Welsh Development Agency to discuss a wide range of issues.

Power Station (Pembrokeshire)

21. **Mr. Simon Hughes:** To ask the Secretary of State for Wales what representations he has received in the current year on the proposals for an orimulsion-fuelled power station in Pembrokeshire. [31668]

Mr. Gwilym Jones: We have received several hundred letters.

Health Commissioners (Funding)

22. **Mr. Ainger:** To ask the Secretary of State for Wales how many representations he has received on the funding for health commissioners in Wales for 1996–97. [31669]

Mr. Gwilym Jones: Since October 1995, six letters have been received by my right hon. Friend and three parliamentary questions have been answered.

Food Industry

23. **Mr. John Marshall:** To ask the Secretary of State for Wales what measures have bene taken by his Department to encourage further development of the food industry in Wales. [31670]

Mr. Hague: My Department administers a number of grant schemes aimed at developing the food industry. In addition, I announced in the White paper "A Working Countryside for Wales" my intention to develop a food strategy for Wales, which I will launch at the Royal Welsh show in July.

Higher Education

24. **Mr. Harry Greenway:** To ask the Secretary of State for Wales how many students in Wales are currently in higher education institutions; what was the figure in May 1979; and if he will make a statement. [31671]

Mr. Jonathan Evans: The information requested may be found in the following table:

Students on higher education courses in Wales

	1979–80	*1994–95*[1]
Further and higher education institutions (including colleges of the University of Wales[2]	33,769	79,323
Open university[3]	n/a	4,441
Total	33,769	83,794

Notes:
[1] Provisional.
[2] At November or December each year depending on source.
[3] At February each year. Data not available for 1979–80.
Source:
Universities Statistical Record, Open University, Higher Education Statistics Agency and Welsh Office.

Cattle Slaughter Scheme

Mr. Morgan: To ask the Secretary of State for Wales if he will compensate Welsh farmers for the increased transport costs arising from the lack of Welsh abattoirs participating in the 30-month slaughter scheme. [30704]

Mr. Hague: I refer the hon. Member to the reply given to the hon. Member for Ynys Môn (Mr. Jones) on 16 May 1996, *Official Report,* columns *544–45.*

Ministerial Working Hours (Wales)

Mr. Llwyd: To ask the Secretary of State for Wales if he will list, by month for the last six months, the number of working hours he has spent in Wales; and if he will make a statement. [30740]

Mr. Hague: Since taking office I have divided my working time approximately equally between Wales and London.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Wales, pursuant to his answer of 26 March, *Official Report,* column *521,* how much his Department estimated it would have cost to provide the information requested. [31458]

Mr. Hague: More than £450, the current threshold above which answers are deemed to incur disproportionate cost.

Recruitment

Mr. Donohoe: To ask the Secretary of State for Wales in what circumstances his Department or its executive agencies uses an executive search agency or employment agency to recruit staff in preference to using personnel staff within his own Department or its executive agencies. [31522]

Mr. Hague: I refer the hon. Member to the reply I gave him on 11 June, *Official Report,* columns *83–84.*

Promotion (Women)

Mr. Donohoe: To ask the Secretary of State for Wales what measures his Department has implemented during the last 12 months to encourage the promotion of women into senior positions within his Department and its executive agencies; and what progress his Department has made in encouraging the promotion of women over the last five years. [31542]

Mr. Hague: During the last 12 months my Department has held development training for senior women and a series of seminars on specific equal opportunities topics for all senior officers. This training is open to staff in the executive agency Cadw.

My Department has been a member of Opportunity 2000 since 1992 and actively supports its aims.

Over the last five years, the proportion of women in the senior civil service, grades 1 to 5, has risen from 15 per cent. at 1 January 1992 to 22 per cent. at 1 April 1996.

Customer Charters

Mr. Donohoe: To ask the Secretary of State for Wales if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32833]

Mr. Hague: My Department has published charters for patients, parents, council house tenants, for further education and higher education, and a charter standard for farmers. A charter guide to the planning system has been published jointly with the Department of the Environment and the National Planning Forum. In addition, a charter standard for visitors has been produced by Cadw: Welsh Historic Monuments. No charters have been withdrawn.

Travelling People

Mr. Dafis: To ask the Secretary of State for Wales, pursuant to his answer of 30 April, *Official Report,* column *491,* to the hon. Member for Meirionnydd Nant Conwy if he will now publish details of the number and location of sites for travelling people for each county and district area and for Wales as a whole; and if he will make a statement. [32458]

Mr. Gwilym Jones: The information has already been placed in the Library of the House.

Mineral Sites

Mr. Dafis: To ask the Secretary of State for Wales if he will list the mineral sites on the first lists of sites prepared by mineral planning authorities in compliance with mineral planning guidance note 14 where the sites are wholly or partly within sites of special scientific interest and indicating the relevant sites of special scientific interest. [32765]

Mr. Gwilym Jones: This information is not collected centrally.

Ambulance Service

Mr. Alex Carlile: To ask the Secretary of State for Wales what proposals he has for the reorganisation of ambulance trusts in Wales; what public access there is to the plans; what are the main proposals; and if he will make a statement. [32766]

Mr. Hague: None. I would expect any proposals for trust reconfigurations to come from the boards themselves with the full support of their commissioning authorities. If such proposals are received, the application document would be subject to public consultation and a copy placed in the Library of the House.

Mr. Carlile: To ask the Secretary of State for Wales what plans he has to amalgamate ambulance services in Powys with Powys NHS Healthcare trust; and if he will make a statement. [32767]

Mr. Hague: None. These are operational matters for the NHS.

Mr. Carlile: To ask the Secretary of State for Wales what plans he has to close ambulance stations in powys; and if he will make a statement. [32768]

Mr. Hague: None. This is an operational matter for the South and East Wales Ambulance NHS trust.

Mr. Carlile: To ask the Secretary of State for Wales if he will make a statement on proposals to reduce operational manning levels by the South and East Wales Ambulance trust. [32769]

Mr. Hague: This is an operational matter for the board of trust which will be discussed with the Department in the context of the 1996–97 operational plan.

Mr. Carlile: To ask the Secretary of State for Wales if he will make a statement on the financial situation of the South and East Wales Ambulance trust. [32770]

Mr. Hague: All NHS trusts in Wales publish their annual report and accounts in September each year. My officials have had a number of discussions with the chairman about the work he is doing to put the trust on a firm financial footing. The trust will continue to provide monthly financial progress reports to the Department as part of the regular monitoring process.

Mr. Carlile: To ask the Secretary of State for Wales what was the total amount spent on consultancy fees by the South and East Wales Ambulance trust for the last two financial years for which figures are available. [32771]

Mr. Hague: Expenditure by the trust on external contract staffing and consultancy services is shown in its audited accounts for the following years as:

1993–94: £ Nil

1994–95: £123,000

The audited accounts for 1995–96 are not yet available.

Robert Powell (Medical Treatment)

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 15 May, *Official Report*, column *470*, if he will place in the Library a copy of the report of the inquiry into the keeping of the general practitioner records pertaining to the appeal concerning the medical treatment of Robert Powell; and what plans he has to make changes to the rules governing the holding of general practitioner records which are the subject of official action under NHS procedures. [33091]

Mr. Hague: I refer the hon. Member to my letter of 10 June, a copy of which has been placed in the Library of the House.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 15 May, *Official Report*, column *470*, what representations he has received from the family of the late Robert Powell or their legal representatives concerning ministerial meetings with the general practitioners of the late Robert Powell. [33089]

Mr. Hague: I have received a letter from Mr. Powell's solicitors which raises the issue. During his time as a Welsh Office Minister, my hon. Friend the Member for Clwyd, North-West (Mr. Richards) was not involved with the case because he was acquainted with some of the individuals concerned.

Health Services (Market Testing)

Mr. Touhig: To ask the Secretary of State for Wales what discussions he has had with chairmen of health commissions in Wales about market testing of services. [31658]

Mr. Gwilym Jones: None. NHS trusts are required to market test catering, laundry and domestic services, and are expected to look at other services which would benefit from market testing, which is a proven and successful tool for achieving high quality and flexible services, and for obtaining better value for money.

SCOTLAND

Women (Promotion)

Mr. Donohoe: To ask the Secretary of State for Scotland what measures his Department has implemented during the last 12 months to encourage the promotion of women into senior positions with his Department and its executive agencies; and what progress his Department has made in encouraging the promotion of women over the last five years. [31540]

Mr. Michael Forsyth: My Department continues to support policies which enable and assist women to reach senior positions. Flexible working patterns and family-friendly policies are well established and women in particular find this facility helpful in enabling them to further their careers.

The proportion of women is increasing at all management levels. In 1992, the earliest for which these data are available, there were 81.5 women in a total of 627.5 staff in grades 1 to 7 in the Scottish Office and its executive agencies. By 1996, a comparable figure was 102.3 women in a total of staff of 569.4.

Water Authorities

Mr. Donohoe: To ask the Secretary of State for Scotland how much was spent in the last year for which figures are available on the remuneration of the members

of the *(a)* West of Scotland Water Authority, *(b)* East of Scotland water authority and *(c)* the North of Scotland water authority. [32475]

Mr. Kynoch: The information is set out in the table and relates to remuneration paid to members by the authorities from their establishment on 17 July 1995 up to the end of March 1996.

	£
West of Scotland water authority	
Chairman	26,807
Chief executive	53,561
Other members (each)	4,021
East of Scotland water authority	
Chairman	16,968
Chief executive	53,333
Counsellor Ann Dickson	2,984
Other members (each)	4,242
North of Scotland water authority	
Chairman	28,413
Chief executive	46,667
Other members (each)	4,242

Mr. Donohoe: To ask the Secretary of State for Scotland which members of Scotland's water authorities have declared interests under schedule 7 to the Local Government Act 1994 at meetings of these bodies. [32428]

Mr. Kynoch: There have been no such declarations to date.

Mr. Donohoe: To ask the Secretary of State for Scotland what legal obligations exist on Scotland's water authorities in relation to the fluoridation of public water supplies. [32408]

Mr. Kynoch: The Water (Fluoridation) Act 1985, as amended, provides that water authorities may, on receipt of an application from a health authority, increase the fluoride content of the water which they supply within the area of that health authority.

Mr. Donohoe: To ask the Secretary of State for Scotland if he will arrange for copies of the declarations of interests of the members of Scotland's water authorities to be placed in the Library. [32429]

Mr. Kynoch: A note of the declarations made by the members of each water authority will be placed in the Library at the same time as the authorities' annual reports.

Bible John Case

Mr. McFall: To ask the Secretary of State for Scotland when Strathclyde police will report their investigations into the Bible John case. [33124]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate informs me that Strathclude police have continued to keep the regional procurator fiscal at Glasgow informed of progress with their investigations. Forensic tests have been carried out on their behalf by expert scientists at Cambridge university and a full report by the scientists to Strathclyde police is awaited shortly. Very soon thereafter, a comprehensive police report, including the results of the forensic scientific tests, will be submitted to the regional procurator fiscal, who in turn will report to Crown counsel for instructions.

Marine Mammals (Bycatchers)

Mr. Morley: To ask the Secretary of State for Scotland what percentage of the estimated harbour porpoise population in the Celtic sea area is represented by the bycatch level recorded in the United Kingdom and Irish large mesh monofilament gillnet fisheries in this area in 1992 to 1994; and what percentage bycatch of harbour porpoise populations was adopted in 1995 by the scientific committee of the International Whaling Commission as being a reasonable threshold for concern about the sustainability of catches. [31772]

Mr. Raymond S. Robertson *[holding answer 7 June 1996]:* Based on available data on gillnet bycatches, the estimates are 6 per cent. and 1 per cent. respectively. The scientific committee of the IWC is currently considering criteria for assessing the status of the harbour porpoise population.

Mr. Morley: To ask the Secretary of State for Scotland what commitments to harbour porpoise conservation the Government made in their response to the biodiversity action plan; and what is his Department's policy towards its provisions on fisheries bycatch. [31778]

Mr. Robertson *[holding answer 7 June 1996]:* The Government endorse the main proposals in the biodiversity action plan steering group report as a basis for follow-up action by country groups for England, Wales, Scotland and Northern Ireland. These groups will be responsible for implementing individual action plans, including that for the harbour porpoise, and a UK group will co-ordinate this process. The Scottish Office is committed to fulfilling its obligations for harbour porpoise conservation.

Mr. Morley: To ask the Secretary of State for Scotland how many harbour porpoises were killed annually in large mesh monofilament gillnet fisheries *(a)* in United Kingdom and Irish gillnets in the Celtic sea observed during 1992 to 1994 and *(b)* in Danish gillnets in the North sea during 1993. [31769]

Mr. Robertson *[holding answer 7 June 1996]:* The estimated number caught in these gillnet fisheries are 2,237 and 7,000 respectively.

Mr. Morley: To ask the Secretary of State for Scotland how many marine mammals were recorded as bycaught under the national voluntary reporting scheme in each of the last five years *(a)* in the United Kingdom and *(b)* in Scotland; and if he will make a statement on the effectiveness of this scheme. [31779]

Mr. Robertson *[holding answer 7 June 1996]:* Under this scheme, three common dolphins and three common seals were recorded as bycaught in 1992 and 1993 by UK fishing vessels. No bycatches have been reported in Scottish waters under these voluntary arrangements. Research is under way to determine the extent of cetacean bycatch in the bottom-set gillnet fishery in the North sea.

AGRICULTURE, FISHERIES AND FOOD

Bull Semen

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food if he will list the countries outside the European Union which ban the importation from the UK of bull semen; and what steps have been taken in each case to persuade those countries to lift the ban. [31617]

Mrs. Browning: The following countries are known to have banned the importation of bull semen from the UK prior to the introduction of the EC ban:

Argentina
Australia
Bulgaria
China
Costa Rica
Iran
Jamaica
Japan
Kenya
Mexico
Paraguay
United Arab Emirates
Uruguay

In addition, the former USSR had imposed a ban. Lithuania and the Ukraine have effectively carried this forward by requiring five-year country freedom from BSE as a condition of import.

The health conditions for the importation of bull semen into third countries from the United Kingdom are determined by the countries concerned. Prior to the introduction of the EC ban, the Department was conducting negotiations with those countries for which we had trade interest.

Now that the EC ban—as it affects semen exports—has been lifted, the Department is writing to the veterinary authorities of those third countries to which UK businesses have expressed a wish to resume exports of bull semen.

Share Fishermen

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food what additional payments *(a)* exist and *(b)* are planned for supplementary decommissioning awards with compensation for share fishermen who took their jobs when their vessels were laid up. [32535]

Mr. Baldry: I refer the hon. Gentleman to the answer I gave him on 4 June 1996, *Official Report*, column *437*.

Seeds

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food if he will list those species of tomato the buying and selling of whose seeds is permitted. [32272]

Mr. Boswell: Sale of seed of all species of tomato is permitted in the United Kingdom. However, sale of seed of varieties of tomato species Lycopersicon lycopersicum (L.) Karsten is controlled by the Seeds (National Lists of Varieties) Regulations 1982, as amended. The effect of the regulations, which implement EC directives, is that seed of varieties of this particular tomato species may be marketed only if they are on a national list of varieties of vegetable species or the EC "Common Catalogue of Vegetable Varieties."

There are currently 50 varieties of this tomato species on the UK national list and some 1,500 on the EC common catalogue.

Mr. Jones: To ask the Minister of Agriculture, Fisheries and Food (1) for what reasons the Butcher's disease-resisting cucumber is omitted from the list of species which are allowed to be commercially bought or sold as seeds; and if he will make a statement; [32276]

(2) for what reasons the Brown Bath Cos lettuce is omitted from the list of species which are allowed to be commercially bought or sold as seeds; and if he will make a statement. [32275]

Mr. Boswell: The Seeds (National Lists of Varieties) Regulations 1982, as amended, which implement EC directives, require a variety on the UK national list or EC common catalogue to have a "maintainer", responsible for maintaining it true to its original description. "Butchers disease-resisting" cucumber and "Brown Bath Cos" lettuce were deleted from the UK national list in July 1986 and April 1979, respectively, because no one could be found to maintain them.

Mr. Jones: To ask the Minister of Agriculture, Fisheries and Food for what reasons John's Purple carrot is omitted from the list of species which are allowed to be commercially bought or sold as seeds; and if he will make a statement. [32277]

Mr. Boswell: There is no record of a carrot variety "John's purple" being entered as a candidate for the UK national list under this name.

Organic Farming

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 15 May, *Official Report*, column *505*, on agricultural systems, if the comparative study his Department is considering of organic farming against conventional farming will include *(a)* the internalisation of agriculturally derived pollution clear-up and water treatment, *(b)* energy use, *(c)* soil erosion, *(d)* the internalisation of wildlife loss, *(e)* the impact of the BSE situation and *(f)* the job creation potential of each system; and if he will make a statement. [32476]

Mr. Boswell: Our general aim is to explore over time the relative environmental impact of organic and conventional farming. Because of the complexity of the issues raised, the work we have in mind at this stage is necessarily of a preliminary nature. We need to assess the available methods for comparing farm systems and valuing the differences, so that we have a reliable basis on which to take forward in-depth research. Our current plan is therefore to commission two short-term desk studies on these technical aspects. We will then consider the options for further, substantive work in the light of these initial studies.

Animal Feedstuffs

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food if he will list the cattle feed manufacturers who *(a)* now specify the full ingredients of their feeds on packaging and *(b)* do not do so, identifying those manufacturers who have additionally included the (i) estimated and (ii) actual amount of each ingredient; and if he will make a statement. [32271]

Mrs. Browning: The precise information is not available. The Government, however, welcome the recent announcement by the trade organisation that most compounders are to switch to full ingredient listing for most compound feeds at the earliest opportunity. It is estimated that this change will result in some 85 per cent. of compound feed sales being subject to full ingredient listing.

Land Management

Mrs. Ann Campbell: To ask the Minister of Agriculture, Fisheries and Food what plans he has to encourage farmers, conservationists and local authorities to work together on land management. [32425]

Mr. Boswell: The Ministry has recently established new consultation arrangements to bring together key farming, conservation and local authority interests to work with us in developing our programme of agri-environment schemes. These include the National Agri-Environment Forum, the first meeting of which I chaired in March, which includes representatives from around 25 major national bodies. We have also established regional agri-environment consultation groups in each of the nine MAFF regions. These groups bring together local farming, conservation and Government bodies to ensure that schemes are responsive to local and regional needs.

Beef Exports

Sir Wyn Roberts: To ask the Minister of Agriculture, Fisheries and Food what tonnages of British beef were exported to each European Union member country in 1994. [32902]

Mrs. Browning: Provisional data on exports of beef from the United Kingdom in 1994, as recorded in the overseas trade statistics, are as follows. Beef originating from the United Kingdom is not separately identifiable.

	Tonnes
France	102,030
Belgium-Luxembourg	3,960
Netherlands	25,135
Germany	2,739
Italy	21,103
Irish Republic	22,893
Denmark	2,788
Greece	1,025
Portugal	1,155
Spain	8,421
Sweden[1]	1,176
Finland[1]	31
Austria	nil
Total	192,456

[1] Countries joining EC in 1995.

Decommissioned Fishing Vessels

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food when the fishing vessels *(a)* Pict and *(b)* Sir Fred Parkes were decommissioned; how much was paid by his Department for each; to what (i) company and (ii) liquidator; and who owned the vessels at the time they were decommissioned. [32901]

Mr. Baldry: The fishing vessel Pict was decommissioned on 8 August 1986. A total of £728,000 was paid to Hellyer Bros. Ltd. who owned the vessel when it was decommissioned.

The fishing vessel Sir Fred Parkes was decommissioned on 11 March 1985. £620,000 was paid to Putford Enterprises Ltd. who owned the vessel when it was decommissioned.

Institute of Animal Health

Mr. Llew Smith: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the future of the Institute for Animal Health at Compton. [32036]

Mr. Ian Taylor: I have been asked to reply.

As I announced on 22 February 1996, the Institute for Animal Health is currently undergoing a prior options review, alongside reviews of other research establishments which carry out research in similar or related fields. I await the outcome of these reviews, which are due to be completed by end-July 1996.

Live Animal Transport

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food what is the policy of the United Kingdom Government on safeguarding the welfare of animals being exported to third countries. [32327]

Mrs. Browning: We have a long standing policy of permitting the export of food animals only to those countries with standards at least equivalent to those in force within the European Union on the protection of animals during transport and at slaughter.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what response he has received from the Dutch Government in respect of transportation of sheep from the Netherlands on 12 to 16 August 1995 and 5 to 7 September 1995; if he will *(a)* list and *(b)* make available the representations he has received on this subject; and what action the Dutch Government have reported to him that they have taken. [32098]

Mrs. Browning *[holding answer 10 June 1996]:* The details are still under consideration in the Netherlands. We receive many representations about the transport of animals, but records are not kept separately on the number in every category.

Disabled People

Mr. Alfred Morris: To ask the Minister of Agriculture, Fisheries and Food what action is being taken to address the problem of discrimination against disabled people in agriculture where the employer is not covered by the provisions of the Disability Discrimination Act 1995. [32267]

Mr. Boswell *[holding answer 13 June 1996]:* Employers, including agricultural employers, who employ fewer than 20 employees are not covered by the employment provisions of the Disability Discrimination Act 1995. Such employers will be encouraged to follow the guidance in the employment code of practice. My noble Friend the Minister of State, Department for Education and Employment will be deciding when and how to promote this in due course.

Beef Industry

Mr. French: To ask the Minister of Agriculture, Fisheries and Food if he has received Coopers and Lybrand's second report on the United Kingdom beef industry; and if he will make a statement. [33237]

Mr. Douglas Hogg: I am placing in the Library copies of Coopers and Lybrand's second report on the United Kingdom beef industry. The report examines the problem of unsaleable stocks in the beef chain against the background of my statement on 16 April, *Official Report* column 515, when I said that the Government did not consider that financial assistance equivalent to that being made available to the slaughtering and cutting sectors should be paid to other sectors.

Coopers and Lybrand notes that many parts of the UK beef industry are entering a period in which realignment and downsizing will take place, but state that they could not suggest any public interest argument to justify Government financial intervention at this stage.

As foreshadowed in my statement of 16 April, the Government will introduce a scheme to support the disposal and, where necessary, the storage of unsaleable beef and beef products held in the supply chain outside the slaughtering sector. This aims to help rebuild market confidence and ensure that appropriate disposal methods are used in the interests of the environment and public health. My Department will shortly issue a consultation document asking for expressions of interest in the scheme. It will be entirely voluntary and no payments will be made to companies for ownership of the stocks.

Written Answers to Questions

Tuesday 18 June 1996

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 18 June. [32060]

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 18 June. [32061]

The Prime Minister: This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Berlin Bombing 1986

Sir Teddy Taylor: To ask the Prime Minister what changes have taken place in respect of Government policy relating to responsibility for the bombing of United States soldiers in 1986 in Berlin; what measures were taken to secure further information relating to Libyan involvement; and if he will make a statement. [32819]

The Prime Minister: None. The investigation of the 5 April 1986 bombing in Berlin is a matter for the German authorities.

Sir Teddy Taylor: To ask the Prime Minister if he will raise at the next meeting of the European Council the refusal of the United States Government to provide to the German prosecution authorities communication intercepts which the US authorities stated provide proof of the Libyan involvement in the Berlin Bombing in 1986; if he will raise the issue as being of community competence; and if he will make a statement. [32967]

The Prime Minister: No. This is a matter for the United States authorities.

HOME DEPARTMENT

Buckley Hall Prison

Ms Lynne: To ask the Secretary of State for the Home Department when he received the board of visitors' first annual report for Buckley Hall prison; and on what date it will be published. [30683]

Miss Widdecombe: The board of visitors' first annual report for Buckley Hall covering 1995 was received by my right hon. and learned Friend on 26 March.

Boards of visitors' annual reports are not published documents. They are made to the Secretary of State who permits the board, if it wishes, to publish its report. In this case, the board decided at its meeting on 4 June to publish its annual report. A copy of the report can be made available to the hon. Member on written request to the vice-chairman of the board of visitors, Mr. J. H. Clements.

European Union Flag

Mr. Redmond: To ask the Secretary of State for the Home Department what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31507]

Mr. Howard: I gave instructions that, as in previous years, the European Union flag should not be flown from Home Office buildings on 8 May.

Wandsworth Prison

Mr. Cox: To ask the Secretary of State for the Home Department what are the present plans to refurbish A and B wings of Wandsworth prison; what is the estimated cost of such work; when is it proposed that this work will commence; and if he will make a statement. [32467]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Tom Cox, dated 18 June 1996:

The Home Secretary has asked me to reply to your recent Question about the present plans for the refurbishment of A and B wings at Wandsworth prison.

The Prison Service is considering three options for the refurbishment of A and B wings at Wandsworth prison which are not used at present. They are:

(i) comprehensive refurbishment at an estimated cost of £14m;

(ii) refurbishment and the installation of sanitation at an estimated cost of £11m;

(iii) installation of basic sanitation at an estimated cost of £6m.

The start date for whichever option is chosen will depend on capital availability. Our aim is to start the work as soon as possible, given the general pressure on space in the prison system.

Prison Places

Mr. George Howarth: To ask the Secretary of State for the Home Department what was the average cost of a place in each prison for the financial year 1995–96. [32353]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. George Howarth, dated 18 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the average cost of a place in each prison for the financial year 1995–96.

These figures are not yet available. They will be sent to you as soon as they are ready.

Firearms Acts (Home Office Circulars)

Mr. William Ross: To ask the Secretary of State for the Home Department if he will place in the Library an index of all Home Office circulars since 1967 relevant to the administration of the Firearms Acts 1968, 1992 and 1994, giving the number of circular, dated of issue and title. [32870]

Mr. Maclean: I have today placed an index of such circulars in the Library as requested.

Domestic Violence

Ms Lynne: To ask the Secretary of State for the Home Department when is the next scheduled meeting of the ministerial group on domestic violence. [32697]

Mr. Maclean: I expect the group to meet again soon, once a range of work that has already been commissioned for it has been completed.

Ms Lynne: To ask the Secretary of State for the Home Department for what reasons it is not possible for his Department to identify separately offences of domestic violence within the regular recorded crimes series collected centrally by the Home Office; and what plans he has to collate such statistics. [32698]

Mr. Maclean: There is currently no specific legislation which defines offences of "domestic violence" and therefore such incidents cannot be separately identified in the recorded crime data collection.

"Domestic violence" incidents could be recorded within one of several recorded crime classifications, that is public order offences, assault occasioning actual bodily harm, wounding or inflicting grievous bodily harm, indecent assault, rape or attempted rape, threats to kill, attempted murder homicide.

In terms of the recorded crime series, police forces are required to supply information by offence type rather than by victim and no data on the relationship of victim and suspect are routinely collected.

The ministerial group on domestic violence is currently considering ways of improving the statistical knowledge of the nature and extent of domestic violence.

Shotguns

Mr. William Ross: To ask the Secretary of State for the Home Department how many semi-automatic and pump action shotguns have been certified as shotguns after being modified from section 1 firearms classification under the terms of the Firearms Act 1988 in each year since the Act came into operation. [32882]

Mr. Maclean: Since the provisions of the Firearms (Amendment) Act 1988 came into force, I understand that the proof houses at London and Birmingham have certified a total of 61,169 shotguns as modified in this manner. An annual breakdown of this figure is available only at disproportionate costs.

Crime Statistics (West Midlands)

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what was the clear-up rate of *(a)* threats or conspiracies to murder, *(b)* rape, *(c)* attempted rape, *(d)* attempted murders and *(e)* woundings with intent in the west midlands for each year since 1990; and he will express the figures as a percentage change from 1990. [32878]

Mr. Maclean: The available information is given in the tables. The clear-up rate for offences of attempted rape is included within the clear-up rate for the substantive offence and is not separately identifiable.

Table 1: Clear-up rates for offences of threat or conspiracy to murder and rape recorded by the police in the West Midlands

	Threat or conspiracy to murder		*Rape*	
Year	*Clear-up rate percentage*	*Percentage point change over 1990*	*Clear-up rate percentage*	*Percentage point change over 1990*
1990	97	n/a	77	n/a
1991	97	0	86	+9
1992	92	–5	73	–4
1993	87	–10	69	–8
1994	95	–2	77	0
1995	93	–4	68	–9

n/a = not applicable.

Table 2: Clear-up rates for offences of attempted murder and wounding recorded by the police in the West Midlands

	Attempted murder		*Wounding*	
Year	*Clear-up rate per cent.*	*Percentage point change over 1990*	*Clear-up rate per cent.*	*Percentage point change over 1990*
1990	96	n/a	76	n/a
1991	[1]104	+8	76	0
1992	94	–2	73	–3
1993	88	–8	71	–5
1994	100	+4	69	–7
1995	88	–8	65	–11

[1] Offences cleared up in current year may have been recorded in an earlier year.
n/a = not applicable.

Mr. Cunningham: To ask the Secretary of State for the Home Department what was the total number of crimes involving serious physical violence or immediate danger to life per 100,000 population in the west midlands for each year since 1990; if he will express the figures as a percentage change from 1990; and if he will give comparable figures for France, Germany and the Netherlands. [32880]

Mr. Maclean: The available information relates to offences of violence against the person and is given in the table. Comparable figures for France, Germany and the Netherlands are not available.

Notifiable offences of violence against the person per 100,000 population in the west midlands

	Rate per 100,000 population	*Percentage change over 1990*
1990	390	n/a
1991	407	+4
1992	443	+14
1993	417	+7
1994	395	+1
1995	328	–16

n/a = not applicable.

Mr. Cunningham: To ask the Secretary of State for the Home Department what was the number of *(a)* rapes, *(b)* attempted rapes, *(c)* attempted murders, *(d)* woundings

with intent to do grievous bodily harm and *(e)* threats or conspiracies to murder in the west midlands for each year since 1990; and if he will express the figures as a percentage change from 1990. [32879]

Mr. Maclean: The available information is given in the tables. Figures for the number of attempted rapes are included with the substantive offence and are not separately identifiable.

Table 1: Notifiable offences of rape and attempted murder recorded by the police in the west midlands

	Rape		*Attempted murder*	
Year	*Number of offences*	*Percentage change over 1990*	*Number of offences*	*Percentage change over 1990*
1990	170	n/a	25	n/a
1991	214	+26	27	+8
1992	207	+22	33	+32
1993	204	+20	43	+72
1994	211	+24	38	+52
1995	237	+39	50	+100

n/a = not acceptable.

Table 2: Notifiable offences of wounding or threat or conspiracy to murder recorded by the police in the west midlands

	Wounding		*Threat or conspiracy to murder*	
Year	*Number of offences*	*Percentage change over 1990*	*Number of offences*	*Percentage change over 1990*
1990	9,952	n/a	168	n/a
1991	10,330	+4	178	+6
1992	11,269	+13	232	+38
1993	10,674	+7	180	+7
1994	10,149	+2	152	−10
1995	8,377	−16	127	−u24

n/a = not acceptable.

Customer Charters

Mr. Donohoe: To ask the Secretary of State for the Home Department if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32838]

Mr. Howard: The UK Passport Agency, the Fire Service College and the Prison Service all have charter standard statements. I have today published a new charter for victims of crime, superseding the charter issued in 1990. No charters, or charter standard statements, have been withdrawn.

Prisons

Ms Corston: To ask the Secretary of State for the Home Department when he expects to publish the Coopers and Lybrand report into the comparative costs of publicly and privately run prisons. [33086]

Miss Widdecombe: I refer the hon. Member to the reply given to a question from the hon. Member for Rugby and Kenilworth (Mr. Pawsey) on 13 June, column *232*.

Morgan Report

Ms Janet Anderson: To ask the Secretary of State for the Home Department, pursuant to his answer of 17 April, *Official Report*, column *524*, if he will list the local authorities engaged in crime prevention partnership as endorsed in the Morgan report broken down by political control. [32883]

Mr. Maclean: The information requested is not held centrally and could be obtained only at disproportionate cost.

Secure Establishments (Young People)

Mr. Cox: To ask the Secretary of State for the Home Department what is the present number of secure establishments for young people in England and Wales in which a person can be held while awaiting trial or sentence; and where these establishments are sited. [32877]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from David Scott to Mr. Tom Cox, dated 18 June 1996:

The Home Secretary has asked me, in the absence of the Director General, to reply to your recent Question about secure establishments in England and Wales in which young people may be held on remand or awaiting sentence.

There are 25 secure units in England, and two in Wales, approved respectively by the Secretary of State for Health and the Secretary of State for Wales for the purpose of restricting the liberty of children in the care of local authorities.

These 27 local authority secure units and their location are as follows:

	Location
The Atkinson Unit	Exeter
Aycliffe Young People's Centre	Co. Durham
Barton Moss Secure Care Unit	Manchester
Beechfield	West Sussex
Briars Hey Community Home	Liverpool
Dyson Hall Observation and Assessment Centre	Liverpool
East Moor Regional Secure Unit	Leeds
The Elm Unit, Netherton Park	Northumberland
Fairfield Lodge Observation and Assessment Centre	Southampton
Glen House Observation and Assessment Centre	Southhampton
Kesteven House	Sleaford
Lansdowne	East Sussex
Llwyn Celyn	Swansea
Market Street Children's Home	Chesterfield
Orchard Lodge	London
Red Bank School	Merseyside
Red Sands Children's Centre	Nantwich
Silverbrook Resource Centre for Children	Mid-Glamorgan
St. Catherine's Centre for Girls	St. Helens
St. John's Centre	Tiffield, Northants
St. John's Community Home School	Birmingham
Salters Observation and Assessment Centre	Peterborough
Stamford House	London
Stoke House (The Coventry Secure Unit)	Coventry
Sutton Place Safe Centre	Hull
Thornbury	Oxon
Vinney Green Secure Unit	Bristol

Juveniles may also be sent to Glenthorne Youth Treatment Centre, Birmingham, which is run by the Department of Health.

Justice and Home Affairs Council

Mr. Amess: To ask the Secretary of State for the Home Department if he will make a statement on the outcome of the Justice and Home Affairs Council held on 4 June. [33615]

Mr. Howard: I represented the United Kingdom at the Council in Luxembourg. In accordance with the policy outlined in my right hon. Friend the Prime Minister's statement to the House on 21 May, *Official Report*, columns *99–101*, I was unable to agree to any decisions requiring unanimity in the Council other than those which were purely formal or procedural.

Eleven agenda items, listed in the table, were blocked as a result of the Government's policy of non-co-operation in the European Union. However, I participated fully in negotiations on the substantive issues covered by the agenda. The main matters dealt with at the Council were as follows.

The presidency reported progress in negotiations on the draft external frontiers convention and noted that two major political problems—a role for the European Court of Justice and territorial application of the convention—were outstanding.

The Council examined the three draft directives proposed by the Commission for abolishing frontier controls and giving third country nationals a right to travel in member states, known as the "Monti Package". In addition to the United Kingdom's reserve of substance on these proposals, a number of issues of concern to other member states remain to be settled. The presidency undertook to consider whether negotiation on these instruments should be primarily a matter for the Internal Market Council or the Justice and Home Affairs Council.

The Council agreed that officials should continue work on developing Eurodac, a project to establish a database of asylum seekers' fingerprints.

The Council considered a compromise proposal for conferring on the European Court of Justice optional jurisdiction to interpret the Europol convention. The presidency concluded that this matter would be studied again at the European Council in Florence.

The Council approved a report on the implementation of the Europol drugs unit budget in 1995, and deferred a decision on the development of a computer system for Europol.

The Council considered the question of participation by the European Union in the International Law Enforcement academy in Budapest (ILEA), which is managed jointly by Hungary and the USA. The presidency concluded that, in the light of opposition by France to European Union involvement in the academy, this matter required further thought.

The Council noted progress in the structured dialogue with the central and eastern European states, and a report outlining continuing action by the European Union against drugs in Latin America and the Caribbean.

The Council discussed a number of outstanding issues arising from negotiations on the draft Convention on improved extradition procedures, and concluded that further work was required on these points by officials.

The Council discussed the question of jurisdiction for the European Court of Justice in the draft convention on corruption, and noted progress in drafting a second protocol to the convention on the protection of the Communities' financial interests.

The presidency invited member states' views on the main issues of principle remaining to be settled in relation to the draft convention on service of documents in civil and commercial matters, and referred the text for further work by officials.

Measures blocked by the United Kingdom at the Justice and Home Affairs Council, 4 June 1996

Recommendation on trafficking in works of art.

Recommendation on fight against counterfeiting.

Joint position on pre-frontier missions of assistance and information.

Joint action on liaison officers.

Decision on measures implementing Article K.1 of the Treaty on European Union.

Work programme for the Europol Drugs Unit, July-December 1996.

Budget of the Europol Drugs Unit for 1997.

Recommendation on combating illegal employment of third country nationals.

Joint action establishing the Directory of counter-terrorist competences.

Resolution laying down the priorities for co-operation in the field of justice and home affairs for the period from 1 July 1996 to 30 June 1998.

Joint position on the Hague Convention on the protection of minors.

Anti-terrorist Legislation

Ms Mowlam: To ask the Secretary of State for the Home Department when he expects to receive the conclusions of Lord Lloyd's review of anti-terrorist legislation. [32923]

Mr. Howard: I understand that Lord Lloyd expects to submit his report by the autumn.

CJD and BSE Research

Mr. Campbell-Savours: To ask the Secretary of State for the Home Department what Home Office approval of licensing arrangements exist in the case of testing (1) of milk for the purposes of Crentzfeldt-Jakob disease or bovine spongiform encephalopathy research; [32924]

(2) of urine for the purposes of CJD or BSE research. [32925]

Mr. Sackville: Any testing which might cause harm or suffering to animals, including the inoculation of tissues and fluids into laboratory animals, would need authorisation under the Animals (Scientific Procedures) Act 1986.

Electoral Registration

Mr. Barnes: To ask the Secretary of State for the Home Department if he will issue guidelines to electoral registration officers encouraging the registration of those with no fixed abode at an accommodation address in circumstances where the requirements of permanence and the qualifying date for registration are met; and if he will make a statement. [32968]

Mr. Sackville: No; accommodation addresses are not permitted under current legislation.

Mr. Barnes: To ask the Secretary of State for the Home Department what action he has taken concerning electoral registration arrangements for homeless persons following the decision in the case of Lippiatt *v.* the Electoral Registration Officer, Penwith district council. [32969]

Mr. Sackville: We aim to issue guidance in time for this year's electoral registration canvass.

Sentences

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what assessment he has made of the relative cost of custodial and non-custodial sentences for similar offences; and if he will make a statement. [33128]

Mr. Maclean: The target annual unit costs for 1996–97 for the principal disposals available to the courts are:

Prison place: £24,388

Probation order: £2,510

Community service order: £1,840

The decision whether to impose a custodial or non-custodial sentence is a matter for the courts, within the statutory limits taking into account all the circumstances of the offence and the offender. It is not determined by the costs of these disposals.

Mr. Carlile: To ask the Secretary of State for the Home Department what research he has evaluated which identifies a relationship between marginal increases in the prison population and marginal decreases in crime rates; and if he will make a statement. [33129]

Mr. Maclean: The Home Office research and statistics directorate continuously monitors research in this area. Its most recent evaluation of such research is contained within "Analysing Offending: Data. Models and Interpretations" by Roger Tarling (HMSO. 1993).

Mr. Carlile: To ask the Secretary of State for the Home Department what plans he has published to encourage judges to give shorter average sentences; and if he will make a statement. [33184]

Mr. Maclean: The Government have no plans to encourage judges to pass sentences which would mean offenders spending less time in prison. The proposals for mandatory minimum sentences for persistent burglars and drug dealers set out in the White Paper "Protecting the Public" would mean many offenders receiving significantly longer sentences than they do at present.

Prison Population Statistics

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will provide a breakdown of the prison population for *(a)* the last date for which figures are available, *(b)* five years before that date, *(c)* 10 years before that date, *(d)* 15 years before that date and *(e)* 20 years before that date, by those imprisoned for (i) non-violent property crime, (ii) violent property crime, (iii) violent crimes against the person, excluding murder and manslaughter, (iv) murder and manslaughter, (v) illegal drug possession, (vi) illegal drug trafficking and (vii) other offences; what percentage of each were men under the age of 25 years; and if he will make a statement. [33130]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from David Scott to Mr. Carlile, dated 18 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking for a breakdown of the prison population for (a) the last date for which figures are available, (b) five years before that date, (c) 10 years before that date, (d) 15 years before that date and (e) 20 years before that date, by those imprisoned for (i) non-violent property crime, (ii) violent property crime, (iii) violent crimes against the person, excluding murder and manslaughter, (iv) murder and manslaughter, (v) illegal drug possession, (vi) illegal drug trafficking and (vii) other offences; and what percentage of each were men under the age of 25 years.

Information on the historical sentenced prison population is published in "Prison statistics, England and Wales" for 30 June each year, by sex and offence. No detailed information on the prison population is published before 1976. Table references for the years requested are: 10990-table 1.7 (Cm1800), 1985-table 1.5 (Cmnd 9903), 1980-Table 1.5 (Cmnd 8372). Information for 1976 is given in table 1.5 of the statistical tables of the "Report on the work of the Prison Department" (Cmnd 6884). Summary information for 1995 is given in the table attached. A breakdown of these statistics by age is not available. Copies of these publications are available from the library.

The available information on drugs offences is published in table 1 (c) of the 1986 edition and table 1 (b) of the 1994 edition of "Prison statistics, England and Wales" (Cm 210 and 3087).

Population in Prison Service establishments under sentence on 30 June 1995; by offence and sex[1]

Offence	*Male*	*Female*
Violence against the person	8,491	290
Sexual offences	3,656	12
Burglary	5,896	57
Robbery	5,264	108
Theft and Handling	3,450	279
Fraud and Forgery	1,071	96
Drugs offences	3,858	398
Other offences	4,174	132
Offence not recorded	1,547	84
In default of payment of a fine	490	26
All offences	37,897	1,482

[1] Provisional figures.

Conviction Rates

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what research he has *(a)* commissioned and *(b)* evaluated on relative conviction rates across European countries; and if he will make a statement. [33131]

Mr. Maclean: No information is currently collected centrally on conviction rates across all European countries. My Department is participating in a Council of Europe initiative to collect such information and other crime and criminal justice statistics for all member states. The first limited results from this study have been made available in the "Draft Sourcebook on Crime and Criminal Justice Statistics" published earlier this year, a copy of which is in the Library.

Electronic Tagging

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make a statement on the electronic tagging pilot scheme. [33183]

Mr. Sackville: The electronic monitoring equipment continues to work well in all three trial areas; and the participating courts are making increased use of the curfew order. As of 13 June, 71 orders have been made since the trials began, with over 50 of these being made in the last six months.

Crime Statistics

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make a statement on the circumstances in which a crime is considered cleared up for official purposes. [33186]

Mr. Maclean: An offence is deemed to be cleared up if any of the following conditions are met:

1. a person has been charged or summonsed for the offence (irrespective of any subsequent acquittal);
2. the offence has been taken into consideration by the court or if the unequivocal consent of the offender is obtained by way of statement of admission and desire to have further offences taken into consideration;
3. the offender has been proceeded against in another police force area for the offence;
4. the offender dies before proceedings could be initiated or completed;
5. the offender has been cautioned by the police;
6. the offender is ill and is unlikely to recover or is too senile or too mentally disturbed for proceedings to be taken;
7. the complainant or an essential witness is dead and the proceedings cannot be pursued;
8. the guilt of the offender is clear but the victim refuses, or is permanently unable, or if a juvenile is not permitted, to give evidence;
9. the offender admits the offence but it is decided that no useful purpose would be served by proceeding with the charge;
10. it is ascertained that an offence has been committed by a child under the age of criminal responsibility;
11. an offence is admitted by a juvenile of the age of criminal responsibility and police take no action other than reporting the particulars to a local authority for action under the Children and Young Persons Act 1969;
12. There is sufficient evidence to charge the offender but

    (a) The police prosecuting department, the Crown Prosecution Service or a senior police officer decide that no useful purpose would be served by proceeding with the charge; or

    (b) for summary offences of unauthorised taking of a motor vehicle or criminal damage value over £20 the time limit of six months for commencing prosecution has been exceeded.

WPC Yvonne Fletcher

Mr. Dalyell: To ask the Secretary of State for the Home Department (1) pursuant to his answer of 21 May, *Official Report,* column *96,* about WPC Fletcher, when he expects the review of the contents of the television programme to be complete; [31915]

(2) pursuant to his answer of 20 May, *Official Report,* column *19,* about the video in respect of WPC Fletcher, when he expects the Metropolitan police to conclude their consideration of the question. [31945]

Mr. Howard *[holding answer 7 June 1996]:* I understand from the Metropolitan police that they hope to have reached their conclusions on these matters in the near future.

USAF Mildenhall

Mr. Madden: To ask the Secretary of State for the Home Department what representations he has received from, or on behalf of, the Suffolk constabulary concerning the definition of the powers of the American visiting forces outside USAF Mildenhall. [31952]

Mr. Maclean *[holding answer 10 June 1996]:* None.

Mr. Gultasab Hussain

Mr. Madden: To ask the Secretary of State for the Home Department what requests he has received from the British high commission in Islamabad to undertake inquiries into the application by Mr. Gultasab Hussain (ref: HO C8645) to join his wife in the United Kingdom; on what date the request was received; what information has been requested; and when the inquiries will be completed. [32957]

Mr. Kirkhope *[holding answer 17 June 1996]:* The entry clearance officer in Islamabad wrote to the Home Office on 20 June 1995 asking for some inquiries to be made. These were completed and a report was sent to the entry clearance officer in October 1995.

Animal Welfare

Mr. Morley: To ask the Secretary of State for the Home Department how many prosecutions were brought by the police relating to animal welfare; how many were successful in the last available year; and if he will make a statement. [32810]

Mr. Maclean *[holding answer 17 June 1996]:* Information for 1994 is given in the table. The 1995 data will not be available until autumn 1996.

Number of prosecutions brought by the police for offences relating to animal welfare by result England and Wales 1994

Offence	*Police prosecutions*	*Convictions*
Cruelty to animals	284	204
Animals (Scientific Procedures) Act 1986, Sec. 22(3), 23 and 25(3).	2	2
Protection of Animals Act, 1911 (as amended).	217	160
Wildlife and Countryside Act, 1981, Sec 8.	—	—
Performing Animals (Regulation) Act 1925	—	—
Protection of Animals Act, 1934.	1	1
Pet Animals Act, 1951.	2	1
Protection of Animals (Amendment) Act, 1954.	11	9
Animal Health Act, 1981, Secs 40–42, 46, 49 and Orders under Secs 8, 9, 37,38,39 and 43.	5	1
Slaughterhouses Act 1974.	—	—

Number of prosecutions brought by the police for offences relating to animal welfare by result England and Wales 1994

Offence	*Police prosecutions*	*Convictions*
Abandonment of Animals Act, 1960, Sec 1.	6	3
Animal Boarding Establishments Act, 1963.	—	—
Riding Establishments Acts, 1964 and 1970.	—	—
Agriculture (Miscellaneous Provisions) Act, 1968, Secs 1, 2 and 6.	2	1
Protection of Badgers Act, 1992	32	22
Wildlife and Countryside Act, 1981, Sec 9	4	2
Wildlife and Countryside Act, 1981, Sec 11	2	2
Breeding of Dogs Acts 1973 and 1991	—	—
Diseases of animals Act	10	9
Wild Birds Protection Acts	49	32

TREASURY

Plastic Banknotes

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what plans he has to introduce plastic banknotes. [31821]

Mrs. Angela Knight: There are no current plans to introduce plastic banknotes, but the Bank of England keeps all aspects of banknote production under constant review.

Statistics

Mr. Fisher: To ask the Chancellor of the Exchequer which statistics his Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32869]

Mrs. Angela Knight: Numerous changes in the basis of compilation, presentation and publication of statistics occur in response to the requirements of Government, business and the wider community, including international organisations, for statistical information. Other changes reflect changes in administrative systems on which some series are based, the development of new statistical techniques and technological developments affecting the compilation and dissemination of statistical data.

When such changes are made, they are fully documented in the relevant statistical publications. Also, for example, the published annual reports of the former Central Statistical Office since 1991–92 have listed all the surveys of businesses carried out. To bring together all the relevant information on statistics collected and published would involve disproportionate cost.

Northern Ireland Companies (Employee Schemes)

Mr. John D. Taylor: To ask the Chancellor of the Exchequer how many companies in Northern Ireland have set up and operated *(a)* profit-related pay schemes, *(b)* employee share ownership plans and *(c)* approved employee share schemes in each of the past five years; and what has been the estimated tax saving in each of those five years. [32179]

Mr. Jack: I regret that the information is not available centrally, since the registered addresses of companies—which could, in principle, be analysed—may differ from the regions in which their employees work.

Balance of Payments

Mr. Amess: To ask the Chancellor of the Exchequer what was the next contribution of financial services excluding investment income to the United Kingdom balance of payments in each year since 1992. [32343]

Mrs. Angela Knight: The net contribution of financial services—excluding investment income—to the UK balance of payments, in each year from 1992, was as follows:

	£ million
1992	4,713
1993	5,286
1994	5,572
1995	5,528

Sources:
The Pink Book.
First Release (CSO(96)68).

Postage Costs

Mr. Donohoe: To ask the Chancellor of the Exchequer how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32854]

Mrs. Angela Knight: The information requested is:

	1994–95	*1995–96*
Expenditure on postage	£70,938	£70,166
Number of items (1st, 2nd, parcel post)	359,962	337,290

Tax Fraud

Mr. Simpson: To ask the Chancellor of the Exchequer what was the budget and staffing level, for the investigation of tax fraud in the last financial year; and what amounts were detected or reclaimed as a direct result of these investigations. [32903]

Mr. Jack: It is not possible to isolate the resources and yield which relate to fraud investigations from other tax investigation work. But I refer the hon. Member to the replies I gave to the hon. Member for Darlington (Mr. Milburn) on 26 October 1995, *Official Report*, columns *727–28*, and 3 November 1995, *Official Report*, column *503*. Later figures are not yet available.

Unemployment

Mr. Ainger: To ask the Chancellor of the Exchequer (1) what were the unemployment rates in November 1995 in the constituencies of *(a)* Bassetlaw, *(b)* Rotherham, *(c)* Barnsley, Central, *(d)* Barnsley, East, *(e)* Donacaster and *(f)* Easington; [32756]

(2) what were the unemployment rates in February in the *(a)* Newcastle upon Tyne, East and *(b)* Wallsend constituencies. [32757]

Mrs. Angela Knight *[holding answer 13 June 1996]:* Information on percentage rates of claimant unemployment is not available by parliamentary constituency. However, information on numbers of people claimant unemployed are published in "Labour Market Trends", and on the Nomis database, available in the House of Commons Library.

Benefit Statistics

Mr. Hinchliffe: To ask the Chancellor of the Exchequer what sums and what proportion of gross domestic product was devoted to *(a)* social security, *(b)* benefits for the unemployed, *(c)* housing benefit, *(d)* social housing, *(e)* the national health service and *(f)* public transport in each since 1979. [32104]

Mr. Waldegrave *[holding answer 17 June 1996]:* A functional breakdown of general government expenditure from 1978–79 to 1995–96 is given in cash, in real terms and as a percentage of gross domestic product in tables 1.2, 1.3 and 1.4 respectively of the "Public Expenditure Statistical Analyses 1996–97", Cm 3201. A more detailed breakdown of the general government expenditure can be found in table 1.5 of the same publication for the 1990–91 to 1995–96 years. Figures for other functional headings are available only at disproportionate cost.

FOREIGN AND COMMONWEALTH AFFAIRS

Statistics

Mr. Fisher: To ask the Secretary of State for Foreign and Commonwealth Affairs which statistics his Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32856]

Sir Nicholas Bonsor: The Overseas Development Administration collects and reports aid statistics in accordance with internationally agreed directives, which have changed little since 1989; and publishes a selection to meet the needs of customers, including Parliament and others with an interest in the UK aid programme. Some statistics on numbers of experts, students and trainees funded by UK aid are not presently published, pending system reorganising.

The FCO diplomatic wing collects a range of statistical information for internal management purposes. The nature of this has evolved to support more efficient management of resources. However, no central record is kept of which statistics are discontinued.

In the past few years, the volume of information published has increased considerably, in line with open government policy. In particular the FCO's departmental report, a copy of which is in the Library of the House, contains a wealth of statistical material.

Gulf War

Mr. Fatchett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress towards securing compensation for those British citizens held hostage by Iraq during the Gulf war. [33058]

Sir Nicholas Bonsor: The governing council of the UN Compensation Commission—UNCC—last met in Geneva on 28 and 29 May and approved the second instalment of 62,122 category 'C' claims—which include compensation for having been held hostage. Some 235 British claimants in this instalment have been awarded a total of $4.6 million.

Payment of compensation will not be possible until UN Security Council resolution 986—oil for food—is implemented and sufficient money has accumulated in the compensation fund.

European Initiatives

Mr. Ron Davies: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the European initiatives which have been blocked by the United Kingdom Government since the current policy of non-co-operation commenced. [33033]

Mr. David Davis: As a consequence of the policy of non-cooperation, we blocked the following measures in the period 21 May to 14 June:

Measures on which the UK has withheld agreement to date for BSE reasons

Date	*Forum for agreement*	*Measure*
22 May 1996	IGC Working Group	Request for extra briefing meeting with EP
22 May 1996	CFSP—Coreu	Presidency initiative on Mongolian election observers
	CFSP—Coreu	Presidency proposal for EU statement on detention of pro-democracy activists in Burma
23 May 1996		Signature of Insolvency Convention
23 May 1996	Civil Protection Council	Community action programme
23 May 1996	Civil Protection Council	Council Resolution on research
23 May 1996	Civil Protection Council	Council Resolution on co-operation with CEEs
28 May 1996	Development Council	Council Conclusions on emergency aid, rehabilitation and long term development
28 May 1996	Development Council	Council Conclusions on operational co-ordination
28 May 1996	Development Council	Council Conclusions on decentralised co-operation
28 May 1996	Development Council	Council Conclusions on migration and development
28 May 1996	Development Council	Council Resolution on environmental impact of development projects
28 May 1996	Development Council	Council Decision on financial measures for Centre for Development of Industry

Measures on which the UK has withheld agreement to date for BSE reasons

Date	*Forum for agreement*	*Measure*
28 May 1996	Development Council	EU/Mexico negotiating mandate and political declaration
28 May 1996	Development Council	Council Decision on emergency travel document
28 May 1996	Internal Market Council	Council Resolution on legislative simplification
28 May 1996	Internal Market Council	Council resolution on administrative co-operation
28 May 1996	Internal Market Council	Council conclusions on accounting standards
28 May 1996	Internal Market Council	Council conclusion on European company statute
28 May 1996	Internal Market Council	Council decision on Action programme for EU industry
28 May 1996	CFSP—Coreu	EU reply to UNGA resolution 50/75 (strengthening security and co-operation in Mediterranean)
28 May 1996	CFSP—Coreu	Demarche to Israeli authorities concerning blocking of EU activities and personnel in West Bank and Gaza
28 May 1996	CFSP—Coreu	Draft EU letters on Salman Rushdie
28 May 1996	CFSP—Coreu	Critical dialogue meeting on 19 June with Iran
29 May 1996	Former Yugoslavia Working Group (CFSP)	French proposal for a demarche in Skopje on FYROM participation in the PIC Working Group
30–31 May 1996	Political Committee (CFSP)	Geographical directors (troika) visit to Beijing
3 June 1996	ECOFIN	Draft regulation protecting financial interests of Community
3 June 1996	ECOFIN	Proposal on VAT on cut flowers
3 June 1996	ECOFIN	Response to Hariri on request for Lebanon reconstruction assistance
3 June 1996	Social Affairs Council	Council decision on Year against racism and xenophobia
3 June 1996	Social Affairs Council	Council resolution on transferability of vocational training qualifications
3 June 1996	Social Affairs Council	Council conclusions on demography
3 June 1996	Social Affairs Council	Recommendation on balanced participation of men and women in decision making

Measures on which the UK has withheld agreement to date for BSE reasons

Date	*Forum for agreement*	*Measure*
3 June 1996	Heads of EU mission meeting Tel Aviv CFSP	Proposed visit of Italian Foreign Minister to Israel on behalf of EU
3 June 1996	Working Group on external fisheries policy	Competences for FAO committee on Fisheries Trade
4 June 1996	EU consuls, Bangkok—CFSP	Sending of aide memoire on prisoner transfers and related matters to Thai Justice Ministry
4 June 1996	Coreu—CFSP	Further circulation of Presidency statement on elections in Albania
4 June 1996	Coreu—CFSP	EU approach to US concerning Liberia visa restrictions
4 June 1996	Coreu—CFSP	EU demarche on civil rights in Belarus
4 June 1996	Justice and Home Affairs Council	Recommendation on Trafficking in works of art
4 June 1996	Justice and Home Affairs Council	Recommendation on Fight against counterfeiting
4 June 1996	Justice and Home Affairs Council	Draft 1997 budget of Europol
4 June 1996	Justice and Home Affairs Council	Report on 1995 Europol budget
4 June 1996	Justice and Home Affairs Council	Joint action on directory of counter terrorist competences
4 June 1996	Justice and Home Affairs Council	Joint action on drugs liaison officers
4 June 1996	Justice and Home Affairs Council	Decision on measures implementing Article K1 of the Treaty on European Union
4 June 1996	Justice and Home Affairs Council	Joint action on pre-frontier assistance and training assignments
4 June 1996	Justice and Home Affairs Council	Recommendation on combatting illegal employment
4 June 1996	Justice and Home Affairs Council	Work programme for Europol Drugs unit July–December 1996
4 June 1996	Justice and Home Affairs Council	Resolution laying down priorities for co-operation in the field of justice and home affairs 1 July 1996–30 June 1998
4 June 1996	Justice and Home Affairs Council	Common position on draft Hague Convention on Protection of Minors
5 June 1996	CFSP	Presidency discussion paper on IAEA 93+2 programme
5 June 1996	CFSP	Draft EU contribution to Nuclear suppliers group paper
8–9 June 1996	Euro-Mediterranean Ministerial Conference	Conference conclusions on dialogue on third country energy co-operation

Measures on which the UK has withheld agreement to date for BSE reasons

Date	*Forum for agreement*	*Measure*
10 June 1996	General Affairs Council	EU declaration on Great Lakes (especially Burundi)
10 June 1996	General Affairs Council	TACIS regulation
10 June 1996	General Affairs Council	Common position for EU/Syria Co-operation Council 10 June
10 June 1996	General Affairs Council	Common position for 10 EEA Council
10 June 1996	General Affairs Council	Common position/joint action on biological and chemical weapons
10 June 1996	General Affairs Council	Political decision on resumption of aid to Niger
10 June 1996	General Affairs Council	Decision on financial measures for Centre for Development of Industry
10 June 1996	General Affairs Council	Council conclusions on Barcelona follow up
10 June 1996	General Affairs Council	6th VAT directive—derogation for Neisse Bridge
10 June 1996	General Affairs Council	Adoption of common position on East Timor
10 June 1996	General Affairs Council	Joint Declaration on political dialogue between EU and Andes Community
10 June 1996	General Affairs Council	Assent to Commission decision on ECSC and Kazakhstan on trade in steel products
10 June 1996	General Affairs Council	Appointment to Committee of the Regions
10 June 1996	General Affairs Council	EEA joint committee—ALTENER programme: decision on co-operation
10 June 1996	General Affairs Council	EU/Mexico negotiating mandate and political declaration
10 June 1996	General Affairs Council	Response to Hariri on request for Lebanon reconstruction assistance
10 June 1996	General Affairs Council	Decision on emergency travel document
10 June 1996	Fisheries Council	Decision on implementation of Community Action programme on competitiveness of industry
11 June 1996	Culture Council	Council Resolution on industrial co-operation with other regions and third countries
11 June 1996	Culture Council	Council Decision on ARIANNE Programme
11 June 1996	Culture Council	Council Decision on RAPHAEL Programme

Measures on which the UK has withheld agreement to date for BSE reasons

Date	*Forum for agreement*	*Measure*
11 June 1996	Culture Council	Resolution on access to culture
11 June 1996	Culture Council	Resolution on electronic publishing and libraries

Beef Imports

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the date of implementation of *(a)* the EU ban on imports of United States beef and *(b)* the United States ban on imports of British beef. [31764]

Mrs. Browning: I have been asked to reply.

There is no EU ban on imports of United States beef. The United States of America appears on the list of countries approved for the export of bovine animal and meat, amongst other products, to the EU. However, Council directive 88/146/EEC prohibits the importation from third countries of animals and meat from animals which have been administered hormones as growth promoters. The use of such hormones is permitted in the United States and the US authorities are challenging the EU import restriction through World Trade Organisation procedures.

The UK has not received any formal notification from the United States Department of Agriculture of a ban on imports of British beef. However, the United States has not accepted imports of British bone-in beef since 1989. In view of the clear unwillingness of the US authorities to accept such imports, subsequent negotiations have concentrated on securing access to the American market for boneless beef. These were successfully concluded in July 1994 when health certification for the import of British boneless beef was agreed with the USA.

OVERSEAS DEVELOPMENT ADMINISTRATION

Developing Nations

Mr. Jamieson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries that are currently classified by his Department as developing nations and are receiving Government aid. [33273]

Mr. Hanley: The 27 members of the Organisation for Economic Co-operation and Development are generally regarded as the world's developed or industrialised countries. Countries in the rest of the world are broadly divided into two categories—the developing countries and "transition" countries. The latter category comprises Latvia, Lithuania, Ukraine, Slovak Republic, Poland, Czech Republic, Russia, Estonia, Belarus, Hungary, Moldova, Bulgaria and Romania. The Government give aid to around 160 developing and transition countries.

Mr. Jamieson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries that have been classified as developing nations since 1966 indicating the total amount each country has received in aid. [33272]

Mr. Hanley: The ODA publication, "British Aid Statistics"—published annually since 1965—provides comprehensive information on UK aid flows. Information on aid flows to and from other countries is contained in the World Bank's "World Development" report—it includes aid receipts by all countries—and in the OECD's publication "Geographical Distribution of Financial Flows to Aid Recipients". Historical data in these publications date back to the late 1960s only. All three publications are held in the Libraries of the House.

Mr. Jamieson: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria determine the eligibility of a country to qualify as a developing nation for ODA aid; and which body determines which countries are eligible. [33274]

Mr. Hanley: The OECD's Development Assistance Committee maintains a list of countries to which donors give aid. Part 1 of the DAC list is made up of developing countries. Help to these countries counts as official development assistance. Part 2 of the list is made up of transition countries, plus six graduated countries—Bahamas, Brunei, Kuwait, Qatar, Singapore and United Arab Emirates.

Governments are free to give aid to whichever countries they wish, but only aid to part 1 countries on the DAC lists counts as "official development assistance".

ENVIRONMENT

Volatile Organic Compounds

Ms Walley: To ask the Secretary of State for the Environment (1) if he will meet the Environmental Industries Commission for the purpose of reviewing the VOC pollution deadlines; and if he will make a statement; [32598]

(2) if he will now meet the Environmental Industries Commission for the purpose of reviewing the VOC pollution deadlines; and if he will make a statement. [32595]

Mr. Clappison: My right hon. Friend is meeting my hon. Friends the Members for Bromsgrove (Mr. Thomason) and for Wyre (Mr. Mans), together with representatives of the Environmental Industries Commission, on 9 July, when any such matters can be discussed.

Ms Walley: To ask the Secretary of State for the Environment if he will commission a further report on the costs of reducing VOC emissions with the remit to consider definitive cost estimates for individual sectors. [32593]

Mr. Clappison: My right hon. Friend the President of the Board of Trade published a detailed study of costs of reducing VOC emissions from industry on 3 May. A copy is in the Library of the House. My Department will shortly be publishing a study of the costs of implementing the proposed EC solvents directive in relation to three industry sectors. My Department has no current plans for any further studies, but we will keep the position under review.

Energy Advice Centres

Mr. Jon Owen Jones: To ask the Secretary of State for the Environment what were the aims of the three-year energy advice centres pilot study. [32945]

Mr. Robert B. Jones: The study aimed to test the cost-effectiveness of the provision of free, impartial advice on energy efficiency.

Mr. Jones: To ask the Secretary of State for the Environment (1) what plans he has to fund the energy advice centres after March 1997; [32949]

(2) what future funding plans he has made for the energy advice centres. [32948]

Mr. Jones: The Government passed control of the local energy advice centre pilot study to the Energy Saving Trust at the beginning of April. It is preparing proposals for the future and will pass them on to my Department for consideration shortly.

Mr. Jones: To ask the Secretary of State for the Environment if he will list the 10 top performing local energy advice centres in order of achievement of their targets; and what percentage of their targets they *(a)* achieved and *(b)* exceeded. [32947]

Mr. Jones: The following 10 LEACs were the top performers in order of achievement of their targets:

Tyneside
Cardiff
Bristol
Swansea
Greenwich
Plymouth
Tayside
Lothian and Edinburgh
Aberdeen
Belfast

All 10 LEACs achieved and exceeded their targets.

Mr. Jones: To ask the Secretary of State for the Environment what assessment he has made of the energy advice centre pilot scheme; and if he will make a statement. [32950]

Mr. Jones: The Government passed control of the local energy advice centre pilot study to the Energy Saving Trust at the beginning of April 1996. The trust is assessing the pilot study, which will be completed at the end of September.

Mr. Jones: To ask the Secretary of State for the Environment what percentage of the energy advice centres have *(a)* achieved and *(b)* exceeded their targets. [32946]

Mr. Jones: Some 24 of the 33 local energy advice centres achieved and exceeded their targets.

Water Supply (Yorkshire)

Mr. Redmond: To ask the Secretary of State for the Environment what action he is taking to ensure that dairy

farmers in the counties of Yorkshire will have a constant supply of mains water, with particular reference to those whose mains supply is also connected to other domestic households in the vicinity. [32907]

Mr. Clappison: Save for small areas at the borders of the counties, Yorkshire Water Services Ltd. and The York Waterworks plc are the appointed water undertakers serving the counties of Yorkshire. These and all water undertakers have the statutory duty to maintain supplies to all existing consumers and I expect them to take all the measures necessary to do so.

Housing Starts

Mr. Cann: To ask the Secretary of State for the Environment what was the total number of housing starts in England in the first quarter of 1996; and what percentage change this was over the equivalent period in 1995. [32956]

Mr. Clappison: It is estimated that in England during the first quarter of 1996 there were 31,800 new dwellings started. This represents a fall of 12 per cent. compared to the first quarter of 1995 when 36,100 starts were reported.

Cemfuel

Mr. Nigel Evans: To ask the Secretary of State for the Environment what was the level of heavy metals in cemfuel when tested at Ribblesdale, Clithero, in October 1994. [32823]

Mr. Clappison: The concentrations of heavy metals in two samples taken during these trials are on the public register and were as follows.

Metal	*Sample M1348, mg/kg*	*Sample 1349, mg/kg*
Cadmium	4.3	4.57
Thallium	<0.05	<0.05
Mercury	<0.05	<0.05
Antimony	20	16.7
Arsenic	1.02	<0.05
Chromium	55	39
Cobalt	2.11	2.66
Copper	48	46
Lead	186	157
Manganese	28	18.2
Nickel	7.3	2.19
Tin	<0.05	<0.05
Vanadium	4.22	2.6

Mr. Evans: To ask the Secretary of State for the Environment what were the environmental values given to each of the individual emissions from burning cemfuel at Castle Cement, Clitheroe; and which increased as compared to burning coal. [32835]

Mr. Clappison: The attached tables show the emissions when burning coal or coal plus cemfuel, the environmental assessment level values and the calculated environmental quotient.

Coal only November 1994

Substance	*Stack conc mg/m³ STP*	*Stack conc mg/m³ actual*	*Mass flow mg/s*	*MGLC µ/m³ (x1000)*	*EQS or EAL µ/m³*	*EQ (air) (x100)*
NO_x	1216	665	119,737	836	83.3	1.0038
SO_2	1274	697	125,448	876	80	1.0950
particulate	47	25.7	4,628	32	80	0.0404
HF	0.19	0.1	18.7	0.1306	6.5	0.002
HCl	76	41.6	7484	52.26	7	0.7466
CO	247	135.1	24322	169.8	550	0.0309
NH_3	3.83	2.1	377	2.634	170	0.0015
Pb	0.221	0.12	21.8	0.152	2	0.0076
Cr(III)	0.085	0.047	8.37	0.0584	5	0.0012
Cr(VI)	0.000255	0.0001	0.02	0.0001	0.01	0.00010
Mn	0.018	0.01	1.76	0.0123	50	0.0000
Ni	0.038	0.02	3.74	0.0261	10	0.0003
$EQ_{(air)}$x100	—	—	—	—	—	2.9293
$EQ_{(air)}$	—	—	—	—	—	0.0293

Table 6.3: Cemfuelµ November 1994

Substance	*Stack conc mg/m³ STP*	*Stack conc mg/m³ actual*	*Mass flow mg/s*	*MGLC µ/m³ (x1000)*	*EQS or EAL µ/m³*	*EQ (air) (x100)*
NO_x	1212	662	119,147	832	83.3	0.9988
SO_2	1311	717	129,092	901	80	1.1269
particulate	72	39.4	7,090	50	80	0.0619
HF	0.15	0.082	14.8	0.1	6.5	0.0016
HCl	26	14.2	2,560	18	7	0.2554
CO	459	251.1	45,197	316	550	0.0574
NH_3	6.7	3.7	660	4.6	170	0.0027
Pb	0.340	0.19	33.48	0.23	2	0.0117
Cr(III)	0.539	0.3	53.10	0.37	5	0.0074
Cr(IV)	0.0016	0.001	0.18	0.001	0.1	0.0010
Co	0.01	0.006	1.08	0.008	0.2	0.0040
Cu	0.008	0.004	0.72	0.005	2	0.0003
Mn	0.062	0.034	6.12	0.043	50	0.0001
Ni	0.348	0.19	34.20	0.24	10	0.0024

Table 6.3: Cemfuel μ November 1994

Substance	Stack conc mg/m³ STP	Stack conc mg/m³ actual	Mass flow mg/s	MGLC μ/m³ (x1000)	EQS or EAL μ/m³	EQ (air) (x100)
$EQ_{(air)}$*100	—	—	—	—	—	2.5316
$EQ_{(air)}$	—	—	—	—	—	0.0253

Statistics

Mr. Fisher: To ask the Secretary of State for the Environment which statistics his Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32860]

Mr. Clappison: The main statistical series discontinued since 1989 are as follows:

(a) Collections

Housing

Local authority housing schemes

Proposals to acquire land

Tender stage—new build; environmental improvement; renovation above/below threshold

Practical completions—new build; renovation above threshold.

Tenders accepted for local authority housebuilding/renovation of local authority stock condition.

General improvement areas (GIA)

Housing action areas (HAA)

Declaration of GIA or HAA

Right to repair

Housebuilding by police authority

Homes Insulation scheme

Local authority insulation activity

Old style home improvement grants

Land use

Land use change statistics for Wales and Scotland

(b) Publication

Housing

Loans for house purchase made by insurance companies (no longer collected independently)

Land Use

In this year's publication programme the following district level series will be dropped (still available at regional and national level).

Section 78 planning appeals against refusal

Appeal against enforcement notices by district planning authorities

Listed building and conservation area consent enforcement appeals by region.

Water Byelaws

Mrs. Helen Jackson: To ask the Secretary of State for the Environment (1) when he will complete the consultation over the revision to water byelaws; and when he plans to put draft regulations to replace water byelaws before the House; [33376]

(2) if he will list the areas covered by the consultation over revising water byelaws; [33377]

(3) if he has required a proposed water conservation target to be included in his revision of water byelaws; [33378]

(4) if he will list the members of the Water Regulation Advisory Committee looking into the replacement of water byelaws. [33379]

Mr. Clappison: My Department issued a consultation document on the general arrangements for replacement of the water byelaws in January 1995. In the light of the comments received, I announced on 26 March the establishment of a Water Regulations Advisory Committee, whose membership I hope to announce shortly.

Regulations to replace the water byelaws will deal with the prevention of contamination, waste, undue consumption and misuse of water in premises. They are expected to include requirements on water usage by fittings and appliances.

There will be a further consultation on draft proposals, the timing of which will be determined in the light of advice from WRAC, which will also be asked to advise on the extension of the current water byelaws.

SCOTLAND

European Union Flag

Mr. Redmond: To ask the Secretary of State for Scotland what instructions were issued to his Department's offices and agencies in respect of flying the European Union flag on 8 May; and if he will make a statement. [31510]

Mr. Michael Forsyth: I asked officials to make sure that the European flag did not fly on 8 May.

Development Corporations

Mr. Donohoe: To ask the Secretary of State for Scotland what was the amount spent by each development corporation in Scotland in supporting housing associations or co-operatives within their areas in each of the last three years; and if he will list the bodies and the amounts they have received. [32229]

Mr. Kynoch: I refer the hon. Member to the answer I gave on 19 July 1995, *Official Report*, columns *1525–26*, which provides the only information held centrally on the expenditure incurred by the former development corporations in East Kilbride and Glenrothes.

The up-to-date information for the other corporations still in existence is set out in the table.

Development corporation	Housing association	Amount £	Financial year
Cumbernauld	Abronhill	10,500	1993–94
Irvine	Irvine	127,413	1993–94
		181,661	1994–95
		[1]–2,837	1995–96
Livingston	Almond	83,672	1993–94
		[1]–15,467	1994–95

[1] These figures are after deduction of Scottish Homes' contributions of £24,737 to Irvine development corporation and £24,140 to Livingston development corporation in these years.

Scottish Homes (Former Chairman)

Mr. Donohoe: To ask the Secretary of State for Scotland what are the terms of the financial settlement made to Sir James Mellon, the former chairman of Scottish Homes, following his departure from this position. [32546]

Mr. Raymond S. Robertson: Sir James Mellon's appointment as chairman of Scottish Homes expired on 31 March 1996. There was no financial settlement following his departure.

Wheelchairs

Dr. Godman: To ask the Secretary of State for Scotland how many powered indoor/outdoor wheelchairs have been provided to patients and other users by each of the health boards since 1992; and if he will make a statement. [32706]

Lord James Douglas-Hamilton: Information in the form requested by the hon. Member is not held centrally. However, the number of powered indoor and indoor/outdoor wheelchairs issued by each providing centre during the period 1992 to 1995—the latest period for which figures are available—is shown:

	Aberdeen		Dundee		Glasgow		Inverness		Edinburgh			
	Indoor	Indoor/ outdoor	Indoor	Indoor/ outdoor	Indoor	Indoor/ outdoor	Indoor	Indoor/ outdoor	Indoor	Indoor/ outdoor	Total indoor	Total in/ outdoor
1992–93	88	0	46	2	211	35	0	0	55	29	400	66
1993–94	60	30	39	33	376	206	7	15	61	27	543	311
1994–95	58	46	89	62	460	438	26	14	89	29	722	589

In the last three years, special funding totalling £2,775,000 has been made available for the provision of powered indoor/outdoor wheelchairs. The scheme has been extended and from 1 April 1996 funding is included in allocations to health boards.

Council Tax

Mr. Tom Clarke: To ask the Secretary of State for Scotland what powers he has under sections 72, 74 and 80 of the Local Government Finance Act 1992 to alter the valuation list bands for dwellings; and if he will use those powers to alter the council tax liability of residents of mobile homes. [33045]

Mr. Kynoch: My right hon. Friend has powers under section 74 of the Local Government Finance Act 1992 to alter the valuation bands for dwellings by order. My right hon. Friend has, however, no plans to make such an order.

Primary School Class Sizes

Mr. Davidson: To ask the Secretary of State for Scotland (1) how many children in primary school in Scotland are being taught in classes of more than 30 in the current year; and how many there were in each of the last five years; [32952]

(2) how many primary classes in Scotland contain more than 30 children, in the current year; and how many there were in each of the last five years; [32953]

Mr. Raymond S. Robertson: Information on class sizes is collected biennially in the September school census. The available information is given in the table.

Education authority primary schools

	September 1991	September 1993
Number of primary pupils in classes over 30	72,202	74,894
Percentage of primary pupils	16.4	17.1
Number of primary classes with more than 30 pupils	2,239	2,341
Percentage of primary classes	12.5	13.2

Scottish Court Service

Sir Hector Monro: To ask the Secretary of State for Scotland what targets he has set the Scottish Court Service for 1996–97. [33702]

Mr. Michael Forsyth: Following consultation with the Lord President of the Court of Session and the sheriffs principal, I have set the following key performance targets for the Scottish Court Service for 1996–97:

1. That no cases should fall as a result of the statutory time limits being breached.

2. *Targets for Waiting Periods*

85 per cent. of diets allocated in the Court of Session within waiting periods set by the Lord President;

80 per cent. of criminal and justiciary appeals allocated to a roll within waiting periods set by the Lord Justice General;

80 per cent. of sheriff courts to report summary criminal waiting periods agreed with the sheriffs principal, currently 12 weeks;

90 per cent. of sheriff courts to report waiting periods between request for ordinary civil proof or debate and diet agreed with the sheriffs principal, currently 12 weeks;

80 per cent. of sheriff courts reporting lack of time adjournments at 5 per cent. or lower.

3. *Targets for quality of service and provision*

to achieve 95 per cent. of the standards for administrative business in the Court of Session and the High Court of Justiciary set by the Lord President/Lord Justice General;

95 per cent. of sheriff courts to achieve the overall standards for administrative business agreed with sheriffs principal;

80 per cent. of courthouses to meet the "coming to court" standards set out in the justice charter for Scotland.

4. *Cost and efficiency*

staff, accommodation and administrative costs to be kept within £1,020 per court sitting day;

70 per cent. of the total costs of civil business in the Court of Session and in the sheriff courts to be recovered through fee income.

Full details of the performance measures, including the agreed waiting periods, administrative standards and "coming to court" standards are set out in the Scottish Court Service framework document. Details of performance in 1995–96 will be published in the Scottish Court Service's first annual report.

Incapable Adults

Sir Hector Monro: To ask the Secretary of State for Scotland what response he proposes to make to the Scottish Law Commission report on incapable adults, Scot Law Com. No. 151. [33703]

Mr. Michael Forsyth: I have given careful consideration to the Scottish Law Commission's report on incapable adults. The report raises a number of issues which are both important and sensitive, and proposes many changes in the law relating to legal procedures for looking after the property, financial affairs and personal welfare of mentally incapable adults. Although I fully acknowledge the consultation which has already been carried out by the commission in coming to the conclusions it has reached, I also recognise that many people will have strong views on the proposals which the commission has made.

Consequently, I have decided that before legislating on the basis of the commission's proposals there should be further consultation. I propose to issue a consultation paper this summer.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Scotland (1) pursuant to his answer of 28 March, *Official Report*, column *672*, how much his Department estimated it would have cost to provide the information requested; [31454]

(2) pursuant to his answer of 22 March, *Official Report*, column *343*, how much his Department estimated it would have cost to provide the information requested. [31446]

Mr. Michael Forsyth *[holding answer 5 June 1996]:* More than £450, the current cost threshold above which answers are deemed to incur disproportionate cost.

Inverclyde Enterprise Zone

Dr. Godman: To ask the Secretary of State for Scotland how many designated sites of the Inverclyde enterprise zone are still awaiting industrial development; and if he will make a statement. [30176]

Mr. Kynoch *[pursuant to his reply, 4 June 1996 c. 403–404]:* Four of the 11 designated sits within the Inverclyde enterprise zone do not, at present, have any enterprise zone activity.

HEALTH

Paediatric Intensive Care Beds

13. **Mr. Callaghan:** To ask the Secretary of State for Health what monitoring he is undertaking of the provision of paediatric intensive care beds. [31706]

Mr. Horam: On 29 May, we published a report on provision of paediatric intensive care. This was produced by the chief executive of the national health service executive. Copies are available in the Library.

The report shows that for most of the year current provision is enough to meet demand, but more beds are needed in the winter. The chief executive will be monitoring the implementation of regional plans to increase provision.

28. **Ms Glenda Jackson:** To ask the Secretary of State for Health when he last met the chairmen of the national health service trusts to discuss the provision of paediatric intensive care beds. [31723]

Mr. Horam: My right hon. Friend has not met chairmen of national health service trusts on this issue. However, my right hon. Friend has had recent detailed discussion with the chief executive of the NHS executive, whose report to him on the provision of paediatric intensive care was published on 29 May. Copies are available in the Library. The report describes plans made by NHS trusts and health authorities to develop this service, and to provide additional beds. The chief executive will keep in close touch with these plans, and will report to my right hon. Friend later this year on progress towards their implementation.

General Practitioner Fundholders

14. **Mr. Nigel Evans:** To ask the Secretary of State for Health how many GP fundholders there are currently in the north-west. [31707]

Mr. Malone: There are currently 1,857 general practitioner fundholders in the north-west, serving 53 per cent. of the population, and more are applying to join next year.

Purchasing Contracts

15. **Mr. Lewis:** To ask the Secretary of State for Health when he last met the Royal College of Nursing to discuss the purchasing contract of district health authorities. [31708]

Mr. Malone: I meet the Royal College of Nursing on a regular basis to discuss a wide range of issues.

Dentists' Contracts

16. **Mr. Ainger:** To ask the Secretary of State for Health when he plans to meet representatives of the British Dental Association to discuss dentists' contracts. [31709]

Mr. Malone: We have no plans for such a meeting. As I announced last week on 12 June, *Official Report*, columns 313–23, we have agreed a series of reforms of the dental remuneration system with the profession's representatives. The reforms underline our commitment to improving child oral health and seek to ensure value for money.

Smoking-related Deaths

17. **Mr. Tony Banks:** To ask the Secretary of State for Health what is his current estimate of the numbers dying in the last year from smoking-related illnesses. [31710]

Mr. Horam: It is estimated that in the United Kingdom about 110,000 deaths each year are smoking related.

Oldchurch Hospital, Romford

18. **Sir Michael Neubert:** To ask the Secretary of State for Health if he will make an official visit to Oldchurch hospital, Romford, to discuss the future provision of services at the hospital. [31711]

Mr. Horam: My hon. Friend the Minister for Health visited Oldchurch hospital on 14 May. My right hon. Friend the Secretary of State has no immediate plans for a further visit.

Wolverhampton Health Authority

20. **Mr. Turner:** To ask the Secretary of State for Health what assessment he has made of the adequacy of the level of financial revenue allocations to Wolverhampton health authority to meet its hospital care needs in 1996–97. [31713]

Mr. Horam: The 1996–97 revenue allocation for Wolverhampton health authority is £107.3 million, which brings it to within 1 per cent. of its target allocation.

Care of the Elderly

21. **Mr. Olner:** To ask the Secretary of State for Health what monitoring he has undertaken of the provision of care to elderly people living in the community. [31714]

Mr. Bowis: The Department monitors provision of care to older people living in the community on a regular basis. This includes work by the social services inspectorate, the regular collection and publication of statistics and longer-term research to evaluate progress.

22. **Mr. Rooney:** To ask the Secretary of State for Health when he last met the Association of Directors of Social Services to discuss the provision of care to elderly people living in the community. [31715]

Mr. Bowis: I regularly meet representatives of the Association of Directors of Social Services to discuss a wide range of issues, including community care. My next formal meeting with the association is on 19 June.

Wiltshire Health Authority

23. **Mr. Simon Coombs:** To ask the Secretary of State for Health if he will make a statement on the effect on the funding of the Wiltshire health authority of the closure of the Princess Alexandra hospital at Wroughton. [31716]

Mr. Horam: We are aware of the difficulties facing Wiltshire health authority as a result of the closure of the Princess Alexandra military hospital. The needs of the health authority is being considered alongside those of other health authorities facing special circumstances in 1996–97 and a decision will be made shortly.

Bury and Rochdale Health Authority

24. **Mr. Chris Davies:** To ask the Secretary of State for Health what discussions he has had with the Bury and Rochdale health authority about the timetable for its current review of health services. [31718]

Mr. Horam: None; this is a matter for the authority to decide. Any firm proposals which emerge will be the subject to full public consultation.

Infant and Perinatal Mortality Rates

25. **Mr. Riddick:** To ask the Secretary of State for Health what measures he is taking to reduce infant mortality rates and perinatal mortality rates. [31719]

Mr. Horam: The infant mortality rate in 1995 was 6.1 per 1,000 live births, the lowest ever. The perinatal mortality rate in 1994, the latest figure available, was 8.9 per 1,000 live births—again, the lowest ever.

The confidential inquiry into stillbirths and deaths in infancy aims to improve our understanding of factors which contribute to infant deaths and in particular ways in which the risks of death might be diminished. The next report will be published shortly.

Mr. Harry Greenway: To ask the Secretary of State for Health what assessment he has made of how the health of babies and very young children has changed since 1979. [32106]

Mr. Horam: The health of babies and young children has improved, as is demonstrated by the fall in infant and perinatal mortality rates. Deaths in children under one year of age—the infant mortality rate—fell by over half to 6.1 per 1,000 live births between 1979 and 1995. Stillbirths and deaths of babies less than a week old—the perinatal mortality rate—fell by nearly 40 per cent. to 8.9 per 1,000 live births between 1979 and 1994, the latest figure available.

Private Finance Initiative

26. **Mr. Burden:** To ask the Secretary of State for Health if he will make a statement on the role of private finance in the national health service. [31720]

Mr. Horam: The role of the private finance initiative in the national health service is to enable NHS bodies to obtain best value for money for the taxpayer when developing capital schemes. It gives the NHS access to private capital and to the full range of private sector skills and experience in constructing facilities and providing supporting services. A private finance option has to be tested against a public sector comparator and is used if the overall package—which includes consideration of factors such as risk transfer, building maintenance and facilities management—offers better value for money.

Hospitals (Beef)

27. **Mr. MacShane:** To ask the Secretary of State for Health what advice he has issued to national health service trusts about serving beef in hospitals. [31722]

Mr. Horam: Whether to offer beef products on patient menus, as part of a varied and balanced diet, is a matter for national health service trusts to determine locally, responding to patient choice. The Spongiform Encephalopathy Advisory Committee considered the risks to human health from eating beef or beef products and concluded that any risk was likely to be extremely small. It also concluded that if human infection with the bovine spongiform encephalopathy agent occurs, which has not been proven, hospital patients were not likely to have increased susceptibility to infection.

Health of the Nation

Mr. Barry Field: To ask the Secretary of State for Health what conclusions he has drawn about the health of the nation from the last census. [31712]

Mr. Horam: Census information along with other information helps us to monitor the nation's health. It continues to improve. For example, mortality rates have substantially fallen and life expectancy has increased.

The 1991 census contained a specific health related question on limiting long-term illness which showed that, overall, 13 per cent. of the total resident population in England had a long-term illness, health problem or handicap which limited the daily activities or the work that a person could do.

Health Authority Expenditure

Mr. Harvey: To ask the Secretary of State for Health what was the total figure for outturn expenditure by health authorities in England for *(a)* 1990–91, *(b)* 1991–92, *(c)* 1992–93, *(d)* 1993–94 and *(e)* 1995–96. [32701]

Mr. Horam: The available information requested is shown in the table. Information on the expenditure for 1995–96 has not yet been collected.

Total revenue expenditure by health authorities in England

	Expenditure £000
1990–91	14,709,888
1991–92	18,823,141
1992–93	20,112,875
1993–94	20,594,071

Notes:

1. The figures are as published in the NHS (England) Summarised Accounts.

2. The figure for 1990–91 is not comparable with later years due to changes in accounting policy.

Source:

The annual accounts of district and regional health authorities and the special health authorities of the London postgraduate teaching hospitals.

Mothers (Support)

Sir Michael Spicer: To ask the Secretary of State for Health if he will list the Government's *(a)* programmes and *(b)* proposals to help mothers to stay at home to look after their babies aged up to three years; and if he will make a statement. [32749]

Mr. Bowis: The Government believe that mothers should be able to choose whether they stay at home to look after their young children or seek to work, whether part or full time.

Customer Charters

Mr. Donohoe: To ask the Secretary of State for Health if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32829]

Mr. Horam: The following charters and related booklets have been produced for use in England:

The Patient's Charter and You

A Framework for Local Community Care Charters

The Patient's Charter and Maternity Services

The Patient's Charter and Services for Children and Young People

Blood Donors (National Blood Service—Interim Charge)

Customer Service Charter Guidelines (NHS Estates Agency)

Commitment to Service: Members' Charter (NHS Pensions Agency)

Working with Business (Medicines Control Agency)

Code of Practice on Enforcement (Medical Devices Agency

None has been withdrawn. In addition, numerous local charters have been produced by health authorities, trusts, general practitioner practices and social services departments. No complete central record of these is held.

Speech Therapy

Miss Emma Nicholson: To ask the Secretary of State for Health what is the average waiting list *(a)* nationally and *(b)* in Devon, for those of primary school age wishing to be seen by a speech therapist. [33044]

Mr. Horam: This information is not available centrally.

Miss Nicholson: To ask the Secretary of State for Health what provision he has made in the current year for speech therapy for those of primary school age. [33043]

Mr. Horam: Speech therapy is provided by health authorities to adults and children as part of the range of services available to meet health care needs locally.

Long-stay Hospital Beds

Mr. Cox: To ask the Secretary of State for Health what is the total number of hospital long-stay beds for people needing continuous medical care in hospitals covering the Greater London area. [32871]

Mr. Bowis: The information is not available in the form requested. The information that is available centrally is contained in "Bed Availability for England", copies of which are available in the Library.

Postage Costs

Mr. Donohoe: To ask the Secretary of State for Health how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32845]

Mr. Horam: Expenditure on postage was £1,429,329 in 1994–95 and £1,530,799 in 1995–96. Details of how many items were posted are not available.

Figures have not been adjusted for inflation.

The figures do not include the Department's agencies.

Waiting Lists

Rev. Martin Smyth: To ask the Secretary of State for Health what proposals he has to change the standards for charter marks in respect of waiting lists. [32044]

Mr. Horam: None.

Prescribed Drugs

Mr. Simon Hughes: To ask the Secretary of State for Health if he will give for each of the last 10 years the list D data on prescribed drugs. [32814]

Mr. Malone: Arrangements are in hand for list D, or equivalent information, to be placed in the Library. I will write to the hon. Member when this information is available.

NHS Pension Scheme

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list all categories of NHS employees who are not eligible to join the NHS pension scheme and the number of people currently in each category; what estimate he makes of the extra public expenditure that would be involved in giving full NHS pension scheme eligibility to each of these categories; and if he will make a statement. [32815]

Mr. Malone: All national health service employees are eligible to join the national health service pension scheme.

Physiotherapy

Mr. Khabra: To ask the Secretary of State for Health what is the average waiting time for the first appointment for physiotherapy treatment in hospitals in London. [31717]

Mr. Horam: This information is not available centrally.

Breast Cancer

Mr. Simon Hughes: To ask the Secretary of State for Health what funding his Department has provided in each of the last five years for research into hereditary breast cancer; and if he will make a statement on progress in research. [32816]

Mr. Malone: The main agency through which the Government supports medical and clinical research is the Medical Research Council. The MRC is an independent body which receives its grant in aid from the office of my right hon. Friend the President of the Board of Trade.

MRC funding for research into hereditary breast cancer is shown in the list.

1990–91: £539,000

1991–92: £622,000

1992–93: £658,000

1993–94: [1]£133,000

1994–95: £596,000

[1] It has not been possible to obtain financial information for relevant research into MRC's own establishments for 1993–94; those figures, which just cover grant support in universities, are therefore lower than the true total.

Mr. Hughes: To ask the Secretary of State for Health (1) how many women have been diagnosed with mutations in BRCA1 or BRCA2 since records began; what estimate his Department has made as to the total number of women in the UK with such a condition; and if he will make a statement; [32817]

(2) what assessment he has made of the advantages of providing screening and preventive treatment for women at risk of developing hereditary breast cancer; and if he will make a statement. [32818]

Mr. Horam: Information on the number of women diagnosed with mutations in BRCA1 or BRCA2 is not available centrally. The Advisory Committee on Genetic Testing was established in January 1996 to advise on developments in testing for genetic disorders and scientific and ethical issues. The Department is also planning to establish a small group to advise on cancer genetics services.

Partial Birth Abortions

Mrs. Peacock: To ask the Secretary of State for Health what instructions he has issued in respect of partial birth abortions. [33031]

Mr. Horam: None. Methods of abortion are a matter of clinical judgment. We are not aware of this procedure being used in the United Kingdom.

DEFENCE

Hawk Trainer Crash, Portugal

Mr. Gordon Prentice: To ask the Secretary of State for Defence if he has established the reason for the crash of the Hawk trainer at Beja air base in Portugal in May. [33073]

Mr. Soames: No. Under the terms of a NATO standardisation agreement, the circumstances of this accident are being investigated by a Portuguese air force board of inquiry.

Duke of York's Royal Military School

Sir Trevor Skeet: To ask the Secretary of State for Defence what key targets have been set for the Duke of York's Royal Military School in 1996–97. [33598]

Mr. Soames: The key targets for the Duke of York's Royal Military School in 1996–97 are as follows:

1. To achieve 100 per cent. of GCSE passes at grades A* to G in August 1996.

2. To achieve five or more GCSE passes at grades A* to C for 78 per cent. of candidates in August 1996.

3. To achieve 88 per cent. of A-level passes at grades A to E in August 1996.

4. To achieve three or more A-level passes at grades A to E for 80 per cent. of candidates in August 1996.

5. To achieve 34 per cent. of A-level passes at grades A and B in August 1996.

6. To achieve 100 per cent. award rate for general national vocational qualification advanced and Business and Technician Education Council national diploma courses in August 1996.

7. To implement key stage 4 modifications to national curriculum programmes by September 1996.

8. To achieve places in higher education for 70 per cent. of sixth form leavers by October 1996.

9. To ensure Wolfe house is prepared as a girl's senior boarding house by September 1996.

10. To achieve a pupil per capita cost in 1996–97 of £12,180.

11. To generate income of £410,000 by March 1997.

12. To achieve 210 applications for the September 1997 intake by April 1997.

Queen Victoria School

Sir Peter Lloyd: To ask the Secretary of State for Defence what key targets have been set for Queen Victoria School in 1996–97. [33599]

Mr. Soames: The key targets for the Queen Victoria School in 1996–97 are as follows:

1. To improve the staying on rate at school for S4 to S5 from 65 per cent. to 68 per cent. on a three-year trend.

2. To achieve a percentage of pupils attaining at least five credit passes at standard grade at 2 per cent. above the average of all Scottish presentations, based on a three-year trend.

3. To achieve a percentage of the presentations at grades A to C in higher grade at least equal to the Scottish average, based on a three-year trend.

4. To review the new schemes introduced in the five to 14 programme in maths, English and environmental studies by March 1997.

5. To develop new programme in the five to 14 programme in expressive arts, religious education, and technology by March 1997.

6. To conduct an audit of teaching and learning in S5 and S6 within the classroom environment, to improve the overall quality and effectiveness of teaching and learning and thereby pupil performance by March 1997.

7. To have implemented a programme of measures to gain at least a satisfactory report for the welfare inspection required by the Children Scotland Act 1995 by January 1997.

8. To merge individual teaching staff appraisal with the annual subject departmental reviews by April 1997.

9. To have successfully completed the first phase of admission of girls by August 1996.

10. To reduce the 1995–96 output costs per pupil in real terms by 1 per cent. while remaining within current long-term costing provision.

11. To generate commercial income to the school of £20,000 by March 1997.

Former Yugoslavia

Sir Wyn Roberts: To ask the Secretary of State for Defence what is the total number of *(a)* British troops and *(b)* troops of other peacekeeping nations on the ground in the former Yugoslavia at the latest available date. [33334]

Mr. Soames: There are some 10,500 UK troops and 47,500 troops from other nations with IFOR in the former Yugoslavia.

Animal Centre

Mr. Jessel: To ask the Secretary of State for Defence what key targets have been set for the Defence Animal Centre in 1996–97. [33614]

Mr. Soames: The key targets for the Defence Animal Centre in 1996–97 are as follows:

1. To meet the following proportion of agreed customer requirement in terms:

(a) DAC military personnel and military working animals for ground and air operations—100 per cent.

(b) Quality of trained MWAs and personnel measured in terms of customer satisfaction (1)—85 per cent.

(c) Number of trained personnel and MWAs–95 per cent.

(d) Timeliness of delivery measured in terms of customer satisfaction—95 per cent.

2. Ensure success rates for training are:

(a) MWA—greater than or equal to course specific target figures (2)—95 per cent.

(b) Personnel—greater than 90 per cent.

3. Reduce net full cost, as shown in the accruals accounts by 2.5 per cent.

4. Complete planned stages of DAC "Invertors in People" action plan.

5. Fully explore private finance initiative options for the rebuild of administrative and single living accommodation at the DAC.

Notes:

1. Customer satisfaction figures based on customer satisfaction survey questionnaire.

2. Different courses have widely varied success rates due to the nature of animal training; therefore separate expected pass rates are reported internally.

Gulf War Syndrome

Mr. Alfred Morris: To ask the Secretary of State for Defence what is the latest number of service men and women who served in the Gulf conflict who have come forward in relation to the Gulf war syndrome; and when he expects to make a further statement about the recommendations contained in the eleventh report of the Defence Committee of Session 1994–95 (HC 197). [32926]

Mr. Soames: The Government take seriously the health concerns of all service personnel, and we are committed to ensuring that those who believe they are ill as a result of their Gulf service receive the best possible treatment. Some 937 service and ex-service men and women have so far came forward for assessment under my Department's medical assessment programme. Some 592 have been seen and we have added a second physician so that those remaining are seen as quickly as possible. I intend to update the House next month on our continuing work on Gulf health issues. This will include progress on the establishment of the programme of detailed research, which is being overseen by the Medical Research Council, that I announced on 30 January 1996, *Official Report*, columns *607-08*.

Mr. Morris: To ask the Secretary of State for Defence how much money has so far been spent by his Department on the epidemiological survey into Gulf war cases since the issue of the Government reply to the eleventh report of the Defence Committee (HC187 of Session 1995–96). [32927]

Mr. Soames: As I announced on 30 January 1996, *Official Report*, columns *607–08*, my Department will be commissioning a detailed programme of research into Gulf health issues. This research will be overseen by the Medical Research Council, which will ensure an objective, impartial and scientific approach. The MRC issued a call for research proposals including epidemiological studies at the end of May. Some preparatory work has already been completed on the database to support such research, but the costs of this work cannot be separately identified. My Department will, of course, meet the full costs of those research projects selected by the MRC as being most appropriate.

EDUCATION AND EMPLOYMENT

Training Levy (Construction Companies)

Mr. Nigel Evans: To ask the Secretary of State for Education and Employment how many firms involved mainly in the construction and erection of agricultural buildings are registered for training levy with the Construction and Industry Training Board. [32822]

Mr. Paice: The information is not available.

Home and School Links

Ms Corston: To ask the Secretary of State for Education and Employment (1) what guidance is given to *(a)* local education authorities, *(b)* school governors and *(c)* head teachers on establishing and strengthening links between home and school; [33085]

(2) what steps she has taken to ensure the dissemination of information about best practice in strengthening the links between home and school. [33087]

Mr. Robin Squire: The updated parents charter emphasised the importance of effective partnerships between parents and schools. This has been repeated in guidance on such matters as pupil behaviour and discipline, and special educational needs.

SOCIAL SECURITY

Benefit Entitlement

Mr. Hain: To ask the Secretary of State for Social Security if he will list social security primary and secondary legislation which has reversed benefit entitlements which were originally granted for life since 1979. [33261]

Mr. Burt: No such legislation has been introduced.

Funeral Grants

Mr. Chris Smith: To ask the Secretary of State for Social Security what assessment he has made of the adequacy of the current limit on payment by the social fund of funeral grants; and what plans he has to change this limit. [30396]

Mr. Roger Evans: Like other social fund payments, funeral payments are not subject to annual uprating. However, we keep the level of all social fund payments under review.

Asbestos-related Diseases

Mr. Cox: To ask the Secretary of State for Social Security what is the number of *(a)* men and *(b)* women who are, at present, receiving social security benefits for asbestos-related illnesses. [32873]

Mr. Roger Evans: The information requested is not available.

Reduced Earnings Allowance

Mr. Hain: To ask the Secretary of State for Social Security how many people have had their reduced earnings allowance reduced since 24 March; and if he will list their former occupations. [33258]

Mr. Roger Evans: Since 24 March, approximately 18,000 over pensionable age reduced earnings allowance recipients who have given up regular employment have been transferred to retirement allowance.

Information about the former occupations of these retirement allowance recipients could be provided only at disproportionate cost.

Mr. Hain: To ask the Secretary of State for Social Security what are the estimated savings to his Department as a result of the recent changes in reduced earnings allowance; and what proportion of his Department's total expenditure this represents. [33259]

Mr. Evans: The estimated savings from the changes to reduced earnings allowance introduced with effect from 24 March 1996 are £25 million in 1996–97. This is, approximately 0.03 per cent. of the Department's total expenditure.

Means-tested Benefits

Mr. Cousins: To ask the Secretary of State for Social Security if he will list the administrative costs of each main group of means-tested benefits including income support and housing benefit in cash terms for the last three complete financial years; and if he will express these costs as a percentage of the total of benefit payments. [30404]

Mr. Roger Evans: The information is set out in the tables in 1995–96 prices.

The information requested is published, in cash terms, in the social security departmental report. The last year that figures are available is 1994–95.

Year	*1992–93*	*1993–94*	*1994–95*
Administration expenditure from 1992–93 to 1994–95			
Income support	1,655	1,715	1,710
Family credit	46	55	57
Social fund	224	283	215
Housing benefit	275	285	293
Community charge benefit	207	204	194
Benefit expenditure from 1992–93 to 1994–95			
Income support	15,934	16,864	16,838
Family credit	1,001	1,265	1,481
Social fund	433	463	463
Housing benefit	8,512	9,649	10,461

Year	1992–93	1993–94	1994–95
Community charge benefit	1,814	2,019	2,126
Administration expenditure expressed at a percentage of benefit expenditure			
Income support	10.39	10.17	10.16
Family credit	4.60	4.35	3.85
Social fund	51.73	61.12	46.44
Housing benefit	3.23	2.95	2.80
Community charge benefit	11.41	10.10	9.13

Benefits Agency (Information Officers)

Mr. Chris Smith: To ask the Secretary of State for Social Security how many district information officers are or were employed by the Benefits Agency *(a)* at present and *(b)* one year ago by region. [32703]

Mr. Roger Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Chris Smith, dated 17 June 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many District Information officers are or were employed by the Benefits Agency (a) at present and (b) one year ago by region.

The information is not available in the format requested. With the creation of the Benefits Agency in 1991 former regions were grouped into Area and Territorial Directorates.

The attached Annex give details of the number of District Information Officers for each Area Directorate. Some of these officers may combine other duties with their role of information officers.

I hope you find this reply helpful.

District information officers

Area directorate	Number as at 31 May 1995	Number as at 31 May 1996
East London and Anglia	25	20
Chilterns	25	11
London South	39	27
West Country	22	18
Mercia	20	13
West Midlands	21	12
Wales	15	13
North West Coast	26	19
Greater Manchester	25	18
Yorkshire	21	13
Tyne Tees	21	15
West of Scotland	20	11
East of Scotland	28	14

Figures are provisional and subject to amendment.

Headquarters Staff

Mr. Frank Field: To ask the Secretary of State for Social Security if he will detail the number of staff at his headquarters in each year since 1992; and if he will group the staff by the benefit for which they have responsibility in each of these years. [33046]

Mr. Burt: The information is not available in the format requested. Such information as is available is in the table.

Information regarding the resources allocated to particular areas of policy in the current year is contained in the headquarters business plan for 1996–97, a copy of which is in the Library.

Total staff in DSS (HQ)

Year	Staff
1992–93	1,527
1993–94	1,615
1994–95	1,635
1995–96	1,481
1996–97	1,541

1. Figures include professional staff.

2. It is not possible to provide precise figures for the number of staff working on individual benefits over this period.

3. A substantial proportion of staff are not responsible for any specific benefit or are engaged in management and supportive activities.

Statistics

Mr. Fisher: To ask the Secretary of State for Social Security which statistics his Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32861]

Mr. Burt: The information is in the table:

Statistical series	Date collection ceased	Date publication ceased
Retirement pension (RP) movements	[1]March 1989	[1]March 1989
Widows benefit (WB) movements	[1]March 1989	[1]March 1989
Income support annual statistical enquiry (ASE)	[2]Still collected	May 1993
Monthly analysis of new claims for unemployment benefit	[3]—	December 1994
Quarterly analysis of unemployed claimants.	[4]—	November 1994
Half yearly analysis of unemployed claimants.		
Analysis of adjudication officers' decisions—unemployment benefit	[5]—	December 1991

[1] RP/WB movements were discontinued from March 1989 to September 1992 because of the change from the existing pensions system to the pensions strategy computer system. They were introduced from March 1993.

[2] The income support annual statistical inquiry was replaced by the IS quarterly statistical inquiry.

[3] This was discontinued at the end of 1994, as the data were also collected and published by the (then) Employment Department.

[4] These were replaced by unemployed claimants summary statistics—a quarterly publication—from February 1995.

[5] The collection and publication of this data was transferred to the Employment Service (part of the then Employment Department) from the end of 1991.

[6] The table excludes a number of other statistics which are no longer collected through lack of demand. However, these mainly provided extra detail on benefits for which the main statistics are still published.

Mr. Hain: To ask the Secretary of State for Social Security how many former recipients of reduced earnings allowance are also in receipt of *(a)* state retirement pension and *(b)* income support; and what proportion of total claimants this represents. [33260]

Mr. Evans: The information is not readily available and could be provided only at disproportionate cost.

Child Support

Ms Lynne: To ask the Secretary of State for Social Security when he will make an announcement on his plans to change the level of benefit deductions for parents with care who do not co-operate with the Child Support Agency without a good cause exemption; and what is the shortest period in which he estimates these changes could be introduced. [32899]

Mr. Andrew Mitchell: We hope to make an announcement shortly. It should be possible to implement any changes in the autumn of this year.

Mr. Frank Field: To ask the Secretary of State for Social Security what amount of benefit savings were made by the reduced benefit direction under the Child Support Act 1991 in each year since the implementation of the Act. [33060]

Mr. Mitchell: Benefit savings resulting from the reduced benefit direction have not been separately identified. However, it is estimated that the value of reduced benefit directions in income support is currently between £5 million and £10 million per annum.

Mr. Field: To ask the Secretary of State for Social Security if he will estimate the benefit savings that would be made if *(a)* the reduced benefit direction under the Child Support Act 1991 was increased to 40 per cent. of the adult personal allowance for a duration of 18 months and *(b)* the reduced benefit direction was increased to 40 per cent. and applied until the benefit claim ceased. [33059]

Mr. Mitchell: It is estimated that the long-term benefit savings would be around £10 million and £15 million respectively.

TRANSPORT

Motorway Lighting

Mr. Frank Field: To ask the Secretary of State for Transport, pursuant to his answer of 10 June, *Official Report*, columns *28–29*, if he will place in the Library a copy of a map showing the locations of all sections of motorway in England that have overhead lighting. [33084]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Frank Field, dated 18 June 1996:

The Secretary of State for Transport has asked me to write to you in reply to your recent Parliamentary Question about a map of motorway lighting in England.

A copy of the Highways Agency Motorway Lighting Map is being forwarded to the Library and a copy is also enclosed for your information.

Network SouthEast

Mr. Wicks: To ask the Secretary of State for Transport (1) how many and what percentage of trains arrived more than five minutes late during peak hours on each of the former Network SouthEast lines in *(a)* each four-week period during 1995–96 and *(b)* for 1995–96 as a whole; [33036]

(2) how many and what percentage of trains were cancelled on each of the former Network SouthEast lines in *(a)* each four-week period during 1995–96 and *(b)* 1995–96 as a whole. [33035]

Mr. Watts: The information requested is available from citizens charter records and is shown in the following tables.

Punctuality—former Network SouthEast Lines
Percentage of trains more than five minutes late in peak times

Operating company/group	*Four week periods 1995/96*													
	1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*13*	*1995/96*
Chiltern Trains	4.0	5.6	5.8	10.1	5.0	6.1	4.6	5.7	7.1	4.8	5.8	7.8	3.8	5.9
Great Eastern	6.3	9.1	14.1	12.3	3.2	6.8	8.2	5.5	19.6	24.4	15.9	14.8	4.9	11.8
LTS Rail	6.3	3.6	7.3	8.8	18.7	16.6	13.9	11.2	11.1	13.8	9.4	9.8	7.8	12.0
Network South Central														
South London Lines	6.3	9.2	8.9	10.8	14.5	5.0	9.8	9.8	23.6	15.1	8.7	8.5	6.9	10.4
Sussex Coast	13.6	12.8	16.4	17.2	27.2	15.8	16.4	16.2	38.0	18.9	12.8	15.5	10.2	17.6
North London Railways														
Northampton Lines	17.0	13.8	7.7	13.3	9.7	7.1	7.5	9.8	13.3	18.3	13.5	27.7	20.9	13.3
North London Orbital	17.7	23.2	14.0	22.7	14.1	10.2	13.8	13.1	9.1	14.6	7.6	12.3	8.6	13.3
Watford Locals	3.3	7.1	5.8	8.8	3.8	8.7	4.2	8.0	18.4	14.7	10.9	16.7	16.2	9.6
South East Trains														
Kent Coast	8.2	10.6	11.0	14.3	16.6	8.6	11.6	14.2	40.9	24.4	20.7	19.7	13.1	16.4
Kent Link	5.0	6.4	7.2	10.3	11.9	9.2	10.5	12.7	33.7	22.4	21.0	19.9	12.9	13.9
South West Trains														
Main Line	14.6	8.4	11.1	21.8	14.4	11.6	9.3	14.5	28.7	14.6	10.3	17.0	6.3	14.0
Suburban	7.8	6.7	7.4	16.6	12.0	7.2	5.6	10.1	12.2	11.9	5.9	11.8	4.4	9.9
Thames	6.0	6.7	6.1	13.4	4.4	5.0	7.4	6.2	12.1	8.0	6.7	7.6	5.5	7.3
Thameslink	6.1	11.7	12.6	12.8	14.6	14.0	9.0	11.8	23.1	18.1	16.7	13.9	18.1	13.9
West Anglia Great Northern														
Great Northern	6.0	5.7	7.5	12.9	9.1	10.9	8.3	11.6	19.9	18.9	13.3	20.7	10.9	11.9
West Anglia	4.9	4.1	5.7	4.4	5.3	7.1	5.3	6.2	12.4	10.0	6.1	9.1	3.5	6.5

Punctuality—former Network SouthEast Lines
Number of trains more than five minutes late in peak times

Operating company/group	*Four week periods 1995–96*													
	1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*13*	*1995–96*
Chiltern Trains	37	55	56	91	50	59	47	61	76	40	62	79	41	754
Great Eastern	160	242	340	308	366	180	223	154	541	544	441	399	137	4,035
LTS Rail	219	213	114	130	294	253	227	190	188	160	160	157	133	2,438
Network South Central														
South London Lines	215	326	322	370	538	182	370	377	814	404	333	324	266	4,841
Sussex Coast	178	177	226	224	387	217	227	229	474	186	180	220	145	3,070
North London Railways														
Northampton Lines	163	142	84	136	112	68	86	112	137	143	155	250	176	1,764
North London Orbital	741	1,010	663	825	583	470	675	735	536	671	469	501	516	8,395
Watford Locals	21	48	37	52	25	55	28	51	120	73	73	110	87	780

Punctuality—former Network SouthEast Lines
Number of trains more than five minutes late in peak times

Operating company/group	Four week periods 1995–96													
	1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*13*	*1995–96*
South East Trains														
Kent Coast	178	242	251	309	405	201	288	352	968	490	410	464	328	4,886
Kent Link	210	282	315	426	546	403	482	586	1,489	838	762	903	597	7,839
South West Trains														
Main Line	175	107	143	267	195	146	129	201	390	241	140	225	85	2,344
Suburban	242	230	256	540	435	247	204	368	777	301	216	416	158	4,390
Thames	82	96	87	171	64	71	109	90	179	94	99	109	83	1,334
Thameslink	68	137	134	136	169	150	110	140	224	171	203	160	200	2,002
West Anglia Great Northern														
Great Northern	116	118	154	245	199	222	181	246	434	334	286	417	227	3,179
West Anglia	94	82	114	84	102	144	111	132	264	177	128	181	73	1,686

Reliability—former Network SouthEast Lines
Percentage of trains cancelled

Operating company/group	Four week periods 1995–96													
	1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*13*	*1995–96*
Chiltern Trains	0.2	0.2	0.2	0.7	0.2	0.6	0.7	0.3	0.5	0.5	0.4	0.8	0.1	0.4
Great Eastern	0.2	0.4	0.3	0.7	0.7	0.5	0.9	0.3	0.9	0.6	0.9	1.1	0.3	0.7
LTS Rail	2.7	1.5	2.1	1.4	3.5	3.6	2.0	1.3	1.5	3.6	1.0	1.4	1.2	2.0
Network South Central														
South London Lines	0.3	1.2	0.6	0.7	1.3	0.3	0.6	0.4	1.9	0.5	0.5	0.6	0.4	0.7
Sussex Coast	0.2	0.3	0.5	0.5	0.8	0.3	0.6	0.6	0.4	0.5	0.4	0.8	0.3	0.6
North London Railways														
Northampton Lines	2.0	1.0	0.6	1.3	0.5	0.6	0.5	0.9	1.2	1.3	0.5	1.1	1.1	1.0
North London Orbital	5.7	7.4	3.9	11.1	5.8	6.6	5.4	3.5	4.0	10.3	4.5	14.8	6.1	6.6
Watford Locals	1.3	2.9	1.2	4.5	3.3	3.7	2.7	1.2	4.2	2.8	1.3	2.5	1.5	2.6
South East Trains														
Kent Coast	0.8	0.6	0.5	0.6	1.2	0.0	0.5	0.3	1.2	1.0	0.8	1.0	0.7	0.7
Kent Link	0.7	0.9	1.1	1.4	1.4	0.5	0.8	0.6	2.0	1.0	1.1	1.3	1.2	1.1
South West Trains														
Main Line	0.7	0.2	0.4	0.8	0.8	0.5	0.4	0.3	1.0	0.6	0.4	0.9	0.2	0.6
Suburban	0.6	0.4	0.6	1.1	1.2	0.7	0.6	0.6	1.4	1.2	0.4	1.3	0.4	0.8
Thames	0.6	0.7	1.2	2.6	1.6	1.7	1.8	3.0	2.0	1.8	2.3	2.1	1.0	1.7
Thameslink	0.8	1.2	2.5	0.9	1.6	2.4	1.0	3.1	1.9	2.5	1.6	1.6	1.8	1.7
West Anglia Great Northern														
Great Northern	1.2	0.7	1.1	3.1	1.3	1.1	0.4	0.7	0.6	2.3	0.9	1.6	0.7	1.2
West Anglia	0.6	1.2	1.1	0.9	1.9	0.5	0.8	0.7	0.7	2.3	1.0	1.2	0.5	1.0

Reliability—former Network SouthEast Lines
Number of trains cancelled

Operating company/group	Four week periods 1995–96													
	1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*13*	*1995–96*
Chiltern Trains	9	9	8	27	9	23	32	14	22	17	17	35	5	227
Great Eastern	29	61	286	82	99	64	124	41	126	64	121	150	44	1,291
LTS Rail	164	100	138	86	243	241	132	86	99	201	68	95	83	1,736
Network South Central														
South London Lines	47	181	97	107	222	45	98	62	323	63	80	107	67	1,499
Sussex Coast	27	36	63	55	108	37	81	84	179	44	55	105	33	907
North London Railways														
Northampton Lines	73	40	25	48	21	21	19	37	44	38	20	36	32	454
North London Orbital	254	345	193	456	257	323	278	205	244	528	290	708	393	4,474
Watford Locals	37	90	35	124	103	108	82	36	128	65	41	76	37	962

Reliability—former Network SouthEast Lines
Number of trains cancelled

Operating company/group	*Four week periods 1995–96*													
	1	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*13*	*1995–96*
South East Trains														
Kent Coast	90	66	68	76	160	1	72	45	170	103	83	131	96	1,161
Kent Link	138	185	212	262	304	101	160	133	420	174	178	267	259	2,793
South West Trains														
Main Line	67	24	47	79	89	59	47	40	121	52	46	108	25	804
Suburban	89	67	99	191	222	132	106	110	271	157	66	242	70	1,822
Thames	88	106	176	376	251	270	269	448	306	221	352	321	159	3,343
Thameslink	43	63	124	44	88	128	57	177	86	116	90	84	45	1,145
West Anglia Great Northern														
Great Northern	102	65	98	252	117	94	36	61	49	174	80	138	62	1,328
West Anglia	58	118	106	85	179	48	81	67	70	203	104	114	52	1,285

Highways Agency

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) which properties occupied by the Highways Agency have access for the disabled; [32434]

(2) if he will list the names of the site supervisors for the current building works being carried out at the Highways Agency office in Birmingham. [32435]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mrs. Gwyneth Dunwoody, dated 18 June 1996:

The Secretary of State has asked me to reply to your recent Parliamentary Questions about disabled access in Highways Agency buildings and the current building works in the Broadway office, Birmingham.

Firstly, I can list the buildings under Highways Agency management which have access for people with disabilities. These are as follows:

St Christopher House, Southwark Street, London.

Federated House, London Road, Dorking.

City House, New Station Street, Leeds.

Jefferson House, Park Place, Leeds.

Falcon Road, Exeter.

Heron House, Goldington Road, Bedford.

In addition, we are looking at a list of improvements made as a result of a recent RADA inspection at our offices in the Broadway, Birmingham.

The current building works at the Broadway offices in Birmingham comprise of a window replacement programme undertaken by the Landlord of the building, Pillar Properties. They are being supervised by Richard Ellis, Surveyors. Mrs Jayne Cresswell of Richard Ellis is currently the main site supervisor for this work.

Driving Instructors

Mr. Alex Carlile: To ask the Secretary of State for Transport what plans he has to change regulations whereby unvetted theory trainers for driving instruction can legally give unremunerated practical driving lessons; and if he will make a statement. [32772]

Mr. Norris: The current law regulates persons giving ordinary driving instructions for money's worth as well as money. I do not believe the courts would accept that the loophole suggested does, in fact, exist.

Mr. Carlile: To ask the Secretary of State for Transport what restrictions apply in respect to those eligible to be employed as theory trainers for driving instruction; and if he will make a statement. [32773]

Mr. Norris: The current law regarding car driving instruction does not apply to theory tuition given, for example, in a classroom or undertaken via distance learning methods. I am not persuaded that imposing a new regulatory regime on persons such as lecturers or authors dealing with driving theory would be justified.

NATIONAL HERITAGE

Arts Spending

Mr. Callaghan: To ask the Secretary of State for National Heritage what is the current level of Government expenditure per capita on the arts. [29930]

Mr. Sproat: The arts benefit from a complex system of plural funding. Direct central Government funding for the arts in the UK amounts to £242 million in 1996–97. In addition, local authorities spend an amount on the arts in the region of that provided by central Government through the four arts councils which in 1996–97 is more than £233 million. On top of this, it is anticipated that the arts' share of lottery awards will exceed £300 million this year. This adds up to public funding in the UK for the arts in excess of £775 million. Based on these figures, the current level of Government expenditure per capita on the arts is at least £13.27. There are, however, other sources of arts funding generated through Government expenditure, either directly or indirectly, and it is therefore difficult to give a per capita figure which is a true reflection of the overall picture.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for National Heritage how much her Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from her Department on official duties abroad. [32413]

Mr. Sproat: My Department spent £23,000 in the financial year 1994–95 and £18,000 in the financial year 1995–96.

Statistics

Mr. Fisher: To ask the Secretary of State for National Heritage which statistics her Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32866]

Mr. Sproat: None.

Television Licences (Second Homes)

Mr. Chris Davies: To ask the Secretary of State for National Heritage (1) what representations she has received regarding the change in policy by the television licensing office to charge owners of second homes licence fees; and if she will make a statement; [32951]

(2) if she will introduce changes in the television licence charges at the annual review to allow licences for holiday homes belonging to pensioners to be charged at the same rate as an accommodation for residential care licence; and if she will make a statement. [32944]

Mr. Sproat: The Department of National Heritage has received representations on this subject from Members of the House, the general public and organisations representing caravan owners and the caravan park trade. The Government have no plans to introduce any changes in the television licence fees for holiday homes belonging to pensioners.

Mr. Davies: To ask the Secretary of State for National Heritage if a second television licence is required for temporary use of a television in a mobile home; and if he will make a statement. [33158]

Mr. Sproat: The BBC, which is responsible for the administration and enforcement of the television licensing system, recently announced that a licence is required for use of a television in a second dwelling, including mobile homes. Licensing requirements in specific circumstances are a matter for the BBC.

Customer Charter

Mr. Donohoe: To ask the Secretary of State for National Heritage if she will list *(a)* the customer charters which are currently in use within her Department and its executive agencies and *(b)* the charters which have been withdrawn. [32825]

Mr. Sproat: The information the hon. Member has requested is as follows:

(a) The Royal Parks agency has a charter standard and the Historic Royal Palaces agency has a visitors charter.

(b) No charters have been withdrawn.

English Heritage

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage how much income English Heritage generated from ticket sales in the most recent year for which figures are available; and what percentage of the organisation's running costs this represented. [33075]

Mr. Sproat: English Heritage generated £7.5 million from ticket sales at its historic properties in 1995–96. It also generated £3.5 million from its membership scheme and a further £4.7 million from retail and catering activities. The total visitor and membership income of £15.7 million represents over 30 per cent. of English Heritage's total running costs of £50.9 million in 1995–96 and over 50 per cent. of the costs of running and maintaining its 407 historic properties.

Postage Costs

Mr. Donohoe: To ask the Secretary of State for National Heritage how much her Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32841]

Mr. Sproat: My Department spent £47,920 posting 98,696 items in 1994–95 and £56,119 posting 110,226 items in 1995–96.

British Tourist Authority Chairman

Mr. Tony Banks: To ask the Secretary of State for National Heritage what factors underlay the appointment of David Quarmby as chairman of the British Tourist Authority and the English Tourist Board; how many days a week he will work in this capacity; and at what salary. [32708]

Mr. Sproat *[holding answer 13 June 1996]:* The qualities that my right hon. Friend sought for the chairman of the British Tourist Authority and the English tourist board were a proven track record in strategic planning in a large-scale organisation; leadership and management skills; the ability to represent British tourism effectively through the media; and an understanding of the public sector.

My right hon. Friend appointed David Quarmby after extensive consultations, a search assisted by an executive search agency and an interview process assisted by representatives of the tourism industry.

Mr. Quarmby will be employed for three days per week, one and a half days for each board and his salary will be £54,000 per annum.

Computers (Millennium)

Mr. Ingram: To ask the Secretary of State for National Heritage what assessment has been made of the cost effects of the millennium date change on the computer systems operated by her Department. [32673]

Mr. Sproat *[holding answer 13 June 1996]:* I refer the hon. Member to the answer I gave to my hon. Friend the Member for Bournemouth, East (Mr. Atkinson) on 3 April 1996, *Official Report*, columns *227–28*.

Sports (Insurance)

Mr. Derek Foster: To ask the Secretary of State for National Heritage (1) what assessment she has made of the impact of civil actions for damages, against members of voluntary and community operated amateur sports clubs with particular reference to the cost of insurance cover; [33094]

(2) what assessment she has made of the impact of civil actions for damages against individuals engaged in competitive sports at an amateur level with particular reference to the cost of insurance cover; [33093]

(3) what assessment she has made of the financial liability that may be faced by sports clubs, sports officials and individuals engaged in competitive sport where actions for damages are raised against them in the courts. [33092]

Mr. Sproat *[holding answer 17 June 1996]:* None. However, I would expect all those involved in sport to ensure that their insurance is in order.

Council of Europe Meetings

Mr. Terry Davis: To ask the Secretary of State for National Heritage, pursuant to the answer on 22 May, *Official Report*, columns *299–300*, if he will make it his policy to keep a separate record of attendance by Ministers and officials of her Department at meetings of, or organised by, the Council of Europe, and if she will make a statement. [33027]

Mr. Sproat *[holding answer 17 June 1996]:* In future, attendance by Ministers and officials of my Department at meetings of, or organised by, the Council of Europe will be recorded separately.

AGRICULTURE, FISHERIES AND FOOD

Specified Bovine Offals

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food what was the *(a)* recorded and *(b)* calculated level of specified bovine offal in each year since 1989. [26432]

Mrs Browning: Before the introduction of the Specified Bovine Offal Order 1995, all SBOs had to be dealt with in accordance with the Bovine Offal (Prohibition) Regulations 1989, as amended. Enforcement of these regulations lay with the local authorities up until 1 April 1995, when the Meat Hygiene Service took over this responsibility in premises licensed under the Fresh Meat (Hygiene and Inspection) Regulations 1995. The bovine offal regulations required all consignments of SBO to be accompanied by a movement permit, detailing amongst other things the quantity being moved. Once the SBO had reached its intended destination, the completed permit had to be returned to the originating local authority, which then had to keep it for a period of two years. No central records were kept.

Since the introduction of the Specified Bovine Offal Order in August 1995, which was replaced by the Specified Bovine Material Order 1996 in March, movement permits for SBO are no longer required, in view of tighter controls which have been introduced on approval and record keeping. Persons consigning SBO to an approved premises are required to keep a record of all consigned SBO material for a period of two years. The programme of state veterinary service audits of records kept under the legislation has not yet been running for a full year, so annual data from this source are not yet available. Our best estimates based on returns from the rendering industry show that just over 78,000 tonnes of SBM was handled by it in the 12 months to March 1996. In addition, a small amount will have been destroyed by incineration.

It is not possible to calculate an exact figure for the weight of SBM that would be generated by the slaughter of a given number of animals. This is because the weight generated per animal is dependent on the dressing procedures in the slaughterhouse concerned. The effects of, for example, whether the guts are sent off full or empty, or whether head meat was removed, when that was permitted, can result in a weight of SBM generated per animal that can vary by a factor of two or more. Based on date extrapolated from the MLC kill figures for the period August 1995 to March 1996, the figure of 78,000 tonnes above lies well within the range of the maximum of about 130,000 tonnes and the minimum of about 57,000 tonnes of SBM that we would expect to have been produced.

Live Animal Exports

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many dealers are registered as engaging in intra-Community trade; and in what form information on that registration is held. [30717]

Mrs. Browning *[holding answer 4 June 1996]:* The Animals and Animal Products (Import and Export) Regulations 1995 provide for notices to be served on a dealer engaging in intra-Community trade requiring him or her to be registered with the Ministry. Registered dealers are required to keep records of deliveries of animals and their subsequent destination. As at June 1 1996, 95 dealers in Great Britain were registered. Registers of dealers are maintained by divisional veterinary managers.

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food what response he has received from the authorities in the Netherlands following his inquiry about those authorities permitting British sheep to travel from premises in the Netherlands direct to Greece in contravention of EU directive 91/628. [32474]

Mrs. Browning: I refer the hon. Member to the reply I gave to the hon. Member for Glanford and Scunthorpe (Mr. Morley) on 17 June 1996.

Bovine Spongiform Encephalopathy

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what was the value on 2 June of the foodstuffs known to be contaminated by BSE whose possession he proposes should be made a criminal offence. [31610]

Mrs. Browning: It is not correct to assume that all mammalian meat and bone meal contains the BSE agent but to address the possible risk, the feeding to all livestock of feed incorporating it has been prohibited since 4 April. This has the effect of removing any risk of recycling the disease through its accidental inclusion in cattle rations.

It is difficult to identify any legitimate use for such material remaining on farms, at feed mills and at feed merchants. Rather than having any value, it represents a storage and future disposal cost for the holder. On 10 June, we announced a feed recall scheme which will provide for its collection and disposal free of charge.

Mr. Prentice: To ask the Minister of Agriculture, Fisheries and Food if *(a)* farmers and *(b)* others holding BSE–contaminated foodstuffs are to be compensated; and if they will be required to state if they have fed the meal to bovines. [31618]

Mrs. Browning: It would be wrong to presume that all mammalian meat and bonemeal is infectious or contains the BSE agent. No compensation will be paid to farmers or others holding animal feed incorporating MBM. Farmed animal feed containing MBM is being collected and disposed of free of charge under the free recall scheme, announced on 10 June.

Mr. Prentice: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the amount and location of contaminated feedstuff suspected of carrying the BSE agent. [31609]

Mrs. Browning: It has been estimated that 5,000 to 15,000 tonnes of pig and poultry feed incorporating mammalian meat and bone meal may be awaiting collection and disposal at feed mills and at feed merchants. It is impossible to estimate how much, if any, of this feed harbours the BSE agent and so poses a risk of recycling the disease if it were fed to cattle, which would be an illegal act. The recall scheme will target all feedingstuffs containing MBM.

The amount of this material remaining on farms after its feeding to all farmed animals became illegal on 4 April is thought to be relatively small.

Mr. Prentice: To ask the Minister of Agriculture, Fisheries and Food what factors underlay his proposal to EU Agriculture Ministers to make possession of BSE–contaminated feedstuff a criminal offence; and for what reasons this policy was not introduced earlier. [31759]

Mrs. Browning: The proposed offence to which the question refers would be for farmed animal feed containing mammalian meat and bone meal or for MBM itself to be present on farms, at feed mills or feed merchants, since some MBM may harbour the BSE agent and so pose a risk of recycling the disease if it, illegally, found its way into cattle rations.

As feed incorporating mammalian meat and bone meal now has no legitimate use on farms and as any residual stocks in the non-ruminant farmed animal feed chain present a possible source of cross-contamination to cattle rations, it is best that it is removed. Making its possession illegal from 1 August, together with a Government-funded recall scheme, will encourage early removal.

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food on what date the Government were first informed of BSE-related contaminated feed being fed to cattle. [31249]

Mrs. Browning *[holding answer 4 June 1996]:* Early epidemiological investigations carried out in 1987 and 1988 showed that the only common facts in herds with confirmed cases of BSE was the use of concentrated animal feed containing, in particular, concentrate containing meat and bone meal. As a result of these findings, the ruminant protein feed ban was introduced in July 1988.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what procedures he has evaluated to identify whether animal feed contains the infective agent responsible for bovine spongiform encephalopathy. [31631]

Mrs. Browning *[holding answer 10 June 1996]:* The ELISA test is currently being used to ensure that animal feed does not contain mammalian protein. Bioassay tests on feed to test for infectivity are possible but the sensitivity of the test at present is such that it is extremely unlikely that infectivity could be detected.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food how many samples of commercial feed have been found to be contaminated with a BSE agent. [31632]

Mrs. Browning *[holding answer 10 June 1994]:* No attempt has been made to detect infectivity in commercial feed. Bioassay tests on feed to test for infectivity are possible but the sensitivity of the test at present is such that it is extremely unlikely that infectivity could be detected.

Testing has however been carried out to detect the presence of mammalian protein in animal feed. This is not synonymous with infection, but its presence would be in contravention of past and current prohibitions.

Of 928 samples of feedingstuffs tested in February and March, eight were positive for the presence of ovine or porcine protein. None showed any evidence of bovine protein. In April, samples taken following an incident at a poultry mill and investigations into the supplier, led to the disclosure of four further positive samples. Again no bovine protein was isolated.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what quantity of material from rendering plants, potentially contaminated with BSE has been disposed of by *(a)* burial in landfill sites and *(b)* spreading on open ground. [31634]

Mrs. Browning *[holding answer 10 June 1996]:* All BSE suspect cases are incinerated. Council regulation 716/96 requires that cattle in the over-30 month scheme be incinerated or processed at rendering plants and destroyed. A number of options for the disposal of meat and bonemeal produced at plants are under active consideration and in all cases full weight will be given to protecting the environment. The options include incineration, use as fuel in power generation and eventual landfill.

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food what opinion surveys he has conducted relating to the impact of failures by animal feed mills, rendering plants and abattoirs fully to implement BSE-related regulations on public confidence in beef products. [32308]

Mrs. Browning *[holding answer 17 June 1996]:* None.

Local Veterinary Inspectors

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 23 April, *Official Report*, column *140*, which provision of

paragraph 4g of part II of the code of practice on access to Government information he refers to when withholding the names of local veterinary inspectors. [32526]

Mrs. Browning: Paragraph 4g of part II of the code of practice on access to Government information permits the withholding of information whose disclosure could endanger the life or physical safety of any person, or identify the source of information or assistance given in confidence for law enforcement or security purposes.

Postage Costs

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32843]

Mr. Boswell: The Department's expenditure on postage in 1994–95 was £1,853,970.64 and in 1995–96 was £1,596,147.88. No record was kept of the number of items posted.

Wildlife Trusts

Sir Kenneth Carlisle: To ask the Minister of Agriculture, Fisheries and Food when he last met the wildlife trusts; what issues were raised; and if he will make a statement. [33020]

Mr. Boswell: The Minister met the wildlife trust in Lincolnshire on 10 June and visited various sites.

Issues raised included pesticides; soil erosion; set-aside; countryside stewardship; the common agricultural policy and the intergovernmental conference; farmland birds; and agri-environmental schemes.

In a subsequent interview with the "Natural World", the Minister was asked about reconciling food production with protection of the environment; CAP reform; biodiversity; the uplands; wildlife legislation; and the Government's achievements and aims for wildlife. He emphasised the considerable achievements of the expanded agri-environmental programme.

Customer Charters

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32827]

Mr. Boswell: The following customer service standards have been produced under the citizens charter and are currently in use within this Department and its executive agencies:

Department

Commitment to Service (relating to the regional organisation) second edition)

Plant Variety Rights Office and Seeds Division Customer Service Standard

ADAS Dairy Hygiene Inspectorate Code of Practice and Statement of Service

Agricultural Wages Inspectorate Code of Enforcement

Egg Marketing Inspectorate: Our Code of Practice and Service Standard

The Fish Disease Inspectorate and You: Our Service Standards and Code of Practice for Enforcement

Horticultural Marketing Inspectorate Code of Practice and Statement of Service

The Plant Health and Seeds Inspectorate and You: Our Service Standards and Code of Practice on Enforcement

Sea Fisheries Inspectorate Code of Enforcement

The State Veterinary Service; Service Standards for the Veterinary Field and Investigation Services, including the Code of practice on Enforcement

Wine Standards Board Code of Enforcement

Executive Agencies

Statement of ADAS Service Standards

Central Science Laboratory; Statement of our Standards and Quality of Service

Central Veterinary Laboratory Service Statement

Intervention Board: Customer Care

Meat Hygiene Service: Appeals Procedure and Customer Service Standards

Pesticides Safety Directorate: Statement of our Service Standards

Veterinary Medicines Directorate Customer Service Statement

No customer service standards have been withdrawn.

Statistics

Mr. Fisher: To ask the Minister of Agriculture, Fisheries and Food which statistics his Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32858]

Mr. Boswell: The Ministry regularly reviews the statistics which are collected and disseminated to ensure that needs are met cost effectively. Information is not held in a form which could identify all changes since 1989 except at disproportionate cost, but the following regular statistical surveys have been discontinued:

1995: The Production of Syrup and Treacle.

1994: The Structure and Extent of the Turkey Population.

1993: The Consumption of Potato Crisps and Snacks.

1993: The Production of Processed Potatoes.

1993: The Stocks of Cocoa Beans and Cocoa Products.

1992: Agricultural Machinery.

1992: Import Commitments for Sugar within the EU.

1990: The Structure of the Egg Industry.

1990: The Canning and Bottling of Fruit and Vegetables.

Tobacco Producers

Sir Keith Speed: To ask the Minister of Agriculture, Fisheries and Food if he will list the countries of the European Union in receipt of EU funds to subsidise their tobacco producers and the total such expenditure to each country for the most recent 12-month period. [33182]

Mr. Baldry: Details of expenditure on the tobacco regime by the Community, broken down by member state, are contained in annex 2 of the annual financial reports on the European Agricultural Guidance and Guarantee Fund, EAGGF, guarantee section, copies of which have been deposited in the Library of the House.

Provisional figures for 1995 are:

	Mecu	*£ million*[1]
Belgium	3.5	2.8
Germany	26.2	21.2
Greece	411.4	332.4

	Mecu	£ million[1]
Spain	125.7	101.6
France	81.2	65.6
Italy	331.6	267.9
Netherlands	0.1	0.1
Portugal	13.3	10.7
Total	993.0	802.4

[1] £1=1.23759 ecu. Figures may not add to totals shown because of rounding.

Animal Feed

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food on how many occasions in each year since 1989 animal feed producers were prosecuted for failure to comply with regulations relating to bovine spongiform encephalopathy governing the production, distribution and supply of cattle feed. [31248]

Mrs. Browning *[holding answer 4 June 1996]:* No producers of animal feed have been prosecuted for failure to comply with BSE regulations relating to the production, distribution and supply of cattle feed.

Action has been taken in conjunction with the animal feed producers where problems were identified to put these right. Feed mills are now being visited on a regular basis and samples taken for analysis. This involves tests for mammalian protein which had to be specially developed and were not available for full use until February 1996.

Beef Supplies

Mr. Marlow: To ask the Minister of Agriculture, Fisheries and Food in what circumstances he will make over 30 months' prime beef available to the United Kingdom consumer. [31829]

Mrs. Browning *[holding answer 7 June 1996]:* Proposals for the establishment of a voluntary beef assurance scheme for those specialist beef herds reared mainly on grass which had not come into contact with meat or bonemeal and where no cases of BSE have occurred were issued on 3 May. Under the proposed scheme, participants will be able to sell cattle over 30 months for slaughter for human consumption purposes. The detailed rules of the scheme are being drawn up with a view to introducing it in July.

Animal Feedstuff

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the measures taken by the Government to ensure that no feed containing meat and bone meal was fed to farm animals over the past 30 months. [31383]

Mrs. Browning *[holding answer 10 June 1996]:* The Bovine Spongiform Encephalopathy (Amendment) Order 1996, which came into effect on 29 March, prohibits in Great Britain the sale or supply of any mammalian meat and bone meal, for the purposes of feeding to farmed animals, including poultry, horses and farmed fish. The order also made it an offence, from 4 April, to use any mammalian meat and bonemeal, or feed containing it, for feeding to farmed animals. These measures are being reinforced by a programme of inspection and sampling on farms and at feed mills. This programme is due shortly to be widened in scope and intensity to increase the current rate of sampling.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what agency will be responsible for identifying proscribed animal feed and for initiating legal proceedings against those holding it; and what estimate he has made of the manpower and budget consequences of this proposal. [31626]

Mrs. Browning *[holding answer 10 June 1996]:* The state veterinary service and local authorities will be responsible for identifying proscribed mammalian meat and bonemeal and feed containing meat and bonemeal and will initiate proceedings in accordance with the appropriate legislation. Such activities will be carried out as part of their normal enforcement responsibilities.

Rendering Plant, Thruxted

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the past and present disposal methods of the rendering plant at Thruxted, Kent, when dealing with potentially BSE-contaminated materials; if he will undertake an investigation into possible contamination of the environment at Eggringe wood arising from this plant; and if he will make a statement. [31629]

Mrs. Browning *[holding answer 10 June 1996]:* This Department has not made an assessment of the effluent disposal methods of the rendering plant at Thruxted Mill, Kent which is the responsibility of the Environment Agency.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the potential for materials extracted from specified bovine offal entering the water supply at Eggringe wood, near Thruxted Mill, in Kent. [31630]

Mrs. Browning *[holding answer 10 June 1996]:* A water treatment plant for effluent from the offals has been installed at Thruxted Mill and it is for the Environment Agency to decide if the disposal of treated water to land complies with the Water Resources Act 1991. This Department has not made such an assessment.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what quantity of residue from specified bovine offal is being stored at Thruxted Mill in Kent. [31633]

Mrs. Browning *[holding answer 10 June 1996]:* Approximately 110 tonnes of meat and bonemeal and 90 tonnes of tallow—the resultant material from rendering—is currently stored at Thruxted Mill.

Live Animal Transport

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many notices under articles 15 and 16 of the Welfare of Animals during Transport Order 1994 have been issued since the order came into force by local veterinary inspectors in the vicinity of Dover in respect of animals destined for export through the ports of *(a)* Brightlingsea and *(b)* Dover where they have identified sheep, calves or pigs which are unfit to travel; and if he will make a statement. [32509]

Mrs. Browning *[holding answer 12 June 1996]:* None. I also refer the hon. Member to the answers I gave him on 13 May, *Official Report*, columns *379–80*, and on 4 June, *Official Report*, column *436*.

Rabies

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the circumstances surrounding the discovery of a suspected rabid bat in Newhaven recently. [32710]

Mrs. Browning *[holding answer 13 June 1996]:* I refer the hon. Member to the answer given by my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food to the hon. Member for Staffordshire (Mr. Fabricant) on 11 June 1996, *Official Report*, column *139*.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food how many cases of bats infected with rabies have been confirmed in England during the past five years; how many were among native populations; and how many were suspected of coming from abroad. [32709]

Mrs. Browning *[holding answer 13 June 1996]:* There has never been a confirmed case of rabies in a bat in England before the case in East Sussex confirmed on 10 June this year.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food what was the species of bat with suspected rabies discovered in Newhaven recently; when the bat was first noticed; by whom; what action was taken; and when it came into the possession of his Department. [32707]

Mrs. Browning *[holding answer 13 June 1996]:* The bat is believed to have been a Daubenton's bat. It was reported to a local bat conservation society by a member of the public in Newhaven in East Sussex as being weak and unable to fly. It was collected by a wildlife ranger on 31 May who took it to the society's premises in Shoreham in West Sussex that day. The bat was euthanased on 3 June following a display of uncharacteristic aggression, a spontaneous abortion and an apparent epileptic fit. The carcass was posted to the Veterinary Laboratory Agency at Addlestone on 4 June and arrived on 5 June. Routine tests were under taken for rabies. Rabies was confirmed on 10 June following positive test results to a fluorescent antibody test and a rapid tissue culture isolation test. The results of a heminested RT-PCR mouse innoculation test are still awaited.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food what strain of rabies is suspected in the bat discovered in Newhaven recently; if the strain is capable of being passed on to humans; how long it will take to confirm the bat was rabid; and what methods are used to confirm rabies. [32711]

Mrs. Browning *[holding answer 13 June 1996]:* Following positive test results to a fluorescent antibody test and a rapid tissue culture isolation test rabies, European bat lyssavirus strain 2 was confirmed on 10 June. This strain is capable of being passed on to humans. The results of the heminested RT-PCR mouse innoculation test are expected in the week beginning 24 June.

Mr. Banks: To ask the Minister of Agriculture, Fisheries and Food when the bat found in Newhaven and suspected of carrying rabies died. [32717]

Mrs. Browning *[holding answer 13 June 1996]:* The bat was euthanased on 3 June.

Computers (Millennium)

Mr. Ingram: To ask the Minister of Agriculture, Fisheries and Food what assessment has been made of the cost effects of the millennium date change on the computer systems operated by his Department. [32671]

Mr. Boswell: Work is currently under way in the Ministry of Agriculture, Fisheries and Food to assess the impact and likely costs of the millennium date change on the computer systems operated by the Department. Initial planning has been undertaken and a project—which covers applications and systems software, as well as hardware, from our suppliers—has been established under the auspices of the Ministry's information technology steering group. Early activities include an assessment of the impact on selected pilot systems, but until this and other related preliminary work has been completed, likely costs cannot be assessed.

Dietary Supplements

Dr. Marek: To ask the Minister of Agriculture, Fisheries and Food what response he has made to the Shrimpton report on "Essential Nutrients in Supplements"; and what assessment he has made of its recommendations relating to consumer choice dietary supplements. [33177]

Mrs. Browning *[holding answer 17 June 1996]:* We have noted this report commissioned by the European Federation of Associations of Health Product Manufacturers and will take its conclusions into account in considering issues related to the safety of dietary supplements.

Beef Ban

Mr. Marlow: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the extent to which the German Government will be able to delay the partial lifting of the beef ban while not being in conflict with EU law; and what mechanisms are available to the German Government to delay the partial lifting of the ban. [33053]

Mrs. Browning *[holding answer 17 June 1996]:* The ban on the export of cattle, bovine semen and embryos, meat from cattle slaughtered in the United Kingdom, certain other products of such cattle and mammalian meat and bonemeal has been lifted in respect of semen, and subject to conditions of production, labelling and supervision, in respect of gelatine, tallow and certain other products. That partial lifting of the ban was done by a Commission decision that is binding on all member states of the European Community. Any member state that fails to give effect to the decision will be in breach of EC law.

Mr. MacShane: To ask the Minister of Agriculture, Fisheries and Food if he will list those countries which have banned the import of British beef since 1987. [29036]

Mrs. Browning *[pursuant to the reply, 16 May 1996, c. 580–81]:* Commission decision 96/239/EC of 27 March provided that the UK shall not export from its territory meat and meat products obtained from bovine animals slaughtered in the UK. The following information sets out the position on the day before the Commission decision was introduced, identifying separately those countries which, during the period from 1987, have introduced and/or maintained a ban, and those which had introduced, but subsequently lifted, such a ban.

Countries which have maintained a ban:

Algeria
Argentina
Canada
China
Bahrain
Bulgaria
Iran
Iraq
Jamaica
Japan
Jordan
Kazakhstan (CIS)
Libya
Lithuania
Malaysia
Philippines
Russian Federation
Saudi Arabia
Switzerland
Syria
Taiwan
United Arab Emirates
Uzbekistan

Countries which have introduced, but subsequently lifted, a ban:

Chile
Cyprus
Egypt
Kuwait
Lebanon
State of Sarawak (Malaysia)
Mauritius
Morocco
Oman
Poland
Trinidad and Tobago
Tunisia
Turkey
Qatar

Mr. Simpson: To ask the Minister of Agriculture Fisheries and Food if he will list those non-EU countries which currently ban British beef, indicating in each case the date the ban became effective. [28976]

Mrs. Browning *[pursuant to the reply, 16 May 1996, c. 579–80]:* Commission decision 96/239/EC of 27 March 1996 provided that the UK shall not export from its territory meat and meat products obtained from bovine animals slaughtered in the UK. The list of third countries therefore shows those countries with a ban on imports of British beef on the day before the introduction of the Commission Decision. The month and year when the ban was introduced are shown where available.

Importing country	*Date of ban*
Algeria	June 1990
Argentina	August 1991
Bahrain	—
Bulgaria	September 1994
Canada	March 1996
China	October 1990
Iran	June 1990
Iraq	October 1994
Jamaica	September 1991
Japan	July 1990
Jordan	September 1990
Kazakhstan (CIS)	August 1993
Libya	November 1990
Lithuania	April 1995
Malaysia	—
Philippines	October 1994
Russian Federation	September 1993
Saudi Arabia	September 1990
Switzerland	June 1990
Syria	August 1990
Taiwan	February 1990
United Arab Emirates	August 1990
Uzbekistan	—

Water Treatment

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the annual cost of water treatment to remove pollutants derived from agricultural activity from *(a)* United Kingdom waterways and *(b)* United Kingdom drinking water supplies; and if he will make a statement. [32289]

Mr. Clappison: I have been asked to reply.

Government policy is to take measures to reduce the risk of pollution from agricultural sources. Some costs are incurred in dealing with pollutants arising from agricultural activity but information is not collected centrally. Water suppliers in the United Kingdom have spent around £150 million per annum between 1990–91 and 1994–95 on treatment to remove pesticides and nitrates from drinking water supplies.

WALES

Cattle Slaughter

Mr. Redmond: To ask the Secretary of State for Wales if he will list the locations his Department is *(a)* using and *(b)* considering using for the storage of the remains of cattle aged 30 months or over following processing of carcasses at rendering plants prior to final disposal; what is the estimated *(a)* maximum and *(b)* minimum periods these remain will be at these storage sites; and if he will make a statement. [31557]

Mr. Jonathan Evans: The Intervention Board executive agency is currently storing the resultant material from animals rendered under the 30-month scheme at stores in Exeter, Belfast, Liverpool and Gloucestershire.

Other locations will be considered in due course as it becomes apparent that more storage facilities are required. As announced by my hon. Friend the Minister of Agriculture on 16 April, a number of options for the disposal of meat and bonemeal produced at plants are under active consideration and in all cases full weight will be given to protecting the environment. The options include incineration and energy recovery. The period of storage will vary between stores and will be dependent upon the final disposal route chosen.

Mobile Homes (Council Tax)

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the application of the council tax upon mobile homes. [32886]

Mr. Gwilym Jones: A mobile home that is someone's sole or main residence and is stationed with a degree of permanence, with its pitch, constitutes a dwelling liable to council tax.

Health Authorities

Mr. Dafis: To ask the Secretary of State for Wales what recent representations he has received from health authorities concerning the level of funding provided to them by the Welsh Office for 1996–97 and the implications for contracts with the providing trusts; and if he will make a statement. [32269]

Mr. Gwilym Jones: Since October 1995, six letters have been received by my right hon. Friend and four parliamentary questions have been answered. Contracts are a matter between NHS trusts and health authorities.

Postage Costs

Mr. Donohoe: To ask the Secretary of State for Wales how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32848]

Mr. Hague: The information is as follows:

Financial year	*Postage (£)*	*Number of items*
1994–95	496,869	1,178,038
1995–96	427,616	1,203,371

Enterprise Zones

Mr. Barry Jones: To ask the Secretary of State for Wales what is his policy on enterprise zones in Wales; and if he will make a statement. [32884]

Mr. Hague: In December 1987, the Government announced that the enterprise zone scheme would not be extended other than in exceptional circumstances.

Cattle Database

Mr. Barry Jones: To ask the Secretary of State for Wales what proposals he has to establish a national (Wales) cattle database. [32892]

Mr. Jonathan Evans: In the Government's response to the Agriculture Select Committee report on the identification and registration of farm livestock last year, we recognised that a national database might be an appropriate solution to the new arrangements to be introduced by the EU after 1996. This will need to be looked at in more detail. In the meantime, interested organisations are being consulted about the Government's proposals for compulsory cattle passports. These documents will improve animal identification and traceability and are an important element in the measures being taken by the Government to restore confidence in British beef.

Pharmacies

Mr. Chris Davies: To ask the Secretary of State for Wales if he will list the number of pharmacies in Wales by year since 1979. [33081]

Mr. Gwilym Jones: The information is given in the following table

	Number of Pharmacies[1]
1979	676
1980	675
1981	663
1982	664
1983	664
1984	666
1985	676
1986	695
1987	709
1988	704
1989	702
1990	707
1991	706
1992	707
1993	708
1994	712
1995	715

[1] At 31 December for 1979 to 1989 and 30 September thereafter.

Cardiff Airport

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the future prospects for Cardiff airport. [33162]

Mr. Gwilym Jones: The future prospects for Cardiff international airport are excellent. TBI plc, the airport's owner, is investing heavily in new facilities which will help to create one of the most modern regional airports in the United Kingdom.

Exports

Mr. Barry Jones: To ask the Secretary of State for Wales what estimates he has made of the value of goods exported annually from Wales from United Kingdom manufacturing industries; and if he will make a statement. [33168]

Mr. Hague: The information requested is not available in the form requested.

ATTORNEY-GENERAL

Driving Offences

Mrs. Dunwoody: To ask the Attorney-General on how many occasions in the last five years a charge of manslaughter has been brought as a result of a driving offence. [32802]

Mr. Maclean: I have been asked to reply.

The information available to me shows that 64 manslaughter charges were brought in England and Wales during the period 1990 to 1994, following the commission of a motoring offence.

Information for 1995 is not yet available.

NORTHERN IRELAND

Cattle Slaughter

Mr. Redmond: To ask the Secretary of State for Northern Ireland if he will list the locations his Department is *(a)* using and *(b)* considering using for the storage of the remains of cattle aged 30 months or over following processing of carcases at rendering plants prior to final disposal; what is the estimated (i) maximum and (ii) minimum period these remains will be at these storage sites; and if he will make a statement. [31551]

Mr. Ancram: (a) The Intervention Board is currently storing rendered remains of Northern Ireland cattle aged 30 months or over at stores in Belfast and Liverpool.

(b) Other locations will be considered in due course as it becomes apparent that more storage facilities are required.

(i) and (ii) The period of storage will vary between stores and will be dependent upon the final disposal route chosen.

Traffic Wardens

Mr. Mallon: To ask the Secretary of State for Northern Ireland in what circumstances *(a)* performance-related pay, and *(b)* commission is paid to traffic wardens in Northern Ireland. [32582]

Sir John Wheeler: Traffic wardens are not on performance-related pay, nor do they receive commission in relation to their duties. Their present salary arrangements are detailed below. Progression to the maximum of the scale is subject to satisfactory performance and is on an annual basis.

Traffic warden

£9,510 (on appointment)

£9,710 (max)

Senior traffic warden

£9,970 (on appointment)

£10,155

£10,365 (max).

Teachers

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many teachers there are in *(a)* primary schools and *(b)* secondary schools in (i) Strangford constituency and *(b)* Northern Ireland; and what have been the figures in each of the past five years. [32175]

Mr. Ancram: The information requested is as follows:

School year	Strangford constituency		Northern Ireland	
	Primary	Secondary	Primary	Secondary
1995–96	359	353	8,415	10,075
1994–95	387	356	8,766	10,005
1993–94	354	340	8,226	9,688
1992–93	342	341	8,035	9,544
1991–92	338	331	7,920	9,443
1990–91	337	331	7,944	9,553

Road Gritting

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will list the additions, deletions or amendments to the main line road gritting schedules on each section of the southern division of the Department of the Environment Roads Service, in each of the last 10 years. [32581]

Mr. Moss: Responsibility for the subject in question has been delegated to the Roads Service under its chief executive, Mr. W. McCoubrey. I have asked him to arrange for a reply to be given.

Letter from G. P. Fraser to Mr. Seamus Mallon, dated 18 June 1996:

The Secretary of State for Northern Ireland has asked the Chief Executive to reply to your question about amendments to the main line road gritting schedules in each section of the Southern Division of Roads Service and in his absence I am replying on his behalf. It is assumed that the question refers to the Craigavon Division of Roads Service.

The information is as follows:-

Additions

Year	Route	
1987	B135	Cullyhanna Road, Crossmaglen
	C222	Tullynaval Road, Crossmaglen
	C217	Chapel Road, Camlough
		Creeve Road, Newry
	C213	Ballymoyer Road, Newtownhamilton
1988		Newry By-pass: Stage 1
		Banbridge By-pass (second carriageway)
1989		No additions
1990	C310	Diamond Road, Dromore
	C227	Dundalk Road, Crossmaglen (short section)
	B135	Carron Road, Crossmaglen (short section)
1991		Meadow Lane Link Road, Portadown
		Link Road, Dromore
		Anderson Street/Victoria Street, Banbridge
1992		M1/M12 Link Road, Craigavon
		A1 Mullans Corner, Dromore (second carriageway)
1993		Kenlis Street Roundabout and Link Road, Banbridge
		Main Street, Forkhill (short section)
1994		No additions
1995		Newry By-pass: Stage 2
		Fort Street, Banbridge (short section)

Other additions—precise dates unknown

Ballynahone Avenue, Armagh

Victoria Park, Armagh

Mellifont Park, Armagh
Linseys Hill, Armagh
Killuney Manor, Armagh
Culdee Street, Armagh
Windmill Avenue, Armagh
Navan Street, Armagh
Angela Crescent, Richhill
Richmond Heights, Richhill
Laurelvale Road, Tandragee
Derryhale Road, Tandragee

Deletions

Year	*Route*
1988	Kilmorey Crescent, Kilkeel
	Riverside Park, Kilkeel
	Caddels Lane, Rathfriland
	School Road, Rathfriland
	Back Road, Rathfriland
	Cross Heights, Rathfriland
	Spelga Drive, Rathfriland
	Kiltarriff Park, Rathfriland
	Mourne View, Rathfriland
1995	C203 Cormalat Road, Newtownhamilton

I hope you find this information helpful.

Firearms Deaths

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will arrange for the maintenance and publication by his Department of statistics concerning deaths caused by legally held firearms, to include the particular type of gun, the reason for the grant of a firearm certificate, and a breakdown of the type of death by *(a)* murder, *(b)* suicide or *(c)* accident; and if he will make a statement. [32081]

Sir John Wheeler: I have asked the chief constable to consider the feasibility of collating this information. I will then consider whether the costs of producing the figures outweigh the benefits of having them. It is not possible to estimate when the exercise will be completed, but I shall write to the hon. and learned Gentleman as soon as the information becomes available.

Northern Ireland Budget

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will list the total annual budget in real terms for Northern Ireland, actual or estimated, for each financial year since 1990. [32583]

Sir John Wheeler: The information requested is shown in the table and relates to total gross public expenditure for Northern Ireland, including cyclical social security benefits, at 1994–95 price levels.

(1994–95 prices)

	£ million
1990–91[1]	7,588
1991–92[1]	7,923
1992–93[1]	8,288
1993–94[1]	8,559
1994–95[1]	8,872
1995–96[2]	8,981

[1] Outturn.
[2] Estimated Outturn.

Mr. Mallon: To ask the Secretary of State for Northern Ireland if he will list the total annual budget in real terms for the *(a)* Department of the Environment Northern Ireland Water Service, *(b)* Northern Ireland Electricity Service, *(c)* Department of Economic Development, *(d)* Northern Ireland Housing Executive, *(e)* Social Security Agency, *(f)* Department of Agriculture, *(g)* Child Support Agency, *(h)* Department of Education, *(i)* Department of Health and Social Services, *(j)* Department of Finance and Personnel, *(k)* Northern Ireland Office, *(l)* Southern education and library board; *(m)* Southern health and social services board, *(n)* Department of Environment Roads Service, *(o)* the Local Enterprise Development Unit and *(p)* the Industrial Development Board, actual or estimated, for each financial year since 1990. [32584]

Sir John Wheeler: The information is shown in the table and relates to gross public expenditure at 1994–95 price levels for the bodies requested.

Gross public expenditure

£ million (1994–95 prices)

	1990–91 Outturn	*1991–92 Outturn*	*1992–93 Outturn*	*1993–94 Outturn*	*1994–95 Outturn*	*1995–96 Estimated outturn*
(a) DOE Water Service	137	147	161	175	187	195
(b) NIES	54	61	62	—	—	—
(c) DED	581	548	520	530	503	514
(d) NIHE	547	539	534	518	518	529
(e) Social Security Agency (including Social Security Benefits)	—	2,263	2,467	2,655	2,786	2,905
(f) DANI	240	246	247	276	317	310
(g) Child Support Agency	—	—	—	5	5	6
(h) DENI	1,179	1,242	1,277	1,288	1,326	1,338
(i) DHSS	3,433	3,637	3,892	4,143	4,342	4,535
(j) DFP	56	60	56	62	75	86
(k) NIO	818	863	943	955	930	877
(l) Southern ELB	101	200	216	215	215	215
(m) Southern HSSB	136	140	170	179	185	192

Gross public expenditure

£ million (1994–95 prices)

	1990–91 Outturn	*1991–92 Outturn*	*1992–93 Outturn*	*1993–94 Outturn*	*1994–95 Outturn*	*1995–96 Estimated outturn*
(n) DOE Roads Service	155	159	153	158	161	154
(o) LEDU	50	41	36	34	35	34
(p) IDB	268	240	185	173	167	153

1. The NIE was privatised in 1993.
2. The Social Security Agency and the Child Support Agency were created in 1991–92 and 1993–94 respectively.
3. Figures for DHSS include the Social Security Agency, social security benefits (including cyclical benefits), the Child Support Agency and the Southern health and social services board.
4. The 1990–91 Southern education and library board figure excludes teachers' and lecturers' salary costs. These became the responsibility of the Boards from 1991–92 onwards.
5. The DENI figures include those shown for the Southern education and library board.
6. The DED figures include those shown for IDB, LEDU and the NIES.

TRADE AND INDUSTRY

Research Councils

Mr. Miller: To ask the President of the Board of Trade what guidelines he has issued to research councils as to the use of money allocated for expenditure on indirect costs. [31588]

Mr. Ian Taylor: My right hon. Friend the President of the Board of Trade has not issued any guidance to the research councils concerning the use of money allocated for expenditure on indirect costs within research grants to higher education institutions. The indirect costs awarded in these grants was set at 40 per cent. of the staff component of the grant in 1992 by the then Secretary of State for Education and Science.

Arms Exports

Miss Lestor: To ask the President of the Board of Trade what measures the United Kingdom will propose to the forthcoming G7 summit on 28 and 29 June to limit export credits for arms. [32700]

Mr. Oppenehim: The UK continues to press in international forums that export credits and other financial support extended to the poorest developing countries should be focused primarily on goods and services which will foster and sustain their economic rehabilitation and development.

Milk Marque

Mr. John Marshall: To ask the President of the Board of Trade when the Office of Fair Trading started its inquiry into Milk Marque; and when it is expected to report. [32645]

Mr. John M. Taylor: The Office of Fair Trading has been closely monitoring developments in the milk market since its deregulation in November 1994. During this time, the office has received a number of complaints about alleged abuses of monopoly power by Milk Marque. It is for the Director General of Fair Trading to consider whether there are grounds for him to use his powers under the provisions of the Fair Trading Act 1973 to make a monopoly reference to the Monopolies and Mergers Commission. He hopes to reach a decision at the earliest opportunity.

Recruitment

Mr. Donohoe: To ask the President of the Board of Trade how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31401]

Mr. John M. Taylor: I have asked the agencies to reply directly to the hon. Member. As for the remainder of my Department, in 1994–95 46 staff were recruited to permanent positions at a cost of £386, 129. All these staff were at grade 7 or below. In 1995–96, 62 staff were recruited to permanent positions at grade 7 level and below, at a cost of £392,898. In addition, in 1995–96 three senior staff were recruited at a total cost of £104,746.

Letter from Jim Norton to Mr, Brian Donohoe, dated 18 June 1996:

Question: To ask the President of the Board of Trade, how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years.

I have been asked to answer the question your raised on behalf of the Radiocommunications Agency.

RA expenditure on staff recruitment was £30,313 in 1994/95, and £35,935 in 1995/96. 10 staff were recruited in 1994/95 and 23 in 1995/96.

Letter from Peter Joyce to Mr. Brian Donohoe, dated 18 June 1996:

The President of the Board of Trade has asked me to reply to your question about the amount spent by The Insolvency Service in recruiting staff during the 1994/95 and 1995/96 financial years; and how many staff were recruited in each of these years.

The numbers and the associated costs for the recruitment of permanent staff into The Insolvency Service were as follows:

1994/95: 27 staff at a total of £42,830

1995/96: 1 member of staff at a cost of £284.

Letter from John S. Holden to Mr. Brian Donohoe, dated 18 June 1996:

I have been asked by the President of the Board of Trade to reply on behalf of Companies House to your recent Parliamentary Question (as/2400) concerning recruitment numbers and costs.

The numbers recruited during 1994–95 and 1995–96 were as follows, itemised by grade:

Recruitment Analysis: By substantive grade. Financial years 1994–95 and 1995–96

	1994–95		1995–96	
	Heads	FTE	Heads	FTE
G7	—	—	2	1.65
EO	—	—	1	1
AO	—	—	4	4
AA	35	29.27	87	76.56
SGB2	69	58.38	61	49.83
Totals	104	87.65	155	133.0

I should explain that the majority of those particularly at the AA and SGB2 grades were casual staff on short term appointments.

All recruitment at Companies House is undertaken by our Personnel Section. Recruitment costs are not itemised separately but are included within the general costs of that section.

Letter from Ron Marchant to Mr. Brian Donohoe, dated 18 June 1996:

In the absence of the Comptroller General on official business, I am responding in relation to the Patent Office to the your parliamentary question to the President of the Board of Trade about staff recruitment. The information requested is as follows:

(i) *1994/95*

The Patent Office recruited two fixed-term Network Services Technicians at a cost of £1,628.55, which is for the advertisement in the "Western Mail" and "Wales on Sunday".

In addition, we recruited six graduates as patent examiners at a total cost of £5,722.07 made up from:

Advertising and Recruitment Fairs: £3,600.00

Recruitment and Assessment Services: £1,185.00

Expenses for candidates at interview boards: £937.07

(ii) *1995/96*

In this period we recruited 12 graduates for the patent examiner grades at a cost of £13,632.58 made up from:

Advertising and Recruitment Fairs: £7,362.23

Hiring Board Chairman: £1,856.50

Expenses for those attending interviews: £1,300.00

Entry in graduate recruitment directory: £3,113.75

Letter from Zélie Armstrong to Mr. Brian Donohoe, dated 18 June 1996:

The President of the Board of Trade has asked the National Weights and Measures Laboratory to reply to your questions about the cost and the number of staff recruited in 1994–95 and 1995–96.

The figures you require are as follows:

1994–95 3 staff recruited; £662.50

1995–96 2 staff recruited; £1,359.00

Ostrich Farming

Mr. David Shaw: To ask the President of the Board of Trade (1) if he will list all companies his Department's investigations showed to be connected to directors and others involved with the Ostrich Farming Corporation Ltd. indicating those companies currently under investigation by *(a)* his Department and *(b)* other public bodies; [32929]

(2) what investigations his Department is making into companies which obtained sales and marketing commissions from the Ostrich Farming Corporation Ltd. and the methods used by those companies to earn those commissions. [32932]

Mr. John M. Taylor: Such inquiries are confidential and I cannot comment on whether the companies closely associated with Ostrich Farming Corporation Ltd. in the marketing of ostriches have or are being investigated.

Mr. Shaw: To ask the President of the Board of Trade what action his Department is taking to protect the interests of owners of ostriches purchased from the Ostrich Farming Corporation Ltd. [32930]

Mr. Taylor: Following inquiries under part XIV of the Companies Act 1985, the Secretary of State presented a petition for the winding-up of the company in the public interest and, at the same time, sought and shortly afterwards obtained the appointment of the official receiver as provisional liquidator of the company. The official receiver is in communication with the farming companies to which the company contracted out the day-to-day care of such ostriches and with owners and representatives of owners, and is continuing to seek the directions of the court in relation to this.

Mr. Shaw: To ask the President of the Board of Trade what assessment he has made of the compliance of the accounting records kept by the directors of the Ostrich Farming Corporation Ltd. with Companies Act legislation; and what assessment he has made of the adequacy of the company's records of assets and liabilities. [32933]

Mr. Taylor: Following inquiries under part XIV of the Companies Act 1985 the Secretary of State presented a petition to the court for the winding-up of the company in the public interest and has applied for and obtained the appointment of the official receiver as provisional liquidator of the company. The official receiver has taken into his possession the known books and records, including those which are computerised and will, if appropriate, report on any deficiencies he may find in such records to the appropriate authority.

Mr. Shaw: To ask the President of the Board of Trade on how many occasions the marketing of ostriches by the Ostrich Farming Corporation Ltd. and the operation of the company contravening *(a)* financial services, *(b)* companies and *(c)* banking legislation. [32931]

Mr. Taylor: If the Department discovers possible contraventions of legislation in the course of its inquiries, it considers these carefully and, if appropriate, takes action or reports its findings to those with responsibility for such action, but I cannot comment on individual cases.

Mr. Shaw: To ask the President of the Board of Trade what investigations he has conducted into newspapers which carried advertisements for the sale of ostriches by the Ostrich Farming Corporation Ltd. *(a)* in respect of their carrying out appropriate investigations prior to accepting the advertising and *(b)* the compliance of the advertisements with the financial services legislation. [32928]

Mr. Taylor: In respect of *(a)* none.

Under the self-regulatory system of advertising controls in the UK, it is the responsibility of the Advertising Standards Authority to ensure that the advertising industry complies with its agreed codes of practice.

In respect of *(b)* none.

Burma

Mrs. Fyfe: To ask the President of the Board of Trade what was the cost of Government funding of the recent business delegation to Rangoon [32357]

Mr. Nelson: The DTI provided £23,000 towards the cost of funding the recent business delegation to Rangoon, in the form of £1,000 grants given to eligible UK companies that participated in the Asia Pacific advisory group trade mission.

Mrs. Fyfe: To ask the President of the Board of Trade what was the cost of mounting the "Burma—the Next Tiger?" conference in London. [32356]

Mr. Nelson: After deducting the income derived from attendance charges, the total cost to DTI of mounting the trade awareness seminar—"Burma—the Next Tiger" on 5 December 1995 was around £4,500.

Director General of the Research Councils

Mr. Ingram: To ask the President of the Board of Trade when the contract for the Director General of the Research Councils expires. [33132]

Mr. Ian Taylor: The contract runs to 31 December 1996 in the first instance, with the possibility of renewal for a further two years if all parties are content.

Framework IV Programmes

Mr. Ingram: To ask the President of the Board of Trade what representations have been made to the European Commission on funding for research and development under the European framework IV programmes. [33133]

Mr. Ian Taylor: Information on representations made to the European Commission on this subject is not held centrally. The budgets for the fourth framework programme for research and technological development were established in decisions 1110/94/EC and 94/268/Euratom and the decisions which subsequently amended them to take account of the enlargement of the European Union. The Commission has recently proposed an increase of 700 mecu in the funding of the programme. The UK has opposed this through the usual negotiation machinery both because of its implications for the European Union's financial perspectives and because no convincing case has been made for the additional expenditure on its merits.

Mr. Ingram: To ask the President of the Board of Trade what is his policy in respect of the principle and structure of the research and development task forces under the European framework IV programmes. [33134]

Mr. Taylor: The UK has welcomed the task force initiative. Task forces can play a useful role in improving prioritisation and co-ordination in the fourth framework programme as long as they are not too prescriptive. Experience suggests that they are most effective when they involve member states closely, focus on clearly defined areas where publicly funded R and D can make a real contribution to resolving a market failure and consult widely and meaningfully with industry and other relevant interests. It is important that framework programme IV's established decision-making procedures are fully respected in any implementation of task force recommendations.

Business Links

Mr. Sheerman: To ask the President of the Board of Trade how many business links have a design consultant or consultancy as part of the service they offer to small and medium enterprises. [33548]

Mr. Page: All business links are to offer design services and have been invited to bid for funding.

To date, proposals from 50 business links partnerships have been approved and 27 design counsellors are in post.

Customer Charters

Mr. Donohoe: To ask the President of the Board of Trade if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32828]

Mr. John M. Taylor: The information requested on customers charters currently in use within my Department and it executive agencies is as follows:

(a) Charters:

The Redundancy Payments Service

Charter Standard Statements:

Companies House

The Insolvency Service

Patent Office

Radiocommunications Agency

Overseas Trade Services

Commissioners for the Rights of Trade Union Members

(b) None.

Statistics

Mr. Fisher: To ask the President of the Board of Trade which statistics his Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32867]

Mr. Lang: In 1989 responsibility for the collection and publication of economic statistics was transferred from my Department to the Central Statistical Office—now the Office for National Statistics. Since that, there have been no major changes in the collection orf publication of the statistics that remain within the control of my Department. Minor changes in statistical series are made from time to time in response to the requirements of Government and international organisations for statistical information.

Postage Costs

Mr. Donohoe: To ask the President of the Board of Trade how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32842]

Mr. John M. Taylor: Expenditure on postal services in each of the years was as follows:

1994–95: £793,000

1995–96: £718,000

Volumetric data are not available for 1994–95. In 1995–96, 1,175,698 items were despatched from headquarters offices. These items account for 92 per cent. of the postal expenditure.

Companies (Financial Assistance)

Mr. Jamieson: To ask the President of the Board of Trade if a financial interest was declared by Mr. Z when he was a director of company Y, the identities having been supplied to him, at a time when this company received financial assistance from his Department; which form this declaration took; if the declaration was voluntary; if Mr. Z absented himself from the relevant meetings; what procedures were followed by his officials in vetting the application(s); and if he will make a statement. [30038]

Mr. Oppenheim *[holding answer 20 May 1996]:* Members of the South West industrial development board are required as a matter of routine to declare directorships and other financial interests, and Mr. Z complied with this principle in respect of his directorship of company Y. He absented himself from the discussion by the board of the one regional selective assistance case involving the company arising during his period as a member, and officials additionally ensured that he did not see papers relating to that case. The application was appraised by the Department's south-west regional office following the usual procedures for cases of that size.

Mr. Jamieson: To ask the President of the Board of Trade if he will list those individuals and consultancies that have advised his Department's south-west regional office on applications from companies for financial assistance since 1980. [28752]

Mr. Oppenheim *[holding answer 13 May 1996]:* In addition to those listed in my answer of 4 June 1996, *Official Report*, column *308*, the following external advisers have assisted the Department's south-west regional office—now the Government office for the south-west—on applications from companies for financial assistance since 1980:

Mr. J. A. Strzelecki, Accounting and Marketing Services Ltd.

Mr. K. E. Holmes, Dellcourts Ltd.

Mr. J. Thornhill

Mr. Andrew Holton

Others may also have provided advice on an occasional basis in the earlier part of the period, but we have been unable to confirm this from surviving records.

Mr. Jamieson: To ask the President of the Board of Trade if he will list the applications to his Department's south-west regional office for regional selective assistance that are prepared by company W, whose identity has been supplied to him, by *(a)* number and *(b)* percentage; what measures he has taken to ensure that such services are fairly distributed among other accountancy firms; and if he will make a statement. [30027]

Mr. Oppenheim *[holding answer 20 May 1996]:* It is for applicants to decide whether to retain advisers and, if so, which. The identity of advisers is not necessarily evident from the face of the application and the total number and percentage of applications prepared with the help of company W could therefore be researched only at disproportionate cost.

Mr. Jamieson: To ask the President of the Board of Trade what financial assistance has been given by his Department since 1980 to (i) company A, (ii) company B, (iii) company C, (iv) company D, (v) company E, (vi) company F and (vii) company G, whose identities have been supplied to him by *(a)* type of grant and *(b)* date, including month. [27737]

Mr. Oppenheim *[holding answer 2 May 1996]:* Four of the companies have received assistance under the Department's principal regional, enterprise and technology schemes:

Company	*Scheme*	*Payment £*	*Date*
A	Consultancy initiative	4,835	November 1992
D	Consultancy initiative	4,681	July 1991
E	Regional Selective Assistance	9,040	April 1980
	First project (offered in 1977)	9,040	April 1981
	Second project	40,000	August 1988
		40,000	May 1990
	Third project	300,000	December 1989
		150,000	January 1991
	Fourth project	250,000	March 1993
		70,000	January 1996
F	Regional Selective Assistance	60,000	October 1986
	First project	30,000	February 1988
	Second project	30,000	November 1995

Mr. Jamieson: To ask the President of the Board of Trade what financial assistance has been given by his Department since 1980 to (i) company H, (ii) company I, (iii) company J, (iv) company K, (v) company L, (vi) company M and (vii) company N, whose identities have been supplied to him by *(a)* type of grant and *(b)* date, including month. [27738]

Mr. Oppenheim *[holding answer 2 May 1996]:* Three of the companies have received assistance under the Department's principal regional, enterprise and technology schemes:

Company	*Scheme*	*Payment £*	*Date*
J	Consultancy initiative	2,562	November 1990
L	Regional selective assistance		
	First project	120,000	July 1984
		119,000	August 1985
		119,000	November 1986
	Second project	125,000	September 1986
		125,000	February 1989
	Microprocessor application project	100,091	March 1985
N	EUREKA		
	First project	204,617	11 payments from May 1991 to July 1993
	Second project	61,299	2 payments, March and September 1992

Company	Scheme	Payment £	Date
	Third project	7,500	November 1995
	Awareness/ demonstrators programme		
	First project	3,500	October 1991
	Second project	10,000	March 1990
	Third project	14,927	March 1992
	Advanced technology programme		
	First project	181,229	6 payments from February 1993 to August 1994
	Second project	50,000	4 payments from March to October 1995

Mr. Jamieson: To ask the President of the Board of Trade what financial assistance has been given by his Department since 1980 to (i) company O, (ii) company P, (iii) company Q, (iv) company R, (v) company S, (vi) company T and (vii) company U, whose identities have been supplied to him by *(a)* a type of grant and *(b)* date, including month. [27739]

Mr. Oppenheim *[holding answer 2 May 1996]:* Two of the companies have received assistance under the Department's principal regional, enterprise and technology schemes:

Company	Scheme	Payment £	Date
O	Consultancy initiative	2,513	July 1989
U	Support for innovation—first project	68,314	4 payments from January to October 1983
	Second project	58,431	4 payments from March to December 1984

Mr. Jamieson: To ask the President of the Board of Trade, pursuant to his answer of 29 April, *Official Report*, columns *363–64*, what was the value of the offer to Porthcurno Management Company Ltd.; on what date *(a)* the application and *(b)* the offer were made; and what was the nature of the financial assistance offered. [28302]

Mr. Oppenheim *[holding answer 7 May 1996]:* The offer to Porthcurno Management Company Ltd. was for £500,000 regional selective assistance grant and was made in December 1993, the application having been made two months earlier.

Mr. Jamieson: To ask the President of the Board of Trade, pursuant to his answer of 29 April, *Official Report*, column *365*, on what date regional selective assistance was granted for each of the three mentioned projects undertaken by Marine Projects (Plymouth) Ltd.; and what part of this financial assistance was made under the terms of the previous offers. [28303]

Mr. Oppenheim *[holding answer 7 May 1996]:* In clarification of my earlier answer, the dates of offer and first payment of grant in respect of each of the three projects are as follows:

	Offer	First payment
First project	December 1983	January 1984
Second project	October 1986	July 1988
Third project	March 1989	January 1991

These grants were unrelated to the earlier offers of regional selective assistance made to the company.

Mr. Jamieson: To ask the President of the Board of Trade what role was played by Mr. Kenneth Holmes in the granting of DTI financial assistance to Marine Projects (Plymouth) Ltd. since 1980. [28267]

Mr. Oppenheim *[holding answer 7 May 1996]:* None.

Mr. Jamieson: To ask the President of the Board of Trade, pursuant to his answer of 29 April, *Official Report,* column *363*, if he will state (i) the advice offered by Mr.Kenneth Holmes on application for DTI financial assistance by Rodelco China Ltd. (ii) the outcome of this application, (iii) the value of the offer made to the company, (iv) if the subsequent offers made to Character Ceramics Ltd. were made in conjunction with the original offer to Rodelco China Ltd. and (v) what was the value of the offers made in 1992 and 1993 to the business when trading as Character Ceramics Ltd. [28298]

Mr. Oppenheim *[holding answer 7 May 1996]:* Mr. Kenneth Holmes identified various shortcomings in the initial application by Rodelco China which led the Department's south-west regional office to reject the application in June 1992. A second subsequent application was made by Rodelco China in July 1992, which resulted in an offer of £88,000 regional selective assistance in November 1992 to the business, by the then incorporated as Character Ceramics Ltd. A third application resulted in a further offer of £20,000 in March 1993.

Europa Tool Co.

Rev. Martin Smyth: To ask the President of the Board of Trade how many representations he has had concerning the location of the Europa Tool Co. [32244]

Mr. Ancram: I have been asked to reply.

Thirty-eight representations have been made to the Northern Ireland office concerning the Europa Tool Co.

South West Regional Development Board

Mr. Jamieson: To ask the President of the Board of Trade what is the average attendance for his Department's South West regional development board for each year since 1990; what number constitutes a quorum; and what changes *(a)* have been implemented since 1990 and *(b)* will be implemented in the future. [30028]

Mr. Oppenheim *[holding answer 20 May 1996]:* The average number of members attending is as follows:

1990: 5.75
1991: 5.00
1992: 5.67
1993: 5.50
1994: 6.67
1995: 6.30
1996 (to date): 5.50

Members who are unable to attend a meeting may submit views in writing in advance which are circulated to those attending.

The board has throughout this period generally regarded four members, including the chairman or acting chairman, as constituting a quorum, but it has occasionally agreed to discuss cases—usually as an extraordinary meeting not making formal recommendations—despite attendees falling below this level.

The Department is reviewing, in the light of the internal report on the implications of the ROM-Data case, the quorums set for regional industrial development boards and the procedural rules covering circumstances in which numbers fall below quorum. The Government office for the south-west hopes to increase membership of its board which should, as well as strengthening the board's expertise, increase average attendance levels.

Nuclear Industry (Privatisation)

Mrs. Beckett: To ask the President of the Board of Trade, pursuant to his answer to the hon. Member for East Lothian (Mr. Home Robertson) of 30 January, *Official Report*, column *657*, and the Government's reply to the second report of the Trade and Industry Committee, Session 1995–96, HC 383, on nuclear privatisation, what is the division of third-party liability for British Energy between the operator and public funds; what is the extent of the liability for compensation from public funds; which other private industries are liable for compensation to be paid out of public funds; and what plans he has to establish the maximum liability of the private operator at 300 million special driving rights. [32502]

Mr. Lang *[holding answer 11 June 1996]:* Under the Nuclear Installations Act 1965, as amended, the third party nuclear liability of a licensed nuclear operator is limited to £140 million per incident. The Act requires the operator to make provision, through insurance or other means, as approved by Government, for sufficient funds to be available at all times to ensure that duly established claims are satisfied up to £140 million in respect of each of the cover periods specified in the Act. The Act also provides that Government shall make available such sums, as when aggregated with funds available through insurance, or from contributions made by other parties to the Brussels convention on civil nuclear liability, or other means, may be necessary to ensure that claims up to an amount equivalent to 300 million special drawing rights—currently equivalent to £286 million—may be met. Parliament may also vote further funds.

These arrangements, which derive from the Brussels convention, are specific to the nuclear industry which is subject to strict liability and legal channelling. They apply whether an operator is in the public or private sector. When the UK limit of operator liability was set at £140 million, it took into account the capacity of commercial insurance available in the market. There has been no significant change in insurance capacity since then. The Government continue to monitor the situation.

South West Industrial Development Board

Mr. Jamieson: To ask the President of the Board of Trade if he will list the occasions since 1990 on which members of his Department's South West industrial development board have absented themselves from board meetings because of potential conflicts of interests, indicating the *(a)* date, *(b)* board members, *(c)* relevant company, *(d)* value of the financial assistance applied for and *(e)* value of assistance subsequently offered. [28753]

Mr. Oppenheim *[holding answer 13 May 1996]:* The table lists the occasions on which members of the South West industrial development board are recorded as having, since 1990, absented themselves—because of potential conflicts of interest—from discussions of cases which have subsequently resulted in offers. On two occasions, as noted, they did not physically withdraw. Members have also absented themselves on 14 other occasions after which applications have been rejected or withdrawn without an offer being made.

Date	*SWIDB members*	*Applicant*	*Assistance applied for* £	*Assistance offered* £
27 March 1990	Kenneth Holmes	South West Farm Processors Ltd.	250,000	200,000
26 June 1990	Roger Harris	Felix Engineering Ltd.	175,000	175,000
19 March 12991	Michael Knight	Western National Ltd.	210,000	210,000
25 June 1991	Roger Harris	Redruth Brewery (1792) Ltd.	200,000	200,000
26 November 1991	Roger Harris	ROM-Data Corporation Ltd.	750,000	750,000
31 March 1991	Roger Harris and Graham Stirling	Barden Corporation (UK) Ltd.	320,000	320,000
27 October 1992	Roger Harris	Fibre Data Group Ltd.	220,000	220,000
23 February 1993	Roger Harris	Pendennis Shipyard (Holdings) Ltd.	350,000	350,000
27 July 1993	Roger Harris	B and S Screw Machine Services Ltd.	750,000	750,000
30 November 1993	Roger Harris	Falmouth Oil Services Ltd.	925,000	850,000
	Roger Harris	Porthcurno Management Company Ltd.	500,000	500,000
	Roger Harris	Rittal-CSM Ltd.	250,000	250,000
21 December 1993	Roger Harris	Omitec Thin Films Ltd.	250,000	222,000
26 January 1994	Roger Harris	Wrafton Laboratories Ltd.	500,000	450,000
23 February 1994	Roger Harris	Roach Foods Ltd.	750,000	750,000
23 Marach 1994	Roger Harris and Michael Jordan	Magrathea (Pendennis) Ltd.	400,000	400,000
	Graham Stirling	Thomson IBL Ltd.	500,000	500,000
25 May and 29 June 1994	Roger Harris	ZoMed International Ltd.	900,000	800,000
25 May and 27 July 1994	Phil Gregory[1] and Roger Harris	Squaresail Shipyard Ltd.	150,000	150,000
27 July 1994	Roger Harris	Tecalmit Systems Ltd.	475,000	400,000
	Roger Harris	Allen and Heath Ltd.	500,000	350,000
11 August 1994	Roger Harris	Bairdwear (Bridgwater) Ltd.	200,000	150,000
	Roger Harris	FalFab LLC	266,667	250,000
25 January 1995	Roger Harris	Topfoto Services Ltd.	325,000	250,00
12 April 1995	Roger Harris	Redruth Brewery (1792) Ltd.	975,000	700,00

Date	SWIDB members	Applicant	Assistance applied for £	Assistance offered £
28 June 1995	Roger Harris	CH Brannam Ltd.	350,000	225,000
25 October 1995	Roger Harris	[2]Pall Europe Ltd.	950,000	950,000
29 November 1995	Roger Harris	Fryer Workwear Ltd.	250,000	200,000
29 November 1995	Roger Harris	Cirbo Ltd.	150,000	125,000
10 April 1996	Roger Harris	Harman International Industries Ltd.	950,000	950,000

[1] Mr. Gregory was absent from the meeting on 25 May 1994; but he remained for the discussion of the application at the meeting on 27 July 1994 when having declared an interest, it was deemed sufficient for him to remain silent.
[2] Mr. Harris having declared an interst, it was deemed sufficient for him to remain for the discussion without participating in any vote on the application.

Mr. Jamieson: To ask the President of the Board of Trade how many offers of financial assistance have been made since 1985 by his Department's South West industrial development board which have remained unpaid due to the liquidation, receivership or dissolution of the relevant companies by *(a)* date, *(b)* type of offer, *(c)* company and *(d)* reason for withdrawal of the offer. [30037]

Mr. Oppenheim *[holding answer 20 May 1996]:* The following eight offers of grant under the regional selective assistance scheme have been made following advice from the South West industrial development board but will not as a consequence of the companies concerned having gone into liquidation or receivership or having been dissolved, be paid out in full:

Date of offer	Company	Offer £	Reasons for non-payment
25 August 1988	Orca Aircraft Ltd.	200,000	Receivership
5 December 1988	Strategic Alloys Ltd.	500,000	Receivership
17 April 1990	South West Farm Processors Ltd.	200,000	Receivership
27 June 1990	Crissan Marine Ltd.	120,000	Receivership
24 July 1992	Lobbs Clotted Cream Ltd.	215,000	Receivership
6 September 1993	ROM-Data Corporation Ltd.	848,500	Liquidation
17 September 1993	Redruth Brewery Ltd.	480,000	Receivership
23 December 1993	Porthcurno Management Co. Ltd.	500,000	Liquidation

Mr. Jamieson: To ask the President of the Board of Trade if Mr. X, whose identity has been supplied to him, of his Department's South West industrial development board is required to absent himself from board meetings where there may be a potential conflict of interest due to his partnership in company W. [30036]

Mr. Oppenheim *[holding answer 20 May 1996]:* Yes, although for one case it was exceptionally deemed sufficient, Mr. X having declared an interest, for him to remain provided that he did not take part in any vote on the case.

Written Answers to Questions

Wednesday 19 June 1996

HOME DEPARTMENT

Prison Overcrowding

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will list the 10 prisons with the highest levels of overcrowding in the last year. [30496]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Barry Sheerman, dated 19 June 1996:

The Home Secretary has asked me to reply to your recent Question requesting a list of the ten prisons with the highest levels of overcrowding in the last year.

Details of the ten prisons with the highest levels of overcrowding during 1995–96 are given in the attached table.

Table 1

Prison	*Peak overcrowding in year (percentage)*	*Month peak occurred*	*Average for year percentage*
Leicester	83	April 1995	58
Shrewsbury	74	January 1996	63
Exeter	71	November 1995	57
Chelmsford	65	February 1996	53
Durham	54	March 1996	47
Canterbury	53	November 1995	42
Swansea	53	March 1995	44
Preston	53	October 1995	41
Birmingham	50	April 1995	39
Lincoln	50	February 1996	36

Overcrowding has been calculated by dividing the population by the in use certified normal accommodation for each establishment.

At the end of May 1996, 15.5 per cent. of the population were held two to a cell designed for one, compared to 21 per cent. in April 1992.

'Trebling' (the holding of three prisoners in a cell designed for one) was eliminated in March 1994 and has not occurred at any time since then.

Prison Assaults

Mr. George Howarth: To ask the Secretary of State for the Home Department what was the average assault rate in each prison for the financial year 1995–96. [32352]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. George Howarth, dated 19 June 1996:

The Home Secretary has asked me to reply to your recent Question about the average assault rate in each prison for the financial year 1995–96.

The attached tables show the annual rate of assaults, proven at adjudication per 100 population, in each Prison Service establishment between April 1995 and March 1996. Copies of the tables have been placed in the Library.

Television Licences

Mr. Michael Brown: To ask the Secretary of State for the Home Department how many people were imprisoned following non-payment of the television licence fee in each year since 1990; and what was the average length of sentence for those imprisoned. [33318]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Michael Brown, dated 19 June 1996:

The Home Secretary has asked me to reply to your recent Question about people who were imprisoned following non-payment of their television fee for every year since 1990; and what was the average length of sentence for those imprisoned.

Information on the number of fine defaulters received into Prison Service establishments in England and Wales for the years 1991–1994, by offence group is published in "Prison statistics, England and Wales" (Table 7.3 of the 1994 edition, Cm 3087), a copy of which is available in the library. No information is available prior to 1991 for non-payment of fines for using a television without a licence because the offence was not separately identified in the prison statistics. Provisional information for 1995 shows that some 730 persons (500 males and 230 females) were received into prison for defaulting on a fine after conviction for using a television without a licence. The average time imposed was 10 days for males and 9 days for females.

Asylum and Immigration Bill

Mr. Callaghan: To ask the Secretary of State for the Home Department what estimate he has made of the cost to small firms of implementing the measures contained in the Asylum and Immigration Bill. [32112]

Miss Widdecombe: Clause 8 of the Bill is the only provision which will involve costs for business. Details were set out in the reply to a question from the hon. Member for Hornsey and Wood Green (Mrs. Roche) on 21 May, *Official Report*, column 97.

Liquor Licensing

Mrs. Ann Taylor: To ask the Secretary of State for the Home Department if he will list the organisations his Department involved in the consultation process on *(a)* apprenticeship schemes in the drinks industry and *(b)* proposed changes to the liquor licensing legislation to extended permitted hours. [33384]

Mr. Kirkhope: Table A lists the organisations which were consulted or which offered comments on allowing 16 to 17-year-olds on approved apprenticeship schemes to work in bars.

Table B lists the organisations which were sent the 30 May consultation paper about extending licensing hours. Comments from any other organisation or individual would be welcome. The consultation lasts until 30 August.

Copies of the tables have been placed in the Library.

LORD CHANCELLOR'S DEPARTMENT

Judicial Review

Ms Hodge: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33589]

Mr. Streeter: No such legislation has been introduced.

Ms Hodge: To ask the Parliamentary Secretary, Lord Chancellor's Department how many decisions by his Department were challenged by way of judicial review in each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33573]

Mr. Streeter: Excluding applications for judicial review of decisions of courts and tribunals, and of bodies exercising a judicial discretion such as the Legal Aid Board, there were three applications for judicial review in the Session 1992–93, one in 1994–95 and two in the current Session. One of the applications this Session has been stayed; all others were dismissed.

TREASURY

Customs and Excise Investigation

Mr. Macdonald: To ask the Chancellor of the Exchequer (1) if *(a)* Metta Trading Ltd. and *(b)* Metalchem International Ltd. are the subject of current investigations by HM Customs and Excise; [33298]

(2) on what occasions *(a)* Metta Trading Ltd. and *(b)* Metalchem International Ltd. were the subject of investigations by HM Customs and Excise between 1991 and 1996. [33299]

Mr. Heathcoat-Amory: It is not the normal practice of the Commissioners of Customs and Excise to reveal, other than in the course of legal proceedings, details of whether particular companies or individuals are, or are not, the subject of investigation. Provision of such details might be both unfair to those caught up in customs inquiries and prejudice current or future investigation.

Gross Domestic Product

Mrs. Jane Kennedy: To ask the Chancellor of the Exchequer if he will give for 1979 and for each year since 1986, *(a)* gross domestic product at current factor cost *(b)* gross domestic product at constant factor cost and *(c)* gross domestic product per capita for (i) Merseyside and (ii) each region of the United Kingdom. [33287]

Mrs. Angela Knight: The latest county estimates of gross domestic product at current prices for the years 1989, 1991 and 1993, and regional estimates for 1984, were published in the March 1996 issue of "Economic Trends". This publication, as well as data for earlier years, are available in the House of Commons Library. Estimates of regional and county gross domestic product are not calculated at constant prices, as there are no regional price deflators available.

Value Added Tax

Mr. Allen: To ask the Chancellor of the Exchequer if he will list the rate of VAT or comparable tax for each of the countries of the Organisation for Economic Co-operation and Development. [33339]

Mr. Heathcoat-Amory: The standard rates of VAT in the member countries of the OECD which apply VAT are set out in the table.

Rates of VAT in OECD member countries

Country	*Standard rate (per cent.)*
Austria	20
Belgium	21
Canada	7
Czech Republic	22
Denmark	25
Finland	22
France	20.6
Germany	15
Greece	18
Iceland	24.5
Ireland	21
Italy	19
Japan	3
Luxembourg	15
Mexico	15
Netherlands	17.5
New Zealand	12.5
Norway	23
Portugal	17
Spain	16
Sweden	25
Switzerland	6.5
Turkey	15
United Kingdom	17.5

The two remaining member countries of the OECD, Australia and the United States, do not have VAT. Australia levies a wholesale tax, WST, on certain Australian manufactured goods and certain imported goods. A wide range of goods are exempt from WST, and those which are taxable are subject to different rates. The majority of goods are taxable at the rate of 22 per cent., although there are also rates of 12 per cent. and 32 per cent. In the United States, the majority of states impose a retail sales tax, RST, which

generally applies to sales of goods to final consumers within the state's jurisdiction. Rates of RST vary according to the state concerned.

Taxation

Mr. Khabra: To ask the Chancellor of the Exchequer what percentage of national income is currently taken in taxation; and what was the figure in 1979. [33361]

Mr. Waldegrave: The Budget estimate of total taxes and national insurance contributions as a percentage of gross domestic product, GDP, in 1995–96 was 36 per cent. In 1979–80, the comparable figure was 35½ per cent. An outturn estimate for 1995–96 is not yet available.

Since 1979, public sector borrowing has averaged 2½ per cent. of GDP. Under the last Labour Government, public sector borrowing averaged nearly 7 per cent. of GDP. If Labour had kept borrowing down to the same level that this Government have achieved, taxes would have been higher under Labour by an average of nearly 3 per cent. of GDP.

Population Statistics

Mr. Alex Carlile: To ask the Chancellor of the Exchequer what percentage of the population were men under the age of 25 years in each of the last 20 years for which figures are available. [33185]

Mrs. Angela Knight *[holding answer 18 June 1996]:* The information is given in the table.

England and Wales: Males aged 0 to 24

Mid-year	*Thousands*	*As percentage of total population*
1974	9,451.5	19.1
1975	9,404.9	19.0
1976	9,358.3	18.9
1977	9,300.7	18.8
1978	9,245.8	18.7
1979	9,225.3	18.6
1980	9,216.0	18.6
1981	9,191.4	18.5
1982	9,145.8	18.4
1983	9,111.5	18.3
1984	9,071.7	18.2
1985	9,044.8	18.1
1986	8,999.7	17.9
1987	8,943.4	17.8
1988	8,881.2	17.6
1989	8,807.1	17.4
1990	8,748.6	17.2
1991	8,701.5	17.0
1992	8,636.0	16.8
1993	8,575.6	16.7
1994	8,521.6	16.5

Research and Economic Performance

Mr. Ingram: To ask the Chancellor of the Exchequer if he will place in the Library a copy of the report on the "Relationship between Publicly Funded Basic Research and Economic Performance" submitted to his Department by the science policy research unit at the university of Sussex. [33380]

Mrs. Angela Knight *[holding answer 18 June 1996]:* The Treasury intends to publish this report shortly. I shall arrange for copies to be placed in the Library of the House.

NATIONAL HERITAGE

Millennium Commissioners

Mrs. Clywd: To ask the Secretary of State for National Heritage (1) on which dates, to which location, for what purpose and at what cost, the millennium commissioners have visited areas of the United Kingdom outside London; [32432]

(2) on which dates, to which location, for what purpose and at what cost, the millennium commissioners have visited Wales; [32431]

(3) on which dates, to which location, for what purpose and at what cost, the millennium commissioners have visited countries outside the United Kingdom. [32433]

Mrs. Virgina Bottomley: This is a matter for the Millennium Commission. I shall reply to the hon. Member in my capacity as chairman of the commission and place copies of my reply in the Library of the House.

British Library

Mr. Hargreaves: To ask the Secretary of State for National Heritage what she estimates to be the final cost of the new British library building at St. Pancras. [33972]

Mrs. Virgina Bottomley: The final outturn of the project will not be known until all final accounts have been settled. Our estimates is that this will be at least a year after practical completion, which is targeted for December 1996. However, the latest estimate of the outturn for the project is £511.1 million, which represents a 3 per cent. increase over the present ceiling of £496 million. The Chief Secretary to the Treasury has agreed an increase to the project ceiling to reflect this.

DUCHY OF LANCASTER

Chessington Computer Centre

Mr. Butler: To ask the Chancellor of the Duchy of Lancaster if he will make an announcement on the progress of the sale of Chessington computer centre. [33837]

Mr. Freeman: I informed the House on 15 May of the identity of the three organisations that had been invited to submit final offers for Chessington computer centre. Final offers were received on 12 June. I have now considered these offers, and have selected a partnership comprising the Chessington management and employee buy-out team, Integris UK and financial backers as the preferred bidder. Detailed discussions with the partnership will now commence with the intention of reaching final agreement for an early completion of the sale of the business.

Statutory Instruments

Mr. Butler: To ask the Chancellor of the Duchy of Lancaster if he will make a statement about the arrangements for printing statutory instruments. [33838]

Mr. Freeman: Some of the printing of statutory instruments has been contracted out by HMSO for over 30 years as the most cost-effective way of producing them. A careful examination has recently been made of the legislation which refers to HMSO and the Queen's printer. This has revealed that while the Queen's printer can contract out the printing of statutes, this may not be the case for statutory instruments. The Queen's printer is currently also the controller of HMSO. After privatisation, the Queen's printer and controller will remain in the public sector responsible for residual HMSO.

HMSO's records show, for as far back as they are available, that statutory instruments were being printed by commercial contractors in January 1965. It is likely that the practice is somewhat older. Currently, around half the printing work for statutory instruments is contracted out at an annual cost of some £200,000. In order to put the validity of this practice in relation to statutory instruments beyond doubt, the Government intend to legislate before the summer recess. The legislation will be retrospective in effect in order to cover existing statutory instruments printed for, rather than by, HMSO.

The privatisation process, subject to meeting the safeguards required by Parliament, will continue as planned with completion during the summer and on the basis that the Queen's Printer would be able to print all statutory instruments. Meanwhile, HMSO will enter into no more external printing contracts for statutory instruments.

Information Superhighways

Mr. French: To ask the Chancellor of the Duchy of Lancaster if he will make a statement regarding the ethical issues relating to information superhighways. [33013]

Mr. Freeman: The development of information superhighways and the growth of multimedia applications raise a number of issues which are relevant to the responsibilities of several Government Departments and other bodies. The CCTA in particular has been working on research which has made an important contribution to consideration within Government. Since questions of information superhighways regulation bear particularly strongly upon the responsibilities of the Department of Trade and Industry, I have agreed with my hon. Friend the Minister for Science and Technology that his Department will take the lead in any Government statements in this area. On 21 May 1996, my hon. Friend made a speech to the Internet Service Providers Association setting out the Government's views on these matters. A copy of the speech has been placed in the House Library.

Deregulation

Mr. Bernard Jenkin: To ask the Deputy Prime Minister what measures he is proposing at the EU intergovernmental conference to promote deregulation. [32621]

Mr. Freeman: Making less, but better EC legislation remains a priority for the Government. As we made clear in the IGC White Paper, we will continue our efforts to achieve this both inside and outside the IGC.

Ministerial Relationships

Mr. Allen: To ask the Deputy Prime Minister if he will list the rules or guidance which govern the relationship between Secretaries of State and junior Ministers. [33111]

Mr. Freeman: "Questions of Procedure for Ministers" describes the roles of Ministers in charge of Departments and Ministers outside the Cabinet. The distribution of ministerial responsibilities is published in the "List of Ministerial Responsibilities".

Century House

Mr. Barnes: To ask the Chancellor of the Duchy of Lancaster, pursuant to the answer of 16 February 1995, *Official Report*, column *805*, what has been the cost of maintenance, including figures for fees and VAT payments, of Century house since 16 February 1995; and what plans there are for the building. [33383]

Mr. Freeman: Responsibility for the subject of the question has been delegated to Property Advisers to the Civil Estate, under its chief executive, Mr. Neil Borrett. I have asked him to reply to the hon. Member.

Letter from Mr. N. E. Borrett to Mr. Harry Barnes, dated 18 June 1996:

The Chancellor of the Duchy of Lancaster has asked me to reply to your question about Century House.

Since 16th February 1995 the cost of maintenance, including fees and VAT, has been £146,140.

A planning application for conversion to residential use has been made. Following the grant of planning permission, it is proposed that the property will be sold in the open market for conversion to residential use.

ENVIRONMENT

Compulsory Competitive Tendering

Mr. Hunter: To ask the Secretary of State for the Environment how many local government contracts subject to compulsory competitive tendering have been awarded *(a)* in-house and *(b)* to private companies. [33286]

Sir Paul Beresford: Information is not held centrally by the Department but the latest Local Government Management Board survey shows that the private sector currently has 24.8 per cent. of contracts by value, in-house teams have 73.3 per cent. and the other 1.7 per cent. are held by a management buy-out companies or joint venture companies.

Judicial Review

Ms Hodge: To ask the Secretary of State for the Environment how many decisions by his Department were challenged by way of judicial review in each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33566]

Sir Paul Beresford: Information is not held centrally in a form which would enable the Secretary of State to answer this question without incurring disproportionate cost.

Ms Hodge: To ask the Secretary of State for the Environment on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33585]

Sir Paul Beresford: There has been one instance in which legislation has been introduced into Parliament with the purpose of partially reversing a decision of the court in a case of judicial review against a local authority. This was the case of R. *v.* London borough of Ealing ex parte Lewis, where it was held that the local housing authority did not have power to include certain expenditure on sheltered accommodation in its housing revenue account. Sections 126 and 127 of the Leasehold Reform, Housing and Urban Development Act 1993 were introduced to change this effect of the decision. Parallel provisions were introduced for Scotland in sections 149 and 150 of that Act.

There have been no instances of legislation introduced to implement a judicial review decision.

Joint Nature Conservation Committee

Mrs. Ray Michie: To ask the Secretary of State for the Environment how many core posts there were in the Joint Nature Conservation Committee in (i) 1994–95 and (ii) 1995–96; and how many are projected for 1996–97. [33320]

Mr. Clappison: The average number of permanent posts and fixed-term appointments assigned to the JNCC in the financial years in question is:

	1994–95	*1995–96*	*1996–97*
Permanent	53	49	43
Fixed term	44	34	34

Mineral Sites

Mr. Matthew Taylor: To ask the Secretary of State for the Environment if he will list *(a)* the mineral sites on the first lists of sites prepared by all mineral planning authorities in compliance with mineral planning guidance note 14 where the sites are wholly or partly within sites of special scientific interest and *(b)* the names of the sites of special scientific interest concerned. [33529]

Sir Paul Beresford: This information is not held centrally. It can be obtained from individual mineral planning authorities who are statutorily responsible for preparing the first lists of mineral sites in their areas.

Environmental Education

Mr. Thomason: To ask the Secretary of State for the Environment what progress has been made with preparing a strategy for environmental education. [33900]

Mr. Gummer: I commissioned Jennifer Jones, a secondee to my Department, to carry out a review of education, training and awareness about the environment. She prepared a report which made a range of recommendations to the key players in environmental education. We have drawn up a strategy for environmental education on the basis of this report which takes account of the recommendations in it, and provides a framework within which to consider how they should be taken forward.

Government Strategy for Environmental Education in England

Introduction

Education is a central means of furthering the Government's commitment to sustainable development. Education can give people that capacity to address environmental issues which is vital to achieving a sustainable society. Education in its broadest sense includes not just formal study, but personal awareness, experience and interests developed over a period of time—at home, at school, college or university, at work, and in the wider community. This strategy therefore provides a general framework which encompasses the national curriculum, the 16 to 19 sector, further and higher education, training and informal education. It accommodates the scale and diversity of environmental education which is already taking place, and provides a focus for encouraging its further development.

Objective

To instil in people of all ages, through formal and informal education, and training, the concepts of sustainable development and responsible global citizenship; and to develop, renew and reinforce their capacity to address environment and development issues throughout their lives, both at home and at work.

This will be achieved by

continuing to promote and encourage environmental education and training through relevant programmes and policies and as part of the continuing dialogue with business and industry, local authorities, the education sector and non-governmental organisations.

helping to ensure that appropriate materials for each phase of the education and training process are readily available;

facilitating and supporting initiatives which promote sustainable development and responsible global citizenship to people in the course of their daily lives;

continuing to ensure that the education process is alive to the needs of employers;

establishing suitable arrangements to monitor and encourage progress in the application of sustainable development principles and the integration of environmental issues in education so that activities may be changed, redirected, or reinforced where necessary.

Progress to date:

Three exercises to facilitate environmental education through the national curriculum are nearing completion;

references to the importance of sustainability and responsible global citizenship have been included in the Dearing review of qualifications for 16 to 19-year-olds;

a report on the implementation of the recommendations of the 1993 Toyne report has been completed;

work has commenced by the Department for Education and Employment, with cross departmental support, to oversee the preparation of occupational standards in environmental management;

financial support for environmental education. This includes support for the Council for Environmental Education, the National Association for Environmental Education, Forum for the Future and environmental education projects, including some in schools, through the environmental action fund; the Centre for Research, Education and Training in Energy, the eco-schools programme and an energy efficiency award scheme for schools in partnership with British Gas;

support for the going for green campaign and for local agenda 21.

Future action:

The Government will continue to encourage, promote, support and facilitate environmental education initiatives;

the Government will establish suitable arrangements to monitor and encourage progress in the application of sustainable development principles and the integration of environmental issues in education. These arrangements will need to cover the nine Government Departments with an interest;

the Government will also consider whether to convene an external panel, perhaps through going for green, including representatives from education and training, business and industry and environmental specialists. The panel's role would be to facilitate co-ordination of the activities of all the sectors involved, and to make recommendations to the key players;

a seminar will be held for invited participants on the review of the 1993 Toyne report.

Copies of the report on environmental education, training and awareness have been placed in the Library of the House, and are available from my Department on request.

We shall consider how to respond to the detailed recommendations in the report in the context of implementing the strategy for environmental education.

Environment Agency

Mr. Dover: To ask the Secretary of State for the Environment when he intends to lay before Parliament a draft of the guidance that Ministers are required to give to the Environment Agency under section 4 of the Environment Act 1955. [33973]

Mr. Gummer: With my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food and my right hon. Friend the Secretary of State for Wales, I am today laying before the House a draft of the guidance which Ministers are required under section 4 of the Environment Act 1995 to give to the Environment Agency on its objectives, including the contribution it is to make towards the achievement of sustainable development.

We will also provide to the Environment Agency an explanatory document which sets the statutory guidance into context and offers a commentary on the agency's duty to take account of likely costs and benefits. Copies of this document have been placed in the Library.

Housing Benefit

Mr. Llew Smith: To ask the Secretary of State for the Environment what is his policy on the payment of housing benefit to banks and building societies to meet the costs of housing association loans. [31982]

Mr. Roger Evans: I have been asked to reply.

Housing benefit may be paid by a local authority directly to a claimant's landlord in order to protect public funds. Regulations also provide local authorities with discretion to determine the appropriate method of payment which may result in payments being made directly into a bank or building society account. It is for landlords to decide how they wish to use these funds, which may include the repayment of a loan.

Local authorities do not pay housing benefit to banks or building societies to meet housing association loans. It is available to help tenants meet their reasonable rent liability.

PRIME MINISTER

Honours

Dr. Michael Clark: To ask the Prime Minister what proportion of those recommended for honours were civil servants, members of the armed forces and Government employees *(a)* in each of the two years prior to the changes of 1993 and *(b)* in each year thereafter. [33051]

The Prime Minister: Figures for civil servants are not available separately. The proportions of state servants[1] awarded honours in the new year and birthday lists of around 1,000 names each, are listed. The number of military awards[2] shows the number of awards in the defence services lists, which are purely military, issued at the same time following recommendations to the Queen by my right hon. Friend, the Secretary of State for Defence:

Year	*Percentage of state servants*[1]	*Number of military awards*[2]
1991	19	533
1992	19	527
1993	18	475
1994	17	424
1995	16	320
1996	17	315

[1] Figures are for state servants which include not only civil servants in headquarters, professional and local posts, but also those giving wider state service, for example in the museums and galleries field; to both Houses of Parliament; and as circuit judges.

[2] The numbers of military awards include members of the regular and reserve forces but exclude special lists for awards in a designated theatre (during the period from 1991 these have included Northern Ireland and the Gulf). Between 1994 and 1996, 56 meritorious awards were taken from the honours lists and were published separately in operational lists.

Since March 1993, any automatic recognition to staff in particular posts has ceased. Awards for state servants are selected on merit, reflecting service beyond what might normally be expected.

FOREIGN AND COMMONWEALTH AFFAIRS

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000; [33482]

(2) what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33483]

Mr. Hanley: The information is not available in the form requested and could be provided only at disproportionate cost.

Mr. McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33480]

Mr. Hanley: Comprehensive figures are not available. Problems reported in the last three years by FCO and ODA staff working in the UK were as follows:

1993: 27

1994: 146

1995: 161

In addition, on-going training and workplace risk assessment programmes have identified other problems, but figures are not recorded centrally.

The Health and Safety Commission has not become involved with any problems.

Mr. McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33481]

Mr. Hanley: Comprehensive figures for reported accidents suffered by FCO and ODA staff working in the UK are available for only the last three years. Details are as follows:

	1993	*1994*	*1995*
Minor	131	131	101
Major	19	11	12
Fatalities	—	—	—

Information technology related accidents are included in these statistics, but are not separately identifiable.

Gibraltar

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the average time taken for vehicle crossings from *(a)* Gibraltar to Spain and *(b)* Spain to Gibraltar in each of the last eight weeks for which figures are available. [33242]

Mr. David Davis: Average delays are:

(a) Gibraltar to Spain

17–23 April: 90–180 minutes

24–30 April: 90–120 minutes

1–7 May: 90–12 minutes

8–14 May: 45–90 minutes

15–21 May: 45–120 minutes

22–28 May: 60–180 minutes

29 May—4 June: 80–180

5–11 June: 10–20

(b) Spain to Gibraltar

17–23 April: 20–30 minutes

24–30 April: 45–60 minutes

1–7 May: 10–45 minutes

8–14 May: 10–60 minutes

15–21 May: 0–60 minutes

22–28 May: 0–60 minutes

29 May—4 June: 0–30 minutes

5–11 June: 10–40 minutes

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the European Commission in respect of delays in vehicle crossings between Spain and Gibraltar. [33241]

Mr. Davis: We have raised with the European Commission our strong concerns about these delays.

Nuclear Materials

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's policy concerning a nuclear fissile material cut-off convention; and what assessment he has made of the impact of such a convention on international security. [33189]

Mr. David Davis: We supported the mandate agreed at the conference on disarmament in Geneva in March 1995 for an ad hoc committee to begin work on a treaty banning the future production of fissile material for nuclear weapons or other nuclear explosive devices—fissile material cut-off treaty, FMCT.

Such a ban could be a significant contribution to non-proliferation and international security, provided that it enjoyed wide support including from those countries which have not yet signed the nuclear non-proliferation treaty. We therefore continue to urge all members of the conference on disarmament to support an early start to negotiations to conclude a satisfactory and universally applicable FMCT.

Visas (Russia)

Mr. Rendel: To ask the Secretary of State for Foreign and Commonwealth Affairs how many applications for the issue of visas to Russian citizens to visit the United Kingdom were received by (i) the British embassy in Moscow and (ii) the consulate in St. Petersburg. [33436]

Mr. Hanley: The number of UK visit visa applications received from Russian citizens by our posts in Moscow and St. Petersburg in 1995 were.

1995

Moscow: 95,474

St. Petersburg: 18,019

Total: 113,493

Haiti

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has taken part in about the future of the United Nations peacekeeping mission in Haiti. [33538]

Sir Nicholas Bonsor: The United Kingdom mission in New York has participated fully in Security Council discussions on the future of the UN mission in Haiti.

Judicial Review

Ms Hodge: To ask the Secretary of State for Foreign and Commonwealth Affairs how many decisions by his Department were challenged by way of judicial review in

each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33565]

Mr. Hanley: This information is not held centrally. So far as I have been able to ascertain, six applications for judicial review have been decided in the period in question, in two of which the applicants were successful. The Department did not appeal in either case.

Ms Hodge: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33586]

Mr. Hanley: None.

Iran

Mr. Temple-Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy towards the National Council of Resistance of Iran; and if he will make a statement. [33714]

Mr. Hanley: It is our long-standing policy not to have any official contact with the National Council of Resistance of Iran. The NCRI is a coalition dominated by the Mojahedin-e-Khalq—MKO—Islamic group, which has a long history of involvement with Iraq.

The MKO has been seeking western support by portraying itself as a "democratic" alternative to the present Iranian regime. It is difficult to reconcile this with the MKO's history of violence. Our European and US partners share our general approach to the MKO. We have no intention of recognising it as an alternative to the present Government in Tehran.

EDUCATION AND EMPLOYMENT

Postage Costs

Mr. Donohoe: To ask the Secretary of State for Education and Employment how much her Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32840]

Mr. Robin Squire: Expenditure on postage in the financial years 1994–95 and 1995–96 was £1,363,741 and £1,274,376. Figures for the number of items posted in 1994–95 are not available but the 1995–96 figure is approximately 4 million.

GCSE Scores

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will provide (i) the percentage of pupils achieving a grade G or higher, (ii) the percentage achieving a grade C or higher, and (iii) the average point score per pupil in *(a)* GCSE English language, *(b)* GCSE mathematics and *(c)* both English language and mathematics; and if he will provide the same by gender in each case, for all 15-year-old pupils in the maintained sector of each local education authority area for 1992 and 1995, on the same basis as the DFEE school performance tables. [32954]

Mr. Paice: The data are contained in a number of tables, copies of which will be placed in the Library.

The tables for 1992 and 1995 give (i) the percentage of pupils achieving a grade G or higher, (ii) the percentage of pupils achieving a grade C or higher, (iii) the average point score per pupil in *(a)* GCSE English, *(b)* GCSE mathematics and *(c)* both English and mathematics by gender of 15-year-old pupils in the maintained sector of each local education authority area in England. The average GCSE point scores are based on A* equal to 7.

Statistics

Mr. Fisher: To ask the Secretary of State for Education and Employment which statistics her Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32857]

Mr. Robin Squire: Changes in the basis of compilation, presentation and publication of statistical series are made from time to time in response to the requirements of the Government and international organisations for statistical information. Others reflect changes in administrative systems on which some series are based, the developments of new statistical techniques and technological developments affecting the compilation and dissemination of statistical data. When such changes are made, they are fully documented in the relevant statistical publications. It would be disproportionately costly to identify all the changes in our surveys and publications since 1989, therefore this reply covers those regular surveys and publications which have entirely ceased.

Exams

The last school examinations survey, SES, which provided statistics on school leavers was conducted for the academic year 1991–92. Also discontinued at that time were surveys associated with the SES—the form 113FE survey, which collected information on the academic achievements (A-level and AS) of students in further education; and the advanced supplementary, AS, survey of entries and achievements of pupils in schools.

Schools

The security in schools and ethnic monitoring of school children surveys have been discontinued since 1989. The ethnic monitoring survey collected information about ethnicity, mother tongue and religious affiliation. Ethnicity is still collected via the annual schools' census, but mother tongue and religious affiliation have been discontinued.

Teachers

Data on the ethnic origin of teachers were collected on a supplement to form 618G from 1990 to 1993. Returns were incomplete and statistics were never published.

Higher and Further Education

Shortly after the Polytechnics and Colleges Funding Council, PCFC, was set up in 1989, some collection and publication of data on staff and finance for these institutions previously conducted by the Department through the annual monitoring survey, AMS, and the further education revenue account survey, FERAS was taken on by the PCFC. The Department continued to conduct these surveys for Local education authority-funded institutions, although FERAS was discontinued in 1992–93.

Following the creation of the unified higher education sector in 1993 and the setting up of the Higher Education Funding Council for England, HEFCE, responsibility for the collection and publication of higher education statistics passed in 1994–95 from the Department and the universities statistical record, USR, to the Higher Education Statistics Agency, HESA. Similarly, the creation of the a new further education sector in 1993 and the setting up of the Further Education Funding Council for England, FEFC, led to the transfer to it of responsibility for the collection and publication of further education statistics from the end of 1994–95.

Consequently, a number of surveys previously conducted by the Department were discontinued and replaced by systems introduced by HESA and FEFC. The surveys discontinued were the further education statistical record, FESR, the examination results and first destinations survey, ERFDS, the annual monitoring survey, AMS, the short course record, SCRS, and the return of students enrolled at the Worker's Educational Association—the AE2 return.

Employment

The confirmed redundancy series was discontinued after the publication of statistics for June 1992. After changes in the payment of rebates from the redundancy fund in 1986 removed the financial incentive for employers to provide the information, it was found to be seriously understating the number of redundancies taking place.

Nursery School Inspections

Ms Hodge: To ask the Secretary of State for Education and Employment how many inspections have been undertaken of registered establishments in the first two months of the current financial year; and what proportion of establishments these costs represent within each authority participating in the pilot scheme for nursery vouchers. [33271]

Mr. Robin Squire: No inspections of private and voluntary sector institutions participating in the nursery education voucher scheme can take place until the Nursery Education and Grant-Maintained Schools Bill has been given Royal Assent and has been commenced.

Ms Hodge: To ask the Secretary of State for Education and Employment what are the qualifications required of the inspectors of under-fives establishments who have been newly recruited; and what proportion of these inspectors have each of the required qualifications. [33269]

Mr. Squire: In recruiting candidates for training to be registered nursery inspectors, the chief inspector of schools takes into account both relevant experience and qualifications as well as personal references.

Ms Hodge: To ask the Secretary of State for Education and Employment how many additional new inspectors have been recruited by The Office for Standards in Education in *(a)* February, *(b)* March, *(c)* April and *(d)* May to undertake inspection of establishments for nursery education. [33270]

Mr. Squire: For phase 1, the chief inspector invited 100 candidates to be nursery education inspectors to attend training courses in May 1996, and a further 120 and 100 in June and July 1996.

Science and Technology (Funding)

Mr. Nigel Jones: To ask the Secretary of State for Education and Employment what criteria are used in the allocation of funding by the Higher Education Funding Council in the areas of science and technology; and if she will make a statement. [33169]

Mr. Forth: The Higher Education Funding Council for England allocates funds for science and technology research selectively to higher education institutions on the basis of competition. The main criterion is departments' relative strengths in research according to national and international standards, as measured in the periodic research assessment exercises. Other criteria include success in collaborating with industry and other users on research, leading to expertise and knowledge which can be used by higher education, industry and the community at large.

Internet

Mr. Nigel Jones: To ask the Secretary of State for Education and Employment, pursuant to her answer of 4 June, *Official Report*, column *398–99*, how many schools in Gloucestershire have made use of the guidance available from the National Council for Educational Technology on the use of the Internet. [33127]

Mr. Robin Squire: Advice and training sessions on the Internet have been offered to all local education authority and grant-maintained schools in Gloucestershire through the school library service libraries of the future project which is supported by the National Council for Education Technology, NCET. During the project, 24 secondary schools, seven primary and two special schools in Gloucestershire took part in the sessions. In addition, four schools requested information sheets on the Internet from the NCET.

Young People (Hemsworth)

Mr. Trickett: To ask the Secretary of State for Education and Employment how many young people with an educational qualification below national vocational qualification level 2 in the Hemsworth constituency (i) have been and (ii) are being trained by the Wakefield training and enterprise council. [33239]

Mr. Paice: I understand that, since April 1995, 157 young people in the Hemsworth constituency have attended courses organised by Wakefield training and enterprise council, leading to a qualification below NVQ level 2. Of these, 32 young people are being trained by the TEC at present.

Mr. Trickett: To ask the Secretary of State for Education and Employment how many young people in the age range 18 to 25 years *(a)* resident in the Hemsworth constituency and *(b)* in related travel-to-work areas have attained national vocational qualification level 2. [33238]

Mr. Paice: The information is not available in the format requested.

I understand that, since April 1995, *(a)* 102 young people resident in the Hemsworth constituency have attained NVQ level 2 or above through training organised by the Wakefield training and enterprise council, and *(b)* 240 young people in surrounding areas have attained NVQ level 2 through training organised by the Wakefield TEC.

Other young people will have achieved NVQ level 2 or above as a result of education and training not organised by the TEC. Figures for this are not available at constituency level.

Higher Education Funding

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment what was the public expenditure on higher education in England *(a)* including and *(b)* excluding expenditure on student maintenance in (i) cash terms, (ii) real terms and (iii) expressed as percentage of United Kingdom gross domestic product for each financial year since 1989–90; and what is planned for 1996–97, 1997–98 and 1998–99. [33344]

Mr. Forth: The information for 1989–90 to 1995–96 is as follows:

Higher education public funding in England

£ million

Financial year	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Total HE public funding (cash terms)[1]	3,560	3,940	4,530	5,090	5,690	6,140	6,350
Real terms 1995–96 prices	4,560	4,670	5,060	5,460	5,920	6,280	6,360
As percentage of gross domestic product	0.7	0.7	0.8	0.8	0.9	0.9	0.9
Total HE public funding (cash terms)[2]	3,030	3,270	3,680	[3]4,010	[3]4,390	[3]4,680	[3] [4]4,820
Real terms 1995–96 prices	3,890	3,870	4,100	4,300	4,570	4,780	4,820
As percentage of gross domestic product	0.6	0.6	0.6	0.7	0.7	0.7	0.7

[1] Includes expenditure on student maintenance, including net student loans expenditure, for England.
[2] Excludes expenditure on student maintenance.
[3] Includes the dual support transfer to the Office of Science and Technology.
[4] Includes grant to the Teacher Training Agency.
Planned public expenditure on higher education in England including student maintenance is £5,690 million, £6,140 million and £6,350 million in 1996–97, 1997–98 and 1998–99 respectively.

Grant-maintained Schools

Mr. Harry Greenway: To ask the Secretary of State for Education and Employment how many *(a)* primary or infant and *(b)* secondary schools are now grant-maintained; how many applications in each sector are pending; and if she will make a statement. [33146]

Mrs. Gillan: As at 12 June, there are 457 grant-maintained, GM, primary and 646 GM secondary schools operating. Nursery schools are not eligible to become GM . A further 24 primary schools and 11 secondary schools either have published, or are due to publish, applications for GM status following ballots in which the parents voted in favour of the school becoming GM.

St. Mary's School, Southend-on-Sea

Sir Teddy Taylor: To ask the Secretary of State for Education and Employment when her Department was advised of the proposal advanced by Church of England education authorities to transfer the St. Mary's school in East street, Southend-on-Sea to vacant premises owned by the Essex county council in Boston avenue, Southend; on what grounds her Department's permission is required for the change of location; and when she expects to come to a decision on the matter. [33553]

Mrs. Gillan: The Secretary of State's approval is required for all proposals published under section 13 of the Education Act 1980 to transfer a school to a new site. The governing body of St. Mary's school published proposals on 12 January 1995, and we hope to reach a decision shortly.

DEFENCE

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Defence on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33472]

Mr. Arbuthnot: This information is not held centrally and could be provided only at disproportionate cost.

Mr. McCartney: To ask the Secretary of State for Defence what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and it agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33475]

Mr. Arbuthnot: Information is not held in a way which would enable this question to be answered. Rectification of working conditions could cover a wide range of measures, including for example re-arrangement of office furniture, changes in working practices and major structural changes to buildings. Not all of these would be recorded and not all of them could be costed.

Mr. McCartney: To ask the Secretary of State for Defence how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33473]

Mr. Arbuthnot: This information is not held centrally and could be provided only at disproportionate cost. However, a MOD-wide accident and incident reporting system is being developed and should be supplemented by April 1997. The system will enable information about accidents occurring from April 1997. The system will enable information about accidents occurring from April 1997 onwards to be recorded centrally.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for Defence how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32419]

Mr. Arbuthnot: The information requested is not readily available and could be provided only at disproportionate cost.

Statistics

Mr. Fisher: To ask the Secretary of State for Defence which statistics his Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32864]

Mr. Arbuthnot: This is a matter for the Defence Analytical Services Agency, DASA, under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from Paul Altobell to Mr. Mark Fisher, dated 19 June 1996:

I have been asked to reply to your question to the Secretary of State for Defence Procurement about the collection and publication of statistics since 1989 as this matter falls within my area of responsibility as Chief Executive of the Defence Analytical Services Agency (DASA).

The main vehicle for the publication of statistics about Defence is "United Kingdom Defence Statistics", formerly "Statement on the Defence Estimates Volume 2". Changes are made to the contents of the publication as the Department's structure and the issues facing Defence evolve. Changes to tables between the 1989 edition and the last published edition, for 1995, are as follows:

"2.3 Analysis of the Defence budget by programme" replaced by "1.3 The Defence budget by budgetary area".

"3.7 Directorate General Ship Refitting" discontinued following Departmental re-organisation and the abolition of the directorate.

"4.1 Total MoD strength by area" replaced by "2.1 Regular Service and Civilian strengths".

"4.2 Analysis of Service personnel by programme" replaced by "2.2 UK Regular Forces by budgetary area".

"4.3 Analysis of Civilian staff by programme" replaced by "2.3 UK based Civilian personnel by budgetary area".

"4.4 Strengths of UK Regular Forces" and "4.5 Strengths of trained UK Regular Forces" replaced by "2.7 Strengths of UK Regular Forces: training and untrained".

"4.9 Strengths of Civilian staff employed in the Ministry of Defence; by type" and "4.10 Strengths of Occupational groups" replaced by "2.17 Permanent UK based Civilian personnel by grade equivalence".

"4.11 Civilian apprentices: type of establishment" and "4.12 Civilian apprentices: location" discontinued as numbers covered continued to decline.

"4.15 Recruitment of UK Regular Forces: by Service" and "4.16 Recruitment of male UK Regular Forces: by Category" replaced by "2.9 Intake from civil life of UK Regular Forces; by service and category".

"4.19 Recruitment and losses of UK based Civilian non-industrial staff by Occupational group" replaced by "2.18 Recruitment and losses of UK based Civilian personnel".

"4.20 Outflow of trained Service personnel: major skill or trade groups" discontinued.

"5.1 Social Expenditure in the Defence Budget" discontinued.

"5.2 Strengths of uniformed medical staff of the UK Regular Forces" discontinued and replaced by separate publication (TSP24).

"5.3 Service hospitals", "5.4 Sickness episodes of UK Regular Forces personnel: selected diagnoses", "5.5 Medical discharges of UK Regular Forces personnel" and "5.6 Deaths of UK Regular Forces personnel" replaced by "3.15 Health of the UK Regular Forces".

"5.7 Selected qualifications obtained under Service sponsorship" discontinued.

"5.10 Strengths of male UK Regular Forces and numbers married: by age" and "5.11 Strengths of male UK Regular Forces and numbers married: by rank" replaced by "2.8 Strengths of UK Regular Forces: by age and rank".

"5.14 Service entertainment and welfare" discontinued.

"5.15 SSVC Broadcasting division (BFBS)" discontinued.

"5.16 Service pensioners" discontinued.

"6.4 Expenditure on offshore tasks included in the Defence budget" discontinued.

"6.6 Meteorological Office" discontinued.

"6.7 Hydrographic services" discontinued.

"7.1 Ethnic origins of applicants for entry to UK Regular Forces: summary" and "7.2 Ethnic origins of applicants for entry to UK Regular Forces: Regional analysis" replaced by "2.15 Ethnic origins of applicants and entrants to UK Regular Forces",

"2.16 Ethnic composition of serving members of the UK Regular Forces" added.

"2.19 Strength of casual Civilian personnel" added.

"2.20 Defence Agencies: personnel numbers and operating costs" added.

The Department collects and analyses significant amounts of data from its own administrative system for its own internal purposes. Changes to such collections and analyses arising from Departmental re-organisations since 1989 cannot be provided except at disproportionate cost.

Postage Costs

Mr. Donohoe: To ask the Secretary of State for Defence how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32846]

Mr. Soames: This is a matter for the Defence Postal and Courier Services Agency, DPCS under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from T. McG. Brown to Mr. Brian Donohoe, dated 19 June 1996:

As Chief Executive of the Defence Postal and Courier Services Agency, I am replying to your Parliamentary Question to the Secretary of State for Defence, the Rt. Hon. Michael Portillo MP, regarding postal costs.

As well as those costs borne by this Agency many Individual units and establishments are responsible for their own postal expenditure. The costs in 1994/95 and 1995/96 was as follows:

£ million

	1994–95	1995–96
DPCS Agency costs	0.744	1.441
Costs in other MOD areas	7.288	6.363
Total	8.062	7.804

I am sorry but MOD does not record separately the number of items posted. Indeed in the interests of economy we try to make the maximum use of contract postal arrangements, which do not necessarily depend on the number of items posted.

I hope this information is helpful.

METOP Satellite Project

Sir Michael Marshall: To ask the Secretary of State for Defence what studies he has evaluated in respect of his Department's involvement in the polar orbiting meteorological—METOP—satellite project; and what assessment he has made of the benefits of the project for United Kingdom industry. [33252]

Mr. Arbuthnot: My Department is evaluating reports prepared internally and by European Meteorological Satellite—EUMETSAT—and the European Space Agency—ESA—in respect of its involvement in, and requirements for, the METOP satellite project. The benefits to UK industry is a matter for my right hon. Friend the President of the Board of Trade.

Armed Forces

Dr. David Clark: To ask the Secretary of State for Defence what is his Department's forecast of the total manpower strength of the United Kingdom armed forces on 1 April 1999. [33187]

Mr. Soames: I refer the hon. Member to the answer given to him on 25 March, *Official Report*, column *443*.

Future Large Aircraft

Dr. David Clark: To ask the Secretary of State for Defence what recent discussions he has had with his German counterpart concerning the future large aircraft programme. [33188]

Mr. Arbuthnot: My right hon. Friend the Secretary of State for Defence has not recently discussed the future large aircraft programme with his German counterpart. However, when I met State Secretary Simon on Monday 11 March, the future large aircraft programme was among the subjects we discussed.

Nuclear Weapons (Soviet Union)

Dr. David Clark: To ask the Secretary of State for Defence what assistance he has given to countries of the former Soviet Union to assist with the dismantling of their nuclear weapon stocks. [33190]

Mr. Arbuthnot: The UK has supplied the Russian Government with 250 armoured supercontainers, 20 heavy-duty vehicles and spares to assist with the safe and secure dismantlement of their surplus nuclear warheads. The cost of this programme to the UK has been approximately £35 million.

Bed-and-breakfast Accommodation

Mr. Jamieson: To ask the Secretary of State for Defence what was the estimated annual cost to his Department of providing bed-and-breakfast accommodation for service personnel and their families in *(a)* 1995–96, *(b)* 1994–95, *(c)* 1993–94, *(d)* 1992–93, *(e)* 1991–92 and *(f)* 1978–79. [33335]

Mr. Soames: This information is not held centrally and could be provided only at disproportionate cost.

Judicial Review

Ms Hodge: To ask the Secretary of State for Defence on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33583]

Mr. Soames: None.

TRANSPORT

Runway Overshoots

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the number of overshoots at Gatwick and Heathrow airports for each of the last five years. [32786]

Mr. Norris: Statistics for runway overshoots for the whole of the period requested could be obtained only at disproportionate cost. However, figures are available for 1994 and 1995 and are as follows:

	Gatwick	Heathrow
1994	332	406
1995	355	446

Regional Airports (EU Funding)

Mrs. Dunwoody: To ask the Secretary of State for Transport what programmes he is putting in place to ensure that all UK regional airports can benefit from EU public service obligation funding. [32804]

Mr. Norris: EC legislation allows member states to impose a public service obligation on a scheduled air service to an airport serving a peripheral or development region in its territory or on a thin route to any regional airport in its territory, where the route is considered vital for the economic development of the region and the availability of other forms of transport is limited. A subsidy may be paid where no operator is able to provide a commercial service which complies with the terms of the PSO.

In the UK, certain routes serving the western and northern islands of Scotland are regarded as lifeline routes. The operator of air services on these routes receives subsidy from the Scottish Office or local government. PSOs are progressively being imposed on the routes in line with EC legislation, and any subsidies

required will continue to be provided by the Scottish Office and the islands councils. At present, no PSOs have been imposed on mainland services.

A249

Sir Roger Moate: To ask the Secretary of State for Transport what is the expected date for the opening of the A249 Iwade bypass (M2 to Kingsferry Bridge); what is the latest estimated cost of the project; and what factors underlay the delay in the completion of the scheme. [33249]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Sir Roger Moate, dated 19 June 1996:

As you know, the Minister for Railways and Roads, Mr. John Watts, has asked me to reply to your recent Parliamentary Question asking the Secretary of State about the expected opening date and the latest estimated cost for the A249 between the M2 and Iwade.

Following earlier delays, construction is now entering its final phase which should see substantial completion by September. I will let you know the exact date when it is known.

When I wrote to you on 29 November 1995 I described the reasons for the delays and I enclose a copy of the letter for you case of reference.

The tender price of the project is £35,721,035. We are unable to give an estimate of the final cost without the risk of prejudicing discussions on the costs which are taking place.

Sir Roger Moate: To ask the Secretary of State for Transport if he will list the studies that have been undertaken by his Department in connection with the preparation of the draft orders for the A249 Iwade to Queensborough corner improvement scheme including the second crossing of the Swale; what is the estimated cost of consultation and planning work leading to the publication of the draft orders; and what is the latest estimated cost of the project. [33248]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Sir Roger Moate, dated 19 June 1996:

As you know, John Watts, the Minister for the Railways and Roads, has asked me to reply to your recent Parliamentary Question about the A249 Iwade-Queensborough Improvement scheme.

All the base ecological studies required for draft Order purposes have been completed. The Topographical Survey is due for completion later this month and the contract for the relevant Ground Investigation Survey will be awarded soon. Traffic surveys have also been undertaken.

The latest estimated cost of the planning work leading to the preparation of the draft Orders is £1.85m. The latest estimated cost of building the scheme is £97m (this includes works, preparation and supervision and land).

Traffic Area Offices

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list by traffic area office, the constituencies within each traffic area boundary. [33296]

Mr. Norris: I have placed the information the Library of the House.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the total running costs for the traffic area co-ordination division within his Department. [33295]

Mr. Norris: The total running costs budget for 1996–97 for the traffic area co-ordination division—now the traffic area network unit—is £629,428.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the number of *(a)* heavy goods vehicles and *(b)* public service vehicles authorised to operate in each traffic office area. [33294]

Mr. Norris: The number of heavy goods vehicles and public service vehicles authorised to operate in each traffic office area as at March 1996 is as follows:

TAO	*HGVs*	*PSVs*
NETA	64,189	13,104
NWTA	66,864	12,853
WMTA	43,454	7,203
ETA	67,621	9,831
SWTA	17,120	4,196
WTA	54,580	11,089
SEMTA	51,658	13,026
SCOTA	37,090	10,332

Operators' Licences

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list by traffic area office the number of objections to the issue of an operator's licence received from the police for each of the last five years. [33297]

Mr. Norris: The numbers are as follows:

TAO	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*
North Eastern	9	5	5	6	4
North Western	1	0	1	2	2
West Midlands	0	0	0	0	0
Eastern	2	33	22	29	29
South Wales	0	0	0	0	0
Western	6	12	6	7	2
South Eastern and Metropolitan	38	36	26	10	10
Scottish	0	1	1	0	2

Next Step Agencies

Mr. Gordon Prentice: To ask the Secretary of State for Transport if he will list the areas of policy which have been devolved to next steps agencies since April 1992. [33362]

Mr. Norris: Ministers retain overall responsibility for policy and would be consulted on any major decisions. Officials of the Department's agencies prepare policy advice for Ministers where they are in the best position to do so. Two agencies have specific day-to-day policy development responsibilities within a framework determined by Ministers.

The Marine Safety Agency, established in April 1994, has responsibility for developing and reviewing marine safety and pollution prevention policies and standards and to represent the Department's interests in those areas nationally and internationally.

The Highways Agency, established in April 1994, has responsibility for developing and co-ordination land and compensation policy issues across the whole Department.

Vehicle Insurance

Mr. French: To ask the Secretary of State for Transport what estimate he has made of the number of motorists who currently drive without vehicle insurance. [33556]

Mr. Norris: None.

Uninsured Drivers

Mr. French: To ask the secretary of State for Transport what proposals he has come forward with to tackle the problem of uninsured drivers; following his Department's consultation with the Association of British Insurers. [33557]

Mr. Norris: I am expecting a formal report from the Association of British Insurers soon. We will be deciding on the way forward after we have seen that report.

Charter Flights

Mr. Waterson: To ask the Secretary of State for Transport if he has completed his review of policy on fifth freedom passenger charter flights. [33701]

Sir George Young: On 10 January this year, my noble friend the Minister for Aviation and Shipping announced a package of measures relating to the safety of foreign-registered aircraft, one of which was a review of policy on charter flights from the UK by airlines from countries other than those they are serving, known as fifth freedom charters. We have now completed the review of passenger charter flights, following consultation with UK airlines, tour operators and brokers and other interested bodies. We intend to make a number of changes aimed at ensuring that fifth freedom charter services continue to be the exception to the normal rule that UK holidaymakers travelling by charter airline should be carried either on UK carriers or on carriers from the country of destination. The changed procedures will give UK airlines more opportunity to offer services, while continuing to allow some flexibility, in the interests of passengers, where they are not able to do so.

The changes are as follows:-

(a) the number of fifth freedom flights which any one foreign carrier can operate from the UK in any one season—apart from flights which are permitted under EC legislation or other international agreements will be limited to 10 return flights;

(b) applications for permission to operate fifth freedom flights must normally be made at least six weeks in advance of the flight. Late applications will in certain circumstances be permitted provided they are made at least five working days in advance of the flight;

(c) applications will be published in the Civil Aviation Authority's official record in order that any UK airline may object if it has a suitable aircraft available. Late applications will be circulated to airlines by telex for objections. All decisions on applications will be published subsequently.

Fifth freedom flights will be permitted only where no UK airline is able to offer a suitable aircraft, and provided that the authorities of the foreign airline are prepared to offer similar opportunities to UK carriers and that the necessary certificates are presented to my Department.

The changes to the timetable for applications and the introduction of the published procedure will come into effect from the beginning of the winter season. The limit to the numbers of flights will be applied from 1 August this year. Applications received before this date will not count towards the limit for the current season.

Road Tax

Mr. French: To ask the Secretary of State for Transport what plans he has to transfer the responsibility for the enforcement of road tax to local authorities. [33552]

Mr. Norris: None.

London Airports

Mr. Mackinlay: To ask the Secretary of State for Transport what plans he has to promote competition and consumer choice between the principal London airports. [32128]

Mr. Norris: The Government's response to the report of the runway capacity in the south east group stated that they wished to provide the opportunity for the less busy airports in the south-east to develop. Greater choice for consumers is also promoted by the Government's policies for liberalisation of air services. The RUCATSE response highlighted the opening up of Stansted and Luton for transatlantic flights.

The Transport Select Committee report on UK airport capacity, published on 21 May, included a recommendation that, during the present quinquennial review of BAA, the Civil Aviation Authority and Monopolies and Mergers Commission re-examine whether BAA should remain the provider of services to the three main south-east airports, or whether Gatwick and Stansted should be owned and operated separately from Heathrow. The Government will be responding to the TSC report in due course.

NORTHERN IRELAND

Judicial Review

Ms Hodge: To ask the Secretary of State for Northern Ireland (1) on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions; [33591]

(2) how many decisions by his Department were challenged by way of judicial review in each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33575]

Sir John Wheeler: This information is not available.

Pharmacies

Mr. Chris Davies: To ask the Secretary of State for Northern Ireland if he will list the number of pharmacies in Northern Ireland by year since 1979. [33080]

Mr. Moss: The information requested is not available prior to 1983. The number of pharmacies in Northern Ireland in April of each year since 1983 is as follows:

1983: 509
1984: 511
1985: 520
1986: 523
1987: 534
1988: 527
1989: 513
1990: 510
1991: 506
1992: 506
1993: 510
1994: 508
1995: 502
1996: 504.

Customer Charters

Mr. Donohoe: To ask the Secretary of State for Northern Ireland if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32834]

Sir John Wheeler: Eleven charters published by the Northern Ireland Office, Northern Ireland Departments and their agencies are currently in use. A list is given below.

A Charter for Patients and Clients
Social Security Agency Customer Charter
Training and Employment Agency Customer's Charter
The Parent's Charter for Northern Ireland (Department of Education (NI))
Northern Ireland Housing Executive Tenant's Charter
Northern Ireland Railway Passengers Charter
Royal Ulster Constabulary Charter
Ulsterbus/Citybus—Bus Passengers Charter
Child Support Agency Northern Ireland Charter
Courts' Charter for Northern Ireland
The Charter for Further Education in Northern Ireland

No Northern Ireland charters have been withdrawn.

SOCIAL SECURITY

"The Growth of Social Security"

Mr. Alan Howarth: To ask the Secretary of State for Social Security if he will publish table 8 on page 16 of "The Growth of Social Security" updated to 1995–96. [32484]

Mr. Burt: The information is set out in the table.

Social security benefit expenditure in 1995–96 and 2000–2001

Benefit	*1995–96*	*2000–2001*
Retirement Pension—Basic	27.9	29.4
Retirement Pension—Earnings-Related	2.3	4.6
Widow's Pension	1.1	1.1
War Pension	1.2	1.3
Attendance Allowance	2.2	2.7
Disability Living Allowance	3.7	5.9
Unemployment Benefit/Jobseeker's Allowance	'1.1	'5.2
Invalidity/Incapacity Benefit—basic—	6.7	5.1
earnings-related	1.4	0.7
Income Support—pensioner—	3.8	2.7
non-pensioners	12.8	7.9
Child Benefit	6.3	6.6
Family Credit	1.7	2.0
Rent Allowance	5.4	6.8
Rent Rebate	0.7	0.7
Council Tax Benefit	2.1	2.3
Other Benefits	3.5	4.9
Total DSS	83.5	89.9
Rent Rebate Subsidy Element (RRSE)	3.5	2.9
Total DSS and RRSE	86.9	92.8
Non-central Government Housing Benefit	1.9	2.5
Grant Total Benefits	88.8	95.3

1. All figures are estimated outturn in 1995–96 prices.
2. The table shows the latest long-term projections of social security benefit expenditure in a similar format to that used in table 8 of "The Growth of Social Security".
3. The latest projections assume a constant unemployment level over the period.
4. Projections showing the effect of falling unemployment have not been produced for the latest figures.

' Expenditure on jobseeker's allowance in 2000–01, covers contributory and non-contributory jobseeker's allowance and includes some expenditure classified as income support (non-pensioners) in 1995–96.

Widowers' Pensions

Mr. Redmond: To ask the Secretary of State for Social Security if he will list those countries in the European Union where widowers currently receive equal rights in pensions and are paid a widower's pension; and if he will make a statement. [32752]

Mr. Heald: Information on entitlement to widowers' pensions in the European Union countries is contained in "Social Protection in the Member States of the European Union", published by the European Commission, a copy of which is in the Library.

Postage Costs

Mr. Donohoe: To ask the Secretary of State for Social Security how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32847]

Mr. Burt: Departmental expenditure on postage in the financial years 1994–95 and 1995–96 was £74,705,828 and £77,484,449 respectively.

The figure for 1995–96 is provisional.

The number of items posted with Royal Mail but excluding other carriers was 322,332,200 and 326,317,600 respectively.

The figures for postal expenditure and volume include letters, packages and parcels but not the use of courier services for internal distribution, particularly the departmental courier contract.

Judicial Review

Ms Hodge: To ask the Secretary of State for Social Security on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33593]

Mr. Burt: The information is not available in the format requested. The legislation listed below has been introduced to restore the original policy intention following judicial review decisions:

1993–94

The Housing Benefit (General) Amendment Regulations 1994

The Housing Benefit and Council Tax Benefit (Miscellaneous Amendments) (No. 2) Regulations 1994

1994–95

The Income-related Benefits Schemes (Miscellaneous Amendments) (No. 6) Regulations 1994

The Housing Benefit and Council Tax Benefit (Amendment) Regulations 1995

The Social Security Benefits (Miscellaneous Amendments) Regulations 1995

Ms Hodge: To ask the Secretary of State for Social Security how many decisions by his Department were challenged by way of judicial review in each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33576]

Mr. Burt: The information is not available in the format requested. Such information as is available is in the table.

Session	*Number of judicial reviews*	*Department's decision upheld*	*Court found for the applicant*	*Department submitted to judgment*	*Department successfully appealed*
1994–95	11	8	3	2	1
1995–96	11	7	4	2	1
					1 appeal pending

Income Support

Ms Lynne: To ask the Secretary of State for Social Security what plans his Department has to review the current rules on the payment of mortgage interest to income support claimants in cases where it is aware that the home was obtained through illegal means; and if he will make a statement. [31893]

Mr. Roger Evans *[holding answer 12 June 1996]:* The issue of alleged illegality is a matter for the mortgage lenders to take such action as they deem to be appropriate in the circumstances. It is not a matter for this Department. If the mortgage lender obtains, having proved fraud in court, an order for possession or foreclosure, income support mortgage interest payments cease to be payable.

Ms Lynne: To ask the Secretary of State for Social Security what is the estimated number of families on income support receiving mortgage interest payments in respect of properties which his Department is aware were obtained through illegal means. [31892]

Mr. Evans *[holding answer 12 June 1996]:* The information is not available.

HEALTH

General Practitioners

Mr. David Nicholson: To ask the Secretary of State for Health what research has been commissioned by his Department into work-related stress facing general practitioners; and if he will make a statement. [32480]

Mr. Malone: The Department commissioned a study on stress in doctors which began in 1983 and is on-going. The aim of the study is to assess the levels and causes of stress in doctors, to explore ways to identify as early as possible those at risk, and to make recommendations on combatting stress. In addition, the Department has funded the Royal College of General Practitioners to support its work in this area.

Acute Hospital Beds

Ms Harman: To ask the Secretary of State for Health if he will list the number of acute hospital beds per head of population in each European country. [32559]

Mr. Malone: Comparable data on acute beds in European countries are not available because of variations in national definitions of acute care.

Operation Waiting Times (Smokers)

Ms Harman: To ask the Secretary of State for Health what research he has evaluated in the last five years into waiting times for operations for smokers relative to those for non-smokers. [32563]

Mr. Horam: None.

Arachis Oil

Mr. Redmond: To ask the Secretary of State for Health what research his Department is carrying out into arachis oil; what guidance his Department issues in respect of preparations for breast-feeding mothers containing arachis oil; and if he will make statement. [32755]

Mr. Malone: The Department is carrying out no research into arachis oil. There is no evidence to exclude the use of arachis oil in lactating mothers. Guidance regarding use of medicinal products containing arachis oil is given in the manufacturers' product information for doctors and patients, which is authorised by the Licensing Authority, and in the British National Formulary which is sent free of charge to all doctors by the Department of Health.

Statistics

Mr. Fisher: To ask the Secretary of State for Health which statistics his Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32865]

Mr. Horam: Changes in the basis of compilation, presentation and publication of statistical series are made from time to time in response to the requirements of Government and other users of statistics. Other changes reflect changes in administrative systems on which some series are based and technological developments affecting the compilation and dissemination of statistical data. The statistical material sought by the Department from the national health service, family health services practitioners and local authorities is kept under review to ensure that the burden on respondents is fully justified by the uses to which the data are put.

Since 1989, many changes have taken place as a result of the reforms in the health service and changes in legislation. Collections which have been discontinued have been announced in speeches, parliamentary questions, in guidance to the health service and local authorities and in relevant statistical publications. As well as discontinuing series which are no longer justified, the Department has introduced some new collections, for example to monitor outpatient waiting times and to support the patients charter.

Private Patients

Mr. Bayley: To ask the Secretary of State for Health, pursuant to his answer of 11 June, *Official Report*, columns *109–10*, if he will list the number of private patients in NHS pay beds in 1994–95 whose treatment is recorded in the hospital episode system under each of the five most frequently used *(a)* operation and *(b)* diagnosis codes in relation to conditions of (i) the nervous system, (ii) the eye, (iii) the upper digestive tract, (iv) the other abdominal organs, (v) the heart, (vi) the arteries and veins, (vii) the urinary system, (viii) the bones and joints of the skull and spines and (ix) miscellaneous. [33304]

Mr. Horam: The information available centrally relates to finished consultant episodes. A table will be placed in the Library showing the number of completed first order episodes, by selected main operation and principal diagnosis.

Elective Surgery

Ms Harman: To ask the Secretary of State for Health (1) how many elective operations were performed in the private sector privately as a percentage of NHS elective surgery *(a)* by region and *(b)* nationally in the last five years; [33604]

(2) how many elective operations have been performed in the private sector *(a)* by region and *(b)* nationally in the last five years. [33605]

Mr. Malone: I refer the hon. Member to the reply I gave her on 13 May, column *322*.

Hospital Waiting Lists

Ms Harman: To ask the Secretary of State for Health how many people were waiting for in-patient admission in the NHS by region at the latest date for which figures were available. [33545]

Mr. Horam: Information on waiting times for in-patient admission is not available separately. Information on the number of people waiting for in-patient and day case admissions in all regions for the month ended 31 March 1996 is shown in the table.

Provisional waiting time figure as at 31 March 1996

Region	*0–11 months*	*12–17 months*	*18+ months*
Northern and Yorkshire	144,077	127	0
Trent	95,970	2,108	0
Anglia and Oxford	109,768	746	0
North Thames	155,745	934	0
South Thames	152,238	33	0
South and West	124,170	394	0
West Midlands	82,330	39	0
North West	173,041	0	0
All regions	1,037,339	4,381	0

St. George's Hospital NHS Trust

Mr. Cox: To ask the Secretary of State for Health if he will list the members of the St. George's hospital NHS trust; indicating their qualifications and their outside interests. [33102]

Mr. Malone: A list of those appointed by my right hon. Friend the Secretary of State for Health to national health service authorities and trusts as at 1 April 1996, together with their occupation category, will be published later this summer and copies placed in the Library.

Board members' relevant private interests are declared and entered in a register of interests. These registers are made available by NHS authorities and trusts for public inspection on request.

Gelatine

Mr. Hinchliffe: To ask the Secretary of State for Health what was the name of the expert from the Medicines Control Agency who advised the Spongiform Encephalopathy Advisory Committee concerning the use of gelatine produced from non-specified bovine offal material; and what are that person's qualifications and experience concerning the study of bovine spongiform encephalopathy. [33137]

Mr. Horam: It is not the custom or practice to give details of individual civil servants.

Mr. Hinchliffe: To ask the Secretary of State for Health what new information was available to the

Spongiform Encephalopathy Advisory Committee by 25 March, concerning potential contamination of gelatine by BSE infectivity to result in the alteration of existing advice outlined in the British Medical Journal of 20 April, page 988, issued by the Committee on Safety of Medicines in 1989 and adopted by the European Committee for Proprietary Medicinal Products; and if he will make a statement. [33138]

Mr. Horam: The article in the *British Medical Journal* of 20 April, page 988, reviewed the history and content of the 1989 United Kingdom bovine spongiform encephalopathy guidelines and the later 1992 Committee for Proprietary Medicinal Products guideline, "Minimizing the risk of transmitting agents causing spongiform encephalopathy via medicinal products", and concluded the guidelines were effective.

The CPMP guideline states:

"Given assurances of adequate collection and processing, certain materials and their derivatives are unlikely to present any risk of contamination. These include ... skin and its derivatives, for example gelatin".

Mr. Hinchliffe: To ask the Secretary of State for Health if he has accepted the advice of the Spongiform Encephalopathy Advisory Committee, issued on 25 March, in respect of the safety of gelatine from non-specified bovine material in pharmaceutical and medical devices; and if he will make a statement. [33139]

Mr. Horam: The Spongiform Encephalopathy Advisory Committee is the expert committee set up to advise my right hon. Friend the Secretary of State for Health and my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food on all matters to do with spongiform encephalopathies. Ministers have always accepted their advice and take account of it when implementing measures to protect public health.

SCOTLAND

Court of Session Judges

Mr. Chisholm: To ask the Secretary of State for Scotland what is the role of the Lord Advocate in the appointment of a Court of Session judge; with whom he consults, and to whom he makes the recommendation. [32286]

Lord James Douglas-Hamilton: Judges are appointed by the Queen on the recommendation of the Secretary of State for Scotland. Because the Secretary of State does not normally have personal knowledge of suitable nominees, he relies on the Lord Advocate, who submits names to him for his consideration. The current practice is for the Lord Advocate always to consult the Lord President of the Court of Session and the Dean of the Faculty of Advocates, before putting forward any nomination. On occasion, other senior members of the legal profession and judiciary are also consulted by the Lord Advocate.

Electoral Registers

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will list, per constituency (1) the number of electors registered for a postal or proxy vote; [33064]

(2) the number of women on the current Scottish electoral registers. [33062]

Lord James Douglas-Hamilton: This information is not held centrally.

Postage Costs

Mr. Donohoe: To ask the Secretary of State for Scotland how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32850]

Lord James Douglas-Hamilton: The expenditure on postage and the number of items posted in the financial years 1994–95, and 1995–96 are as shown:

Year	*Cost* £	*Items*
1994–95	1,243,098	3,400,000
1995–96	1,214,071	3,187,173

Households

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will list the number of households in each Scottish constituency. [33063]

Lord James Douglas-Hamilton: This information is contained in table H of the General Register Office (Scotland) publication "The 1991 Census: Monitoring for Parliamentary Constituencies in Scotland", copies of which are in the Library.

Motorways

Mr. Frank Field: To ask the Secretary of State for Scotland if he will list by parliamentary constituency the location of the sections of motorway in Scotland that have overhead lighting; and if he will plot this information on a map and place a copy in the Library. [33039]

Lord James Douglas-Hamilton: The following table lists the locations of overhead lighting on motorways in Scotland. This information is not readily available by parliamentary constituency and a map could be made available only at disproportionate cost.

Motorway	*Section*	*Location*	*Lengths (miles)*
M8	Hermiston Gate Interchange to Newhouse Interchange	Hermiston Gate Interchange westwards	1.00
		Claylands Interchange to Newbridge Roundabout	2.50
		Dechmont Interchange	—
	Baillieston Interchange to St. James Interchange		20.00
	St. James Interchange to West Ferry Toll (including M898 Erskine Road Brige)	Erskine Road Bridge Plaza	0.25

Motorway	Section	Location	Lengths (miles)
M9	Newbridge Roundabout to Keir Roundabout	Newbridge Roundabout	—
		Keir Roundabout	—
M73	Mollinsburn Interchange to Maryville Interchange	North of Baillieston Interchange to Maryville Interchange	1.50
M74	Fullarton Road to Gretna	Fullarton Road to Hamilton Interchange	7.00
		Gretna Interchange to Guardsmill Interchange	2.00
M80	Stepps Bypass	Provan Interchange to Hornhill Interchange	4.50
M90	Admiralty Interchange to Broxden Roundabout/ Barnhill Interchange	Halbeath Interchange	—
		Cocklaw Interchange	—
		Kinross Interchange	—
		Broxden Roundabout	—
M876	Bankhead Junction to Bowtrees Roundabout	Bowtrees Roundabout	—
Total			38.75

Fisheries Guidance

Mr. Maclennan: To ask the Secretary of State for Scotland how many applications he has received since 1 July 1994 for financial assistance under the financial instrument for fisheries guidance from *(a)* Caithness and *(b)* Sutherland; how many have been approved; and what is their grant value. [32821]

Mr. Raymond S. Robertson: Six applications have been received from Caithness: three were approved with grants totalling £539,589. Sutherland also produced six applications, of which five obtained grants totalling £199,844.

Pharmacies

Mr. Chris Davies: To ask the Secretary of State for Scotland if he will list the number of pharmacies in Scotland by year since 1979. [33083]

Lord James Douglas-Hamilton: The information is set out in the table:

Year	Number
1979	1,124
1980	1,108
1981	1,118
1982	1,112
1983	1,121
1984	1,123
1985	1,135
1986	1,156
1987	1,145
1988	1,128
1989	1,130
1990	1,136
1991	1,133
1992	1,137
1993	1,138
1994	1,136
1995	1,139

Shotgun and Firearm Licences

Mr. William Ross: To ask the Secretary of State for Scotland how many semi-automatic and pump action shotguns have been certified as shotguns after being modified from section 1 firearms classification under the terms of the Firearms Act 1988 in each year since the Act came into operation. [32881]

Lord James Douglas-Hamilton: I refer the hon. Member to the reply given yesterday, *Official Report*, column *383*, by my right hon. Friend, the Minister of State, Home Department.

Judicial Review

Ms Hodge: To ask the Secretary of State for Scotland (1) on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions; [33592]

(2) how many decisions by his Department were challenged by way of judicial review in each session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealled successfully against the judicial review decision. [33574]

Lord James Douglas-Hamilton: The information could be obtained only at disproportionate cost.

Cullen Inquiry

Mr. William Ross: To ask the Secretary of State for Scotland if he will place in the Library transcripts of the evidence given to the Cullen inquiry. [33836]

Mr. Michael Forsyth: In response to expressions of interest, I have arranged for transcripts of the evidence prepared for the tribunal to date to be placed in the House Library. Further transcripts will be sent to the Library on a daily basis.

AGRICULTURE, FISHERIES AND FOOD

Rabies

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food which recommendations of the Scientific Veterinary Committee in paper VI/1533/92–EN–REK1 formed the basis of the derogations in the Balai directive which establish a different system for the UK and Ireland from that in the remainder of the European Community. [32194]

Mrs. Browning *[holding answer 10 June 1996]:* I refer my hon. Friend to the reply that I gave to him on 24 April, *Official Report*, columns *211–12.*

The Scientific Veterinary Committee report confined itself to evaluating the risks of spreading rabies through the movement of rabies susceptible animals within the European Community and providing an opinion on how these risks might be reduced or eliminated. It did not discuss the detail of how to apply new rules on the movement of traded dogs and cats. The provisions in the Balai directive on the movement of traded dogs and cats into the UK and Ireland from elsewhere within the European Union are therefore not identical to any specific recommendations within the report. These provisions represent the safeguards which the Council of Ministers believed were necessary in the light of the risks which the report identified.

Bovine Spongiform Encephalopathy

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food if he will provide 10 positive and 10 negative BSE urine samples to Mr. Harash Narang for research into BSE and Creutzfeldt-Jacob disease. [32911]

Mrs. Browning: We are in discussion with Dr. Narang on the supply of samples for validation of his urine test. One of the difficulties is establishing a baseline of BSE negative cattle for validating a test. This is not so easy as might appear at first sight and we are in discussions with Dr. Narang about arrangements for collecting urine from cattle in countries which have never had a case of BSE, so as to be absolutely certain that they are truly negative and that there can be no doubt about interpretation if any of the samples deemed to be negative test positive in his hands.

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food if grade 2 laboratories have the facilities to carry out cattle urine testing for BSE and Creutzfeldt-Jacob disease research. [32912]

Sir Paul Beresford: I have been asked to reply.

Containment level 2 laboratories, as defined in the Control of Substances Hazardous to Health Regulations 1994, are suitable for work with material infected with or potentially infected with the agents of BSE and CJD, subject to certain specific additional precautions. In the case of CJD, these are a requirement of the COSHH regulations. In the case of BSE, guidance from the Advisory Committee on Dangerous Pathogens advises that additional precautions be adopted where work is undertaken with material infected with or potentially infected with the BSE agent.

Beef Exports Ban

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food when *(a)* the USA, *(b)* Australia, *(c)* Canada and *(d)* New Zealand applied bans to United Kingdom beef exports; how many representations have been made by Her Majesty's Government about these bans to each of these countries in each year since the ban was imposed until 20 March; how many representations MAFF received from United Kingdom farmers and the United Kingdom beef industry about these bans before 20 March; and what was the total value of United Kingdom beef exports to each of these countries in each of three years before the ban was imposed. [32531]

Mrs. Browning: The United Kingdom had not received any formal notification of a ban on British beef exports from any of these countries before 20 March 1996. The total value of United Kingdom beef exports—which includes all bovine material fit for human consumption—to the countries in question, for the years 1993 to 1995 inclusive, is provided in the table.

Exports of Bovine material fit for human consumption

	Value £ thousand		
	1993	*[1]1994*	*[1]1995*
Australia	7	7	41
Canada	208	60	109
New Zealand	0	7	70
USA	1	105	257

[1] Provisional.*Source:*

Business and Trade Statistics Limited.

Notes:

1. The table gives data for the export of carcass meat of bovine origin and all other products fit for human consumption, including offals and fully cooked beef products.

2. Figures given are for total recorded trade in the Overseas Trade Statistics. Beef origination from outside the UK is not separately identifiable.

Calf Slaughter Scheme

Mr. Etherington: To ask the Minister of Agriculture, Fisheries and Food how many calves have been slaughtered to date under the calf slaughter scheme; and if he will make a statement. [32451]

Mr. Baldry: By 14 June 1996, 32,017 calves had been slaughtered in the United Kingdom under the calf processing aid scheme.

Bovine Immune Deficiency Virus

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food (1) if he will list the breeds of livestock in which cases of bovine immune deficiency virus have been diagnosed; and if he will make a statement; [32906]

(2) if he will list for each of the last four years, and for this year to date, the number of cases of bovine immune deficiency virus that have been diagnosed in *(a)* the United Kingdom and *(b)* other European Union countries. [32905]

Mrs. Browning: Bovine immune deficiency-like virus has not been confirmed in the United Kingdom this year or during the preceding four years.

BIV is not a notifiable disease under EU legislation and it is not a condition that is included in either list A or B of the Office International des Epizooties code list. We do not therefore have information on the number of BIV cases that have been diagnosed in other European countries. The results of the first surveys carried out in France and Germany for BIV have been published in the last two years and they indicated that BIV was present in both countries.

Civil Servants (Companies)

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 21 May, *Official Report*, column *168*, on how many occasions each of the companies cited has been found guilty of civil or criminal offences in each of the last eight years. [32934]

Mr. Boswell: I have no information as to whether any of these companies has or has not been found guilty of any criminal offence. I will write to the hon. Member to set out the general position on offences committed by companies.

Organo-pesticides

Mrs. Ewing: To ask the Minister of Agriculture, Fisheries and Food what research he has *(a)* commissioned and *(b)* evaluated on possible links between bovine spongiform encephalopathy, Creutzfeldt-Jakob disease and cancer and the use of organo-pesticides in agriculture in the United Kingdom. [33537]

Mrs. Browning *[holding answer 18 June 1996]:* Epidemiological studies at the beginning of the BSE outbreak have revealed no correlation between the incidence of BSE in cattle and the use of chemicals in agriculture. Government is also aware that its independent advisory committee, the Spongiform Encephalopathy Advisory Committee, has considered a number of possible theories about the origins of BSE including one that it relates to the use of organophosphates in cattle treatment but has not recommended that the Government undertake any research in furtherance of this theory. The Government are also aware of experiments conducted by staff from the Medical Research Council toxicology unit which showed that there was no significant binding between an organophosphate molecule and the PrP protein thought to be involved in the disease BSE as predicated in the theory.

Under statutory procedures for the approval of pesticides, data on the carcinogenic potential of all pesticides, including OPs, are required and evaluated by the regulatory authorities.

WALES

Cattle Farming and Processing

Mr. Martyn Jones: To ask the Secretary of State for Wales how many people are employed in *(a)* beef farming, *(b)* dairy farming and *(c)* the rendering industry in (i) Wales and (ii) each parliamentary constituency in Wales. [31847]

Mr. Jonathan Evans: The available information on the number of employees, excluding the self-employed, by industry, from the 1993 census of employment, is on the NOMIS database which can be accessed by the staff at the Library of the House. This source does not provide figures for beef and dairy farming separately.

The table provides data for specialist dairy and specialist beef farming, including self-employment, from the June agricultural census. Figures for parliamentary constituencies are not available.

Numbers of people employed in specialist dairy and specialist beef farming

Wales:	*1993*	*1995*
Specialist dairy	9,408	10,105
Specialist beef	1,012	1,110

There are no rendering facilities in Wales.

Figures are for main holdings.

Steelworks (Ministerial Visits)

Mr. Barry Jones: To ask the Secretary of State for Wales if he will list the steelworks he has visited in his official capacity. [32898]

Mr. Hague: I have visited British Steel's Port Talbot works and ASW's Cardiff rod and reinforcement plant.

Statistics

Mr. Fisher: To ask the Secretary of State for Wales which statistics his Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32859]

Mr. Hague: Changes to the basis of collection, presentation and publication of statistical series are made in response to the requirements of users of official statistics. All statistical returns are subject to regular review and a number have been changed or discontinued in recent years to reduce the burden on respondents or because data were no longer required in the same form. In some cases, responsibility for data collection has transferred from the Welsh Office to another body, or vice versa. However, key statistics continue to be published in all subject areas. Changes to the range of statistics available are documented in the relevant statistical publications.

Bovine Spongiform Encephalopathy

Mr. Barry Jones: To ask the Secretary of State for Wales what further measures he proposes to assist beef farmers affected by BSE outbreaks. [32891]

Mr. Jonathan Evans: We have introduced a number of measures designed to help beef farmers, including prompt payment of beef special and suckler cow premiums and a compensation scheme related to market prices for beef cattle over 30 months of age which must be removed from the food chain. The Council of Ministers is considering a proposal to top up beef special and suckler cow premiums and to provide additional support to beef farmers who have been most directly affected by the crisis.

House Building

Mr. Barry Jones: To ask the Secretary of State for Wales what are the latest figures for *(a)* housing associations, *(b)* private and *(c)* council house building; and what were the figures for 1979. [32893]

Mr. Jonathan Evans: Completions by sector are given in the table. The numbers shown for housing association completions are based on local authority returns which may underestimate the level of activity.

	Housing association	Private sector	Local authority
1979	1,016	6,980	3,010
1995	2,258	6,518	176

Source:
Local authority and National House-Building Council returns.

Schools (Parental Choice)

Mr. Barry Jones: To ask the Secretary of State for Wales how many *(a)* appeals and *(b)* letters have been made by parents on the grounds of non-admission of their child to the school of their choice for each of the last five years by each of the former counties of Wales. [33159]

Mr. Jonathan Evans: The information requested is not held centrally.

Welsh Language

Mr. Dafis: To ask the Secretary of State for Wales what provision is made for teaching through the medium of Welsh in A-level courses in Wales; and if he will make a statement. [32543]

Mr. Hague: The medium of instruction in A-level courses in Wales is, as in other courses, a matter for individual schools. There were 1,300 entries for Welsh Joint Education Committee examinations at A-level through the medium of Welsh in 25 subjects in 1995, compared with 903 entries in 24 subjects in 1990.

Judicial Review

Ms Hodge: To ask the Secretary of State for Wales how many decisions by his Department were challenged by way of judicial review in each session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealled successfully against the judicial review decision. [33580]

Mr. Hague: The number of decisions made solely by the Welsh Office and challenged by way of judicial review in the sessions since 1991–92 are as follows:

1991–92: 2
1992–93: 4
1993–94: 4
1994–95: 5
1995–96: 2

The information that I have obtained thus far shows that the Department's decision was upheld in nine cases; the court found for the applicant in no cases; the Department submitted to judgment in eight cases and the Department appealed successfully against the judicial review it no cases.

Ms Hodge: To ask the Secretary of State for Wales on how many occasions in each session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33597]

Mr. Hague: None.

TRADE AND INDUSTRY

Child Labour

22. **Mr. Corbyn:** To ask the President of the Board of Trade what restrictions are placed on the importing of goods produced by child labour. [32132]

Mr. Nelson: None. The Government deplore any exploitation of children and we press all countries which have signed labour conventions to meet their obligations. However, we believe improvements in labour standards are more likely to result from economic growth through trade than from unilateral trade restrictions which would simply damage those countries they seek to help.

Objective 1 Funding

23. **Mr. Charles Kennedy:** To ask the President of the Board of Trade what assessment he has made of the impact of European objective 1 funding on the United Kingdom economy; and if he will make a statement. [32133]

Mr. Eggar: The only UK objective 1 programme that is already completed covered Northern Ireland. It is estimated to have contributed an additional 3.6 per cent. to Northern Ireland gross domestic product and created an additional 10,000 jobs by 1993.

Interim evaluations of the three objective 1 programmes which began in 1994, including that for the Scottish highlands and islands, are under way.

Post Office

24. **Mr. Simon Hughes:** To ask the President of the Board of Trade if he will make a statement on his proposals for the future of the Post Office. [32134]

Mr. Oppenheim: The Government's plans for the future of the Post Office remain as set out in an oral statement on 11 May 1995, *Official Report*, columns 885–94 by my right hon. Friend the Deputy Prime Minister, then the President of the Board of Trade.

Manufacturing Exports

25. **Mr. Michael Brown:** To ask the President of the Board of Trade what contribution manufacturing industry is currently making to export levels. [32135]

Mr. Nelson: In 1995, the value of the United Kingdom's manufacturing exports was £127 billion, which represented 83 per cent. of our exports for that year. This is the highest percentage contribution of manufactures to exports for 23 years.

Electricity and Water Companies

26. **Mr. Hanson:** To ask the President of the Board of Trade what representations he has received regarding the ownership of the electricity and water companies. [32136]

Mr. Eggar: I refer the hon. Member to the answer I gave earlier to the hon. Member for Pendle (Mr. Prentice).

European Space Agency

27. **Mr. David Evans:** To ask the President of the Board of Trade what plans he has to increase the United Kingdom's contributions to the European Space Agency. [32137]

Mr. Ian Taylor: I am at present reviewing space policy, including priorities and expenditure. We are holding a second UK space policy forum at Queen Mary and Westfield college on 25 June and plan to issue a UK space policy forward plan following it.

I hope to make a further statement to the House around the time of the forum.

Cyberspace Technology

28. **Mr. David Shaw:** To ask the President of the Board of Trade what steps he is taking to promote British companies active in cyberspace technologies. [32138]

Mr. Ian Taylor: My Department is both encouraging British companies to use the Internet and helping companies to supply products and services for the Internet. The information society initiative is the main vehicle, with a range of initiatives encouraging electronic commerce, multi-media demonstrators and product innovation in the creative industries. My Department is also encouraging industry to produce sector trade directories on the Internet so that customers across the world can be led, via cyberspace, to UK suppliers.

Steel Industry

29. **Mr. MacShane:** To ask the President of the Board of Trade if he will list the initiatives he has undertaken to promote the United Kingdom steel industry in 1996. [32139]

Mr. Eggar: My Department, through BISPA, the British Iron and Steel Producers Association, is working on several initiatives aimed at enhancing the industry's competitiveness. These are as follows.

- Dust recycling benchmarking study;
- Electronic data interchange development project;
- Customer perception survey and best practice benchmarking project (phase I);
- Logistics/transit time performance study;
- Future competitiveness of the narrow strip sector;
- Productivity in the wire drawing sector;
- Steel training benchmarking club—phase II;
- Raw materials supply chains for the automotive components sector;
- Promotion of national vocational qualifications—NVQ—to steel industry small and medium enterprises;
- Health and safety NVQ module.
- Steel in the 21st century conference in July 1996.

In addition, we have run two successful workshops aimed at transferring best practice in benchmarking and electronic commerce across the steel sectors.

University Research Equipment

30. **Mr. Galbraith:** To ask the President of the Board of Trade what assessment he has made of the equipment needs of United Kingdom universities for carrying out research. [32140]

Mr. Ian Taylor: Research equipment and other needs of the science budget portfolio are assessed with advice from the Director General of Research Councils.

The research councils are currently administering an equipment fund with the higher education funding councils.

Manufacturing Industry (Wakefield)

31. **Mr. William O'Brien:** To ask the President of the Board of Trade what action his Department is taking to encourage manufacturing industries into the Wakefield area; and if he will make a statement. [32141]

Mr. Page: Through the work of the Invest in Britain Bureau, my Department promotes the UK as a location for inward investment generally. In the Yorkshire and Humberside region, the DTI provides most of the revenue for the Yorkshire and Humberside development agency, the specific job of which is the regional co-ordination of promotion work and the encouragement of inward investment to the region, including, of course, the Wakefield area.

Wakefield is already strategically placed on the road and rail network, and my Department has enhanced its attractiveness to investors by granting the city DTI intermediate area status in 1993. Since January 1994, regional selective assistance of more than £2.4 million has been awarded to businesses, and almost 900 jobs have been created or safeguarded.

Through the Government office for Yorkshire and Humberside, my Department is also involved in administering European funding under the objective 2 programme. So far, £4.4 million has been allocated to Wakefield for a range of projects, including the development of a channel tunnel railfreight terminal, which will assist manufacturing directly or indirectly. Wakefield will also benefit from the RETEX and RECHAR initiatives, which provide funds for regenerating former textile and coal mining areas.

Competitiveness

32. **Mr. Eastham:** To ask the President of the Board of Trade what assessment he has made of the importance of research and development to the United Kingdom's competitiveness. [32142]

Mr. Ian Taylor: Harnessing the excellence of our science, engineering and technology and promoting innovation, including research and development, are essential to improving our competitive performance and are reviewed fully in the Government's competitiveness White Paper.

Export Orders (South-west)

33. **Mr. Mark Robinson:** To ask the President of the Board of Trade what support his Department is giving to businesses in the south-west seeking to win export orders. [32143]

Mr. Nelson: The full range of the Government's overseas trade services is available to south-west businesses. The services can be accessed from any of the 23 business links outlets in the region.

Offshore Oil and Gas

34. **Dr. Godman:** To ask the President of the Board of Trade when he last discussed with the representatives of Scottish fishermen the implications of the regulations governing the dismantlement programmes for redundant offshore oil and gas structures and pipeline networks. [32144]

Mr. Eggar: My officials regularly meet representatives of the Scottish fishing industry to discuss a wide range of issues, including decommissioning offshore oil and gas installations.

Small Firms and Higher Education

35. **Mrs. Bridget Prentice:** To ask the President of the Board of Trade what measures he is taking to encourage links between small firms and higher education departments. [32145]

Mr. Page: My right hon. Friend the Secretary of State for Education and Employment has responsibility for ensuring adequate links between higher education establishments and all sectors of industry, including small firms. The focus of recent work has included assisting enterprises in recruitment and the use of graduate skills.

For example, the higher education business partnership programme will help build on continuing employer-led partnership between higher education and the small business sector to support a more effective graduate labour market. Using graduate skills will develop strategies and tools to increase graduate recruitment by small businesses, and assist them in making better use of the graduates they recruit.

My Department has links with higher education departments through a number of initiatives aimed at businesses of all sizes, to encourage innovation and expertise.

The focus technology programme run in association with business links, aims to help research and technology organisations and higher education institutions improve the contact they have with small firms and the technological services they provide to them.

In March 1996, my Department's innovation unit published a survey of university-industry research links. This is primarily aimed at encouraging universities to benchmark their own performance in the area. However, it records the presence of services relevant to small and medium enterprises—SMEs—and whether databases of expertise are available.

The unit has also facilitated the production of a guide to issues for companies to consider when undertaking collaborative projects with universities. This was drafted by the Association for University Research and Industry Links, AURIL, and the Intercompany Academic Research Group, ICARG. It is a useful guide for SMEs considering entering such projects.

Manufacturing Output

36. **Mr. Alan W. Williams:** To ask the President of the Board of Trade if he will make a statement on forecast trends with respect to manufacturing output. [32146]

Mr. Lang: My right hon. Friend the Chancellor of the Exchequer will set out his latest estimate of manufacturing output in the summer economic forecast, which will be published on 9 July.

Export Promotion

Mr. Harry Greenway: To ask the President of the Board of Trade what steps he is taking to improve the promotion of exports; and if he will make a statement. [32116]

Mr. Nelson: Through the overseas trade services organisation, my Department provides the best ever package of information, advice and practical assistance to British companies.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the President of the Board of Trade how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32417]

Mr. Lang: The cost of overseas travel for Ministers and their private secretaries in 1994–95 was £400,508 and in 1995–96 was £457,818. The cost of sending officials other than the Minister's private secretary on such visits is met from budgets delegated to the relevant units of the Department and is not recorded centrally. Recovery of past data would incur disproportionate cost.

Post Office, Tiverton

Mr. Jamieson: To ask the President of the Board of Trade what consultations have been made by his Department regarding the future of the Crown post office in Tiverton, Devon. [32937]

Mr. Oppenheim *[holding answer 17 June 1996]:* Consultations about proposals to convert individual Crown post offices to agency status are undertaken by Post Office Counters Ltd. in accordance with the procedures agreed with the Post Office Users' National Council.

Mr. Jamieson: To ask the President of the Board of Trade what is his assessment of the consequences to the local economy of the proposed closure of the Crown post office in Tiverton, Devon. [32938]

Mr. Oppenheim *[holding answer 17 June 1996]:* It is for the Post Office, and not for my Department, to make assessments of the consequences for the local economy of converting individual Crown post offices to agency status. I understand from the Post Office and that the full range of post office services will continue to be available in Tiverton and that Post Office Counters Ltd. employees wishing to remain with the business will be offered alternative employment.

Nuclear Privatisation

Mr. Battle: To ask the President of the Board of Trade, pursuant to his answer of 5 June, *Official Report, column* 455, what is the budget he has set for expenditure on advertising nuclear privatisation. [33268]

Mr. Eggar: The revised estimated budget for total expenditure on privatisation in 1996–97 was published in the Supply estimates on 13 June.

Business Links

Mr. Barry Field: To ask the President of the Board of Trade how many businesses have received help and assistance from business links since their establishment. [32123]

Mr. Page: The number of different businesses using business links has more than doubled between April 1995 and March 1996 from 38,093 different businesses using business links at least once in the first quarter to 85,108 doing so in the final quarter. This means that more than 6,500 different businesses are now using business links each week. The figures for the final quarter are based on returns from 53 business link partnerships out of the 79 that are open.

Prior Options Review

Mr. Ingram: To ask the President of the Board of Trade if he will place in the Library the reports made to his Department in the prior options review. [33381]

Mr. Ian Taylor *[holding answer 18 June 1996]:* I shall place in the Library of the House shortly memorandums, with supporting documentation, setting out the rationale underlying the decisions announced on 22 May on:

(a) the Central Laboratory of the Research Councils;

(b) the Institute of Arable Crops Research, the Institute of Grassland and Enviornmetn Research, the John Innes Centre and the Silsoe Research Institute; and

(c) the National Weights and Measures Laboratory.

Companies House

Mr. Hayes: To ask the President of the Board of Trade what targets he has set the Companies House executive agency for 1996–97. [33970]

Mr. Lang: I have set Companies House the following targets:

to continue to aim to process all documents within five working days, and specifically for 1996–97 to raise the proportion of documents processed within five working days to 95 per cent.;

to achieve an average monthly compliance rate for accounts registered of 95 per cent. and for annual returns registered of 93 per cent.

to ensure that a minimum of 90 per cent. of fiches provided to customers are error free;

to ensure that the percentage of error-free work in current processing is at least 97 per cent.;

to answer 90 per cent. of incoming telephone calls within six rings (20 seconds);

to reduce real unit costs by 5 per cent. in 1996–97;

to achieve a 6 per cent. average annual rate of return based on an operating surplus expressed as a percentage of average net assets employed at current values;

In addition, I expect the chief executive of the agency to continue to reply within 10 working days to all letters from Members of Parliament delegated to him for reply.

British Coal

Mr. Hayes: To ask the President of the Board of Trade what change has been made to British Coal's external financing limit for 1996–97. [33971]

Mr. Lang: I have revised British Coal's external financing limit for 1996–97 from £104 million to £27 million. This reflects an overshoot of £41 million of the EFL for 1995–96, caused principally by the slippage into 1996–97 of certain asset disposals. The revised EFL also allows for higher proceeds from property sales.

Bomb Bag Firecrackers

Mr. Hinchliffe: To ask the President of the Board of Trade what representations he has received from West Yorkshire trading standards concerning the safety of bomb bag firecrackers produced by Lonestar, in Wetherby, Yorkshire; what steps have been taken as a consequence; and if he will make a statement. [33140]

Mr. John M. Taylor: My Department has received no representations from West Yorkshire trading standards service in connection with bomb bags supplied by Lonestar.

Health and Safety

Mr. Ian McCartney: To ask the President of the Board of Trade (1) how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities; [33517]

(2) on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved; [33516]

(3) what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and additionally those involving expenditure of more than £5,000. [33519]

Mr. John M. Taylor: This information is not kept centrally and could be obtained only at disproportionate cost.

Written Answers to Questions

Thursday 20 June 1996

ENVIRONMENT

Mobile Homes

Mr. Tom Clarke: To ask the Secretary of State for the Environment, pursuant to his oral answer to the hon. Member for North-East Derbyshire (Mr. Barnes) of 4 June, *Official Report*, column 394, what powers he has under the Local Government Finance Act 1992 to alter the valuation list bands for dwellings; and if he will use those powers to alter the council tax liability of residents of mobile homes. [33070]

Sir Paul Beresford: My right hon. Friend has powers under section 5 of the Local Government Finance Act 1992 to alter the number of, the ranges of values ascribed to, and the proportion of council tax payable in respect of the existing valuation bands, by order subject to affirmative resolution of the House of Commons.

My right hon. Friend has, however, no plans to make such an order. He sees no grounds for reducing the contributions which residents of mobile homes make towards the cost of local services. This would, besides, entail increasing the liability of other council tax payers and would necessitate a massive, and expensive, re-banding exercise: there are over 5 million dwellings in band A alone.

Uniform Business Rate (Sports Clubs)

Mr. Nigel Jones: To ask the Secretary of State for the Environment what plans he has to exempt non-dividend-paying sports clubs from the uniform business rate; and if he will make a statement. [33171]

Sir Paul Beresford: None. Sports clubs which are not conducted for profit may already apply for up to 100 per cent. of discretionary relief from their business rates bill.

Building Regulations (Consultation)

Mr. Raynsford: To ask the Secretary of State for the Environment how many responses his Department received to its consultation on extending part M of the Building Regulations to residential dwellings; and how many of these *(a)* supported and *(b)* opposed the extension. [33367]

Mr. Robert B. Jones: One thousand and seventy-four responses were received. The consultation posed a number of questions, the responses to which cannot be summarised simply as numbers who either supported or opposed the extension.

Mr. Raynsford: To ask the Secretary of State for the Environment if he will place in the Library copies of the responses to the consultation on the extension of part M of the Building Regulations to residential dwellings. [33368]

Mr. Jones: Copies of the responses were placed in the Library in May 1995.

Desalinated Water

Sir Geoffrey Johnson Smith: To ask the Secretary of State for the Environment what estimate his Department has made of *(a)* the cost per cubic metre of producing desalinated water and *(b)* the overall cost of providing desalinated water as a long-term solution to water shortages in Britain. [33536]

Mr. Robert B. Jones: In its 1992 report "Water Resources Development Strategy", the National Rivers Authority—now part of the Environment Agency—in considering options for meeting imbalances between public water supply and demand which might arise, estimated an indicative overall cost of between £4 million and £6 million for production of 1,000 cu m of water per day by means of desalination. The work which informed this report indicated water production costs generally in the order of 70p to 80p per cubic metre, although in plants featuring energy recovery—for example, from an adjacent power station—the costs might be in the range of 42p to 48p per cubic metre.

Mr. Ian McCartney: To ask the Secretary of State for the Environment (1) on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved; [33476]

(2) how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33477]

Sir Paul Beresford: The numbers of accidents reported in my Department and the agencies for which it was responsible at the time are:

Year	*Minor*	*Major*	*Fatal*
1991–92	508	2	1
1992–93	277	1	0
1993–94	230	1	0
1994–95	176	0	1
1995–96	219	0	0

Data on accidents related to information technology are not collected separately.

The Department records accidents at the time of their occurrence and collects the data annually. As required by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, the Health and Safety Executive was notified of all major injuries and fatalities at the time they occurred. Of the two fatalities, one was as a result of a fall from a window. The second occurred while a lift was being repaired.

Mr. McCartney: To ask the Secretary of State for the Environment what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33479]

Sir Paul Beresford: My Department has a continuing programme of maintenance and repair to its buildings, furnishings and equipment to ensure a good working environment for its staff and visitors. Expenditure specifically related to health and safety measures is not recorded separately.

Energy Advice Centres

Mr. Raynsford: To ask the Secretary of State for the Environment what assessment he has made of the effectiveness of each of the local energy advice centres in providing cost-effective advice to the public and on the need for the continued provision of such services *(a)* in those areas with local energy advice centres and *(b)* elsewhere. [33365]

Mr. Robert B. Jones: The Government passed control of the local energy advice centre pilot study to the Energy Saving Trust at the beginning of April 1996. The trust is assessing the pilot study, which will be completed at the end of the September.

Previous market research results have demonstrated that the local energy advice centres are providing an effective and value for money service. Sixty per cent. of clients found the advice they received "very useful" and 90 per cent. of clients would recommend others to contact LEACs for advice. In 1994–95 around 57,000 clients visited LEAC offices. As a result of advice received, 21,000 tonnes of CO_2 emissions were saved; and the total savings per annum were £1.8 million.

Mr. Raynsford: To ask the Secretary of State for the Environment if he will make a statement on the continued funding of local energy advice centres. [33366]

Mr. Jones: I refer the hon. Member to the reply I gave to the hon. Member for Cardiff, Central (Mr. Jones) on Tuesday 18 June 1996, *Official Report*, column *402*.

Next Steps Agencies

Ms Jowell: To ask the Secretary of State for the Environment what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32733]

Sir Paul Beresford: The following information covers non-industrial permanent staff in the three next steps agencies as at 13 June 1996:

Grade	*Female*	*Male*	*Total*
Building Research Establishment			
Grade 3 and equivalent	0	1	1
Grade 4 and equivalent	0	1	1
Grade 5 and equivalent	0	4	4
Grade 6 and equivalent	1	20	21
Grade 7 and equivalent	7	92	99
Senior Executive Officer and equivalent	30	112	142
Higher Executive Officer and equivalent	38	81	119
Executive Officer and equivalent	29	44	73
Administrative Officer and equivalent	97	26	123
Administrative Assistant and equivalent	30	2	32
Total	232	383	615
Planning Inspectorate			
Grade 3 and equivalent	0	1	1
Grade 4 and equivalent	0	1	1
Grade 5 and equivalent	2	4	6
Grade 6 and equivalent	12	178	190
Grade 7 and equivalent	2	22	24
Senior Executive Officer and equivalent	1	14	15
Higher Executive Officer and equivalent	18	24	42
Executive Officer and equivalent	44	49	93
Administrative Officer and equivalent	103	72	175
Administrative Assistant and equivalent	40	32	72
Total	222	397	619
Queen Elizabeth II Conference Centre			
Grade 5 and equivalent	0	1	1
Grade 6 and equivalent	1	0	1
Grade 7 and equivalent	0	3	3
Senior Executive Officer and equivalent	1	7	8
Higher Executive Officer and equivalent	6	8	14
Executive Officer and equivalent	6	3	9
Administrative Officer and equivalent	17	6	23
Administrative Assistant and equivalent	4	4	8
Total	35	32	67

Publications (Subscriptions)

Mr. Maclennan: To ask the Secretary of State for the Environment if he will list all *(a)* periodicals, *(b)* magazines and *(c)* journals received on subscription by his Department over the last three months. [33759]

Sir Paul Beresford: Titles received on subscription in the past three months include a range of trade, technical, scientific and professional journals and magazines covering the work of the Department. To list each would involve disproportionate cost.

Copyright

Mr. Maclennan: To ask the Secretary of State for the Environment when his Department intends to complete its review of measures required to ensure compliance with copyright law. [33767]

Sir Paul Beresford: It is anticipated that the review of photocopying procedures to ensure compliance with copyright law will be completed by the end of September 1996, after which legal advice may be sought.

Local Government Finance

Mr. Stephen: To ask the Secretary of State for the Environment what further action he proposes to take against those local authorities whose direct labour and direct service organisations failed to meet their statutory financial objectives in 1994–95. [34208]

Sir Paul Beresford: On 2 April this year, 26 statutory notices were served on 22 local authorities concerning the failure of their direct labour and service organisations to meet the required financial objectives in 1994–95. My right hon. Friend has now considered the response to those notices, and has decided to give 22 directions to 20 local authorities.

The directions take the following three forms:

requiring the authority to retender the work and to seek the consent of the Secretary of State if proposing to award the work in-house: Calderdale MBC (vehicle maintenance), Castle Morpeth borough council (highways and sewers), the London borough of Hammersmith and Fulham (sports and leisure management).

preventing the authority from carrying out the work if it fails to meet the financial objective in a specified year or years:

1995–96 and 1996–97: the London borough of Hackney (schools and welfare catering).

1997–98 and 1998–99: Watford borough council (building maintenance).

requiring authorities to retender the work if they fail to meet the financial objective in a specified year or years, and to seek the Secretary of State's consent where the work has to be retendered and where the authority subsequently wishes to award work in-house:

1995–96 and 1996–97: Bournemouth borough council (other cleaning), Broxbourne borough council (refuse collection, highways and sewers and grounds maintenance), Coventry city council (schools and welfare catering), Durham county council (building cleaning), Rochester upon Medway district council (grounds maintenance), Sedgefield district council (grounds maintenance), Selby district council (sports and leisure management), Southend-on-Sea borough council (grounds maintenance), South Kesteven district council (building maintenance), and Walsall MBC (grounds maintenance)

1996–97 and 1997–98: Charnwood borough council (other cleaning), Corby borough council (highways and sewers), Reigate and Banstead borough council (building maintenance), and Sevenoaks district council (refuse collection)

1996–97: North East Lincolnshire district council (refuse collection)

The Secretary of State has also decided to take no further statutory action in respect of financial failure in 1993–94 by:

Crawley borough council (building maintenance), and Rochester upon Medway district council (highways and sewers).

The Secretary of State is still considering the response from Lichfield district council—other catering and sports and leisure managements.

To date, 45 notices have been served by the Department on 30 local authorities for losses incurred by their DLOs-DSOs in 1994–95. Today's decisions follow those announced on 13 May this year. Further notices for financial failure will be issued later in the year, and we expect to have announced all our decisions by the end of October.

This action continues our drive to ensure that taxpayers receive value-for-money services from their local authorities. Where authorities' in-house teams fail to achieve their financial targets, and where they do not seem to have taken the steps necessary to improve their performance, we will not hesitate to take statutory action in the interests of local taxpayers.

DUCHY OF LANCASTER

Next Steps Agencies

Ms Jowell: To ask the Deputy Prime Minister what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32727]

Mr. Willetts: Responsibility for the subject of the question has been delegated to the chief executives of the agencies. I have, therefore, asked the chief executives of the Property Advisers to the Civil Estate, Central Office of Information, Chessington Computer Centre, Central Computer and Telecommunications Agency, Civil Service College, Her Majesty's Stationery Office, Occupational Health and Safety Agency, Recruitment and Assessment Services, the Security Facilities Executive and the Buying Agency to write to the hon. Member.

Letter from N. E. Borrett to Ms Tessa Jowell, dated 17 June 1996:

The Deputy Prime Minister has asked me to reply to your question relating to numbers of employees in Next Steps agencies under his control; how many of those employees are women; and at what Civil Service or equivalent grade are they employed.

The answer to each part in respect of PACE is shown on the attached table.

Staff in Post as at 1 April 1996 for PACE

	Number
Number of Employees	329
Male	203
Female	126

Staff in Post as at 1 April 1996 for PACE

Civil Service grade/equivalent	*Male*	*Female*
Grades at which they are employed:		
Grade 3	1	0
Grade 5	3	0
Grade 6	14	0
Grade 7	37	2
SEO Level	43	5
HEO Level	22	10
EO Level	36	47
AO Level	45	49
AA Level	2	13
Total	203	126

Letter from Keith Williamson to Ms Tessa Jowell, dated 17 June 1996:

The Deputy Prime Minister has asked me to reply, on behalf of the Central Office of Information, to your Question on the employment of women in Next Steps agencies.

The number of permanent staff in post at 1 April 1996 was 443, 184 of whom were women. A breakdown by grade is detailed below:

Full time staff

Grade level	*Male*	*Female*	*Total*
Senior Civil Service	4	—	4
Grade 6	12	—	12
Grade 7	23	11	34
SEO and equivalent	76	42	118

Full time staff

Grade level	*Male*	*Female*	*Total*
HEO and equivalent	62	44	106
EO and equivalent	33	22	55
AO and equivalent	36	49	85
AA and equivalent	13	16	29
Total	259	184	443

Letter from R. N. Edwards to Ms Tessa Jowell, dated 13 June 1996:

The Deputy Prime Minister has asked me to reply to your question on the employment of women in Next Step Agencies.

The total number of staff employed at Chessington as at 1 April 1996, was 409, of which 216 were women. Women are employed at all grades from SGB2 to Grade 7, which is the highest grade below Chief Executive at Chessington.

Letter from Robin Guenier to Ms Tessa Jowell, dated 13 June 1996:

The Deputy Prime Minister has asked me to reply to your question on the employment of women in each of the Next Steps agencies under his Departments' control.

In CCTA the head count of staff as at 1 April 1996 was 270 of which 88 were women. The breakdown of women by grade is as follows:

Grade	*Number of women*	*Total in grade*
3–6	0	14
7	4	41
SEO	15	76
HEO	16	55
EO	14	35
AO	26	36
AA	3	3
Secretarial	10	10

Letter from S. H. F. Hickey to Ms Tessa Jowell, dated 18 June 1996:

The Deputy Prime Minister has asked me to reply to your question on employment of women in Next Steps Agencies.

The position in the Civil Service College at 1 April 1996 was that we had a total head count of 274 permanent staff, of which 163 were women. The women were employed in all grades from Support Grade Band 2 up to and including Grade 5. The number at each grade is:

Grade	*Total*	*Women*
SGB2	15	10
SGB1	3	1
Typist	1	1
AA	5	3
AO	72	60
PS	9	9
SPS	1	1
Assistant Librarian	2	2
EO	42	29
HEO	17	11
Senior Librarian	1	1
SEO	13	10
Grade 7	68	18
Grade 6	20	5
Grade 5	4	2
Grade 3	1	0
Total	274	163

Letter from Mike Lynn to Ms Tessa Jowell, dated 17 June 1996:

I have been asked to reply, in respect of HMSO, to your question to the Deputy Prime Minister about women employees.

As at 1 April 1996, HMSO employed 2,745 permanent staff, of whom 928 were women.

We no longer use the Civil Service grading system, but the numbers of women employed at different levels of responsibility were as follows:

Senior Management:	11
Junior/Middle Management:	174
Administrative Staff:	529
Support Staff:	97
Operational Staff:	117

Letter from Dr. E. C. McCloy to Ms Tessa Jowell, dated 14 June 1996:

The Deputy Prime Minister has asked me to reply to your question on the employment of women in Next Steps Agencies.

For OHSA the information is:

Total staff at 31 March 1996: 118

Total number of women: 88

Of which:

Grade 3: 1

Grade 5: 3

Grade 6: 3

Grade 7: 2

SEO and equivalent: 9

HEO and equivalent: 27

EO and equivalent: 8

Clerical/Secretarial and equivalent: 35

Total: 88

Letter from Craig Muir to Ms Tessa Jowell, dated 17 June 1996:

The Deputy Prime Minister has asked me to reply to your question on the employment of women in Next Step Agencies. Recruitment and Assessment Services are happy to provide the enclosed information.

As from the 1 April 1996 Recruitment and Assessment Services employs 150 permanent/fixed term/loan staff, 106 of this number are women, they are in the following grades:-

Grade	*Number*
6	2
7	6
Senior Psychologist	2
Higher Psychologist	2
Psychologist	1
Senior Executive Officer	3
Higher Executive Officer	3
Executive Officer	18
Administrative Officer	40
Administrative Assistance	14
Senior Personal Secretary	1
Personal Secretary	4
Typist	7
Support Grade II	1
Support Grade I	2
Total	106

Letter from John King to Ms Tessa Jowell, dated 17 June 1996:

The Deputy Prime Minister has asked me to reply to your question on the employment of women in next steps agencies under his Department's control.

As at 1 April 1996 SAFE had 1191 staff of whom 97 were women. These were employed in a range of Industrial and Non-Industrial Civil Service Grades up to and including Grade 6.

Letter from S. P. Sage to Ms Tessa Jowell, dated 17 June 1996:

The Deputy Prime Minister has asked me to reply to your question on the employment of women in Next Step Agencies.

On 1 April 1996 the head count (not full time equivalents) for TBA was as follows:

	Male	*Female*	*Total*
Grade 5	1	—	1
Grade 6	2	1	3
Grade 7	3	—	3
Senior Professional and Technology Officer	12	—	12
Senior Executive Officer	5	3	8
Higher Professional and Technology Officer	17	—	17
Higher Executive Officer	5	5	10
Professional and Technology Officer	3	—	3
Executive Officer	4	14	18
Senior Personal Secretary	—	1	1
Typing Manager	—	1	1
Senior Manager 3	—	1	1
Administrative Officer	15	23	38
Personal Secretary	—	2	2
Typist	—	5	5
Support Grade Band 1	—	2	2
Support Grade Band 2	2	—	2
Total	69	58	127

Citizens Charter

Mr. Alfred Morris: To ask the Deputy Prime Minister what assessment has he made of the effectiveness of the citizens charter; and if he will make a statement. [32685]

The Deputy Prime Minister: The key criterion for evaluating the effectiveness of the citizens charter is improvement in the standards and responsiveness of public services. A full account of this is set out in last year's charter White Paper "The Citizen's Charter: The Facts and Figures", Cm 2970.

Cost Compliance Assessments

Mrs. Roche: To ask the Deputy Prime Minister how cost compliance assessments for legislation are arrived at; and what consultation there is with *(a)* business organisations and *(b)* representatives of small businesses before they are published. [33191]

Mr. Freeman: The arrangements for preparing compliance cost assessments are set out in "Checking the Cost of Regulation: A Guide to Compliance Cost Assessment", a copy of which is in the House Library. Responsibility for preparing the CCA rests with the official responsible for the policy proposal. A preliminary CCA should be prepared as soon as possible in the policy-making process. This should be refined as the policy proposal is developed, incorporating the views of business. Departments must consult business and representative bodies on the content of the CCA, preferably on the basis of their initial assessment. Small businesses must also be consulted and the impact on them of the proposal must be separately identified.

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster what representations he has made to EU colleagues about consulting *(a)* business organisations and *(b)* small business representatives while drawing up cost compliance assessment for European legislation. [33192]

Mr. Freeman: The best way of calculating the costs of new regulatory proposals is to consult business and consultation with small businesses is particularly important. I take every opportunity to make this point in contacts with my EU colleagues.

Copyright

Mr. Maclennan: To ask the Chancellor of the Duchy of Lancaster what assessment his Department has made of the terms of the photocopying licence proposed by the Copyright Licensing Agency; and what plans it has to purchase such a licence. [33760]

Mr. Freeman: My Department is still considering the terms of the photocopying licence proposed by the agency.

Publications (Subscriptions)

Mr. Maclennan: To ask the Chancellor of the Duchy of Lancaster if he will list all *(a)* periodicals, *(b)* magazines and *(c)* academic journals received on subscription by his Department over the last three months. [33757]

Mr. Willetts: This information can be provided only at disproportionate cost.

Correspondence

Mrs. Lait: To ask the Chancellor of the Duchy of Lancaster if he will publish the latest figures showing the volume of correspondence received by Ministers and agency chief executives from hon. members, the targets set for reply and the percentage of replies sent within target. [34211]

Mr. Willetts: The 1995 correspondence figures are set out in the table. The table also sets out the figures for 1994, first published on 18 April 1995, *Official Report*, columns *21–24*. Hon. Members' attention is drawn to the footnotes which accompany the table and which provide general background information on how totals have been calculated. In particular, the entry for the Benefits Agency shows a fall in the number of letters received from 21,411 in 1994 to 2,689 in 1995. This reflects a change in the way the figures have been presented. The 1995 figure excludes 13,981 letters from Members of Parliament sent direct to district offices where local officials have replied.

Correspondence from Members of Parliament to Ministers and Agency Chief Executives

Department/Agency	1994 Target set for reply (working days)	1994 Number of letters received	1994 Percentage of replies within target	1995 Target set for reply (working days)	1995 Number of letters received	1995 Percentage of replies within target
Ministry of Agriculture, Fisheries and Food	15	9,429	80	15	8,533	68
Intervention Board	10	109	96	10	16	100
Cabinet Office (OPS)	15	941	71	15	1,526	76
Central Statistical Office[1]	10	70	67	10[2]	42	67
Crown Prosecution Service	15	206	76	15	118	81
Customs and Excise	18	4,969	62	18	[3]4,914	68
Ministry of Defence	15	7,769	69	15	7,109	75
Army Base Repair Organisation	—	—	—	15	37	100
Defence Accounts Agency	10	51	90	10	63	93
Defence Animal Centre	—	—	—	5	18	100
Defence Evaluation and Research Agency	—	—	—	7	103	76
Defence Postal and Courier Service	—	—	—	15	13	100
Disposal Sales Agency	—	—	—	15	15	100
Duke of York's Royal Military School	—	—	—	3	17	100
Department of Education	20	12,615	85	20	[4,5]7,582	81
Department of Employment	15	6,821	82	15	[4]3,227	90
Department for Education and Employment	—	—	—	20	[5,6]8,111	87
Employment Service	15	1,156	85	15	1,306	97
Teachers' Pensions Agency	10	70	97	10	95	100
Department of the Environment	15	17,767	57	15	18,138	[6]52
Planning Inspectorate Agency	8	604	80	8	[7]593	89
Foreign and Commonwealth Office	10	11,178	89	10	7,364	90
Department of Health	20	16,311	84	20	16,121	79
Medicines Control Agency	—	—	—	10	11	100
NHS Pensions Agency	8	93	100	20	81	84
Her Majesty's Stationery Office	5	11	91	5	13	100
Home Office	15	14,830	20	[8]15	11,556	26
	25	12,845	51	[8]25	12,327	51
Her Majesty's Prison Service	15	1,569	73	15	2,564	76
UK Passport Agency	15	172	95	15	101	86
Inland Revenue	18	5,063	50	18	[9,10]746	47
	23	1,048	60	23	[9,10]36	49
Valuation Office	—	—	—	[11]23	[9,12]221	48
	15	23	78	[11]15	31	51
Legal Secretariat to the Law Officers	15	549	76	15	[14]359	75
Lord Chancellor's Department	20	5,166	83	20	4,641	81
Court Service[15]	—	—	—	20	985	46
Her Majesty's Land Registry	20	31	90	20	63	100
Public Trust Office	15	36	75	15	45	98
Department of National Heritage	18	3,490	83	18	3,834	95
Historic Royal Palaces Agency	—	—	—	10	16	100
Royal Parks Agency	18	15	80	10	20	80
Northern Ireland Office	10	3,468	65	[16]10	[3]4,237	64
(including Northern Ireland Departments)	15	1,924	75	[17]15	[3]1,857	80
Child Support Agency (NI)	10	48	88	10	73	74
Compensation Agency (NI)	7	102	94	10	94	99
Northern Ireland Prison Service	—	—	—	10	54	83
Social Security Agency (NI)	10	28	93	10	41	63
Overseas Development Administration	15	3,962	93	15	3,941	96
The Scottish Office	17	5,562	49	17	5,874	49
Historic Scotland	17	13	92	17	39	95
Scottish Office Pensions Agency	—	—	—	17	11	100
Scottish Prison Service	17	68	76	17	81	84
Student Awards Agency for Scotland	—	—	—	17	61	95
Department of Social Security	20	23,193	64	20	[18]19,645	71
Benefits Agency	20	21,411	93	20	[19]2,689	89
Child Support Agency	20	9,092	25	20	[20]5,554	63
Contributions Agency	20	299	67	20	[21]304	48
War Pensions Agency	20	522	99	20	1,117	100
Department of Trade and Industry	10	23,171	74	10	[3]18,505	72
Companies House	10	79	66	10	44	85
Insolvency Service	10	33	88	10	29	100
Patent Office	—	—	—	10	17	100
Radiocommunications Agency	10	38	100	10	38	100
Department of Transport	15	20,905	72	15	19,427	65
Driver and Vehicle Licensing Agency	10	357	95	7	402	99
Driving Standards Agency	10	87	87	15	122	94
Highways Agency	15	422	47	15	665	84
Marine Safety Agency	15	21	100	15	18	100
Transport Research Laboratory	15	10	90	15	11	100
Vehicle Inspectorate	15	17	100	15	42	98
Her Majesty's Treasury	15	4,728	54	15	[22]7,761	62

Correspondence from Members of Parliament to Ministers and Agency Chief Executives

Department/Agency	*Target set for reply (working days)*	*1994 Number of letters received*	*Percentage of replies within target*	*Target set for reply (working days)*	*1995 Number of letters received*	*Percentage of replies within target*
Welsh Office	12	3,062	73	12	2,987	82
CADW: Welsh Historic Monuments	12	47	93	12	46	93
Total number of letters		257,676			222,797	
Average percentage of replies within target	—	—	78	—	—	82

[1] On the 1 April 1996 the Central Statistical Office merged with the Office of Population Censuses and Surveys to form the Office for National Statistics.

[2] Represents target set for CSO to submit replies to HM Treasury.

[3] Includes all ministerial replies, not only those letters to Members of Parliament.

[4] The Department for Education and the Department of Employment merged on the 6 July 1995. Figures given are for the period from 6 July to 31 December.

[5] The Department for Education and Employment was established on 6 July 1995. Figures given are for the period from 6 July to 31 December.

[6] 72 per cent. of letters were replied to within 20 working days.

[7] Figure includes letters received direct from Members of Parliament as well as via Ministers' offices. Figure also includes 26 cases which relate to Wales.

[8] Until April 1995 targets within the Home Office were expressed in calendar days and, because of bank holidays, performance was occasionally measured against fewer than the 15 or 25 working day target. The 25 day target is for replies in respect of subjects dealt with by the Immigration and Nationality Department, Prison Service and UK Passport Agency, and includes letters sent direct to the Immigration and Nationality Directorate Board. The 15 day target is for all other subjects.

[9] Head Office figures.

[10] Local Office figures. In addition, the Inland Revenue processed 471 'delegated cases', where local officials replied direct to MPs. Of these 78 per cent. were replied to within the 23 day target.

[11] Letters from MPs where the Chief Executive has replied on behalf of the Treasury Ministers.

[12] Excludes 94 letters relating to caravans, where the Agency conducted lengthy negotiations with the Industry. MPs were made aware that the constituency correspondence had been held in abeyance pending the outcome of negotiations.

[13] Letters from MPs sent direct to the Chief Executive.

[14] This figure excludes letters received by the Legal Secretariat to the Law Officers which were subsequently replied to by the Director of Public Prosecutions.

[15] The Court Service became an executive agency on 3 April 1995. Figures given are for all correspondence replied to by the Chief Executive between that date and the 31 December.

[16] Replies signed by the Minister.

[17] Replies signed by the Private Secretary to the Minister.

[18] Excludes letters replied to by the Chief Executive of the Child Support Agency on behalf of Ministers.

[19] In addition, the Benefits Agency replied to 13,981 letters from MPs sent direct to district offices, of which 95 per cent. were replied to within the 20 day target.

[20] Includes letters from MPs to Ministers where the Chief Executive has signed on Ministers' behalf.

[21] In addition, the Contributions Agency replied to 158 letters from MPs sent direct to district offices, of which 96 per cent. were replied to within the 20 day target.

[22] The 1994 figures are taken from the *Official Report*, 18 April 1995, columns 21-24. Please also refer to notes given with that reply. In addition the following Departments and Agencies received between 1 and 10 letters from Members of Parliament during 1995 but are not shown in the table.

Agricultural Development and Advisory Service, Central Science Laboratory, Meat Hygiene Service, Pesticides Safety Directorate, Veterinary Laboratories Agency and the Veterinary Medicines Directorate (MAFF).

Civil Service College, Occupation Health and Safety Agency (OPS).

Army Technical Support Agency, Defence Analytical Services Agency, Defence Clothing and Textiles Agency, Meterological Office, Military Survey, Naval Aircraft Repair Organisation, Naval Recruitment and Training Agency, Queen Victoria School and the RAF Training Group (MOD).

The Building Research Establishment Agency, the Buying Agency and Securities Facilities Executive (DOE).

Export Credit Guarantee Department.

Wilton Park (FCO).

Medical Devices Agency (Health).

Fire Service College (Home Office).

Government Property Lawyers Agency (Attorney General).

Public Record Office (LCD).

Driver and Vehicle Licensing Agency (NI), Driver and Vehicle Testing (NI), Rate Collection Agency, Training and Employment Agency (NI) and the Valuation and Lands Agency (Northern Ireland).

Scottish Records Office (Scottish Office).

IT Services Agency and Resettlement Agency (DSS).

Laboratory of the Government Chemist and the National Physical Laboratory (DTI).

Coastguard Agency and the Vehicle Certification Agency (DOT).

LORD CHANCELLOR'S DEPARTMENT

Next Steps Agencies

Ms Jowell: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32736]

Mr. Streeter: The Lord Chancellor has responsibility for four agencies: the Court Service, the Public Trust Office, the Public Record Office and Her Majesty's Land Registry. As the question concerns a specific operational matter on which the respective chief executives are best placed to provide an answer, I have asked them to reply.

Letter from M. D. Huebner to Ms Tessa Jowell, dated 20 June 1996:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply on behalf of the Court Service to your Question about the number of staff employed by Next Step Agencies.

The number of staff employed by the Court Service is 10,390 and the number of women is 6,769. This is broken down by grade as follows:

		Per cent.
Grade 5	2	18.18
Grade 6	10	23.26
Grade 7	37	31.09
Senior executive officer	91	37.92
Higher executive officer	425	54.84
Executive officer	1,199	61.93
Administrative officer	3,243	67.76
Administrative assistant	333	70.85
Support grades	1,429	71.31

Letter from Julia C. Lomas to Ms Tessa Jowell, dated 20 June 1996:

The Parliamentary Secretary has asked me to reply to you as part of the Lord Chancellor's Department's response to your Parliamentary Question, listed on 11 June 1996 for answer on the 20 June 1996 regarding the total number of people employed by the Public Trust Office divided into male and female.

Grade	*Males total*	*Females total*
GRD 4	0	1
GRD 5 SOL	0	1
GRD 6 SPRN	3	1
GRD 6 LGL	3	1
GRD 7 PRN	4	1
GRD 7 COP	0	1
GRD 7 PPTO	1	0
GRD 7 LGL	0	1
SEO	20	9
HEO	50	38
EO	77	75
SPS	0	1
TYP MNR	0	3
SM 3	0	1
AO	89	103
AA	3	2
SGB 1	4	2
SGB 2	16	6
TYP	0	32
Total	270	279

Letter from Stuart Hill to Ms Tessa Jowell, dated 20 June 1996:

I have been asked by the Parliamentary Secretary, Lord Chancellor's Department, to reply to your recent question concerning the total number of people employed in H M Land Registry and the number of women by grade. The information you require is as follows:

Grade	*Male*	*Female*
Senior Civil Service (Formerly Grades 2–5)	22	5
Senior Registration Administrator 1 (Grade 6)	24	0
Senior Land Registrar (Grade 6)	18	2
Senior Registration Administrator 2 (Grade 7)	43	2
Assistant Land Registrar (Grade 7)	54	40
Registration Executive 1 (SEO)	224	45
Registration Executive 2 (HEO)	409	183
Registration Executive 3 (EO)	980	1,388
Registration Officer 1 & 2 (AO)	970	2,372
Registration Assistant 1 & 2 (AA)	469	1,454
Totals	3,213	5,491
Overall Staff total (as at 12 June 1996)	—	8,704

HM Land Registry operates its own grade structure following the delegation of pay and grading for staff in Grades 6 and below in April 1994. The Civil Service equivalent grades are noted against the Land Registry grade title.

Letter from Sarah Tyacke to Ms Tessa Jowell, dated 20 June 1996:

I have been asked by the Lord Chancellor's Parliamentary Secretary to reply for the Public Record Office to your question about employees in the agencies for which he is responsible.

The total number of people employed by the Public Record Office is 454.7, of which 190.2 are women who are employed in grades ranging from Grade 12 to Grade 3 (and equivalent grades).

Senior Judges

Mr. Cox: To ask the Parliamentary Secretary, Lord Chancellor's Department how many senior *(a)* male and *(b)* female judges from an ethnic minority background sit in courts in England and Wales; and if he will state the position held by each such judge. [32913]

Mr. Streeter: The table sets out the figures for male and female holders of judicial office believed to be of ethnic minority origin as at 1 June 1996. The figures for ethnic minority office holders are believed to be correct, but as the ethnic origin of candidates for judicial appointment was not recorded prior to the autumn of 1991, the numbers may be incomplete.

Judiciary	*Of ethnic minority origin*	*Male (ethnic minority)*	*Female (ethnic minority)*
Full-time Judiciary			
Lords of Appeal in Ordinary	0	0	0
Heads of Division	0	0	0
Lords Justices of Appeal	0	0	0
High Court Judges	0	0	0
Circuit Judges (including Official Referees)	5	4	1
District Judges	2	0	2
Stipendiary Magistrates	2	1	1
Part-time Judiciary			
Recorders	13	12	1
Assistant Recorders	9	6	3
Deputy District Judges	12	8	4
Acting Stipendiary Magistrates	2	2	0

Children's Evidence

Mr. Cox: To ask the Parliamentary Secretary, Lord Chancellor's Department if all courts in England and Wales now have a system of providing privacy for a child who is required to give evidence in court cases. [32875]

Mr. Streeter: I have asked the chief executive of the Court Service to reply directly to the hon. Member in respect of the operational arrangements for the Crown court, county court and High Court. The magistrates' courts are a locally managed service and responsibility for putting in place privacy systems for child witnesses rests with the relevant magistrates' courts committee. My Department is always willing to advise on such systems which include the provision of screens to shield witnesses, and the use of video and television links. Courts without such equipment can make arrangements with other courts to use their facilities. Where possible, every effort is made by court staff to comply with requests for a child witness to wait separately or to arrive and depart separately.

Letter from M. D. Huebner to Mr. Tom Cox, dated 20 June 1996:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about facilities for children giving evidence in court cases. As Chief Executive of the Court Service I can reply in respect of the county courts, Crown Court and High Court.

It is for the judge presiding at the trial to determine whether it is appropriate for a child's evidence to be given by way of a live television link and whether to allow a video recording of an interview with a child to be allowed as the child's evidence in chief. 67 of the 92 Crown Court Centres in England and Wales have live television links to enable children to give evidence from a separate room and to play video recorded evidence. It is always open to the judge at a court centre without a live TV link to order a case to be transferred to a centre so equipped. Centres without these facilities can use screens which prevent the child and defendant seeing each other. The requirement for additional television link systems is kept constantly under review and additional systems are installed where a need is shown.

The civil courts do not have television links. However, it is very rare for children to give oral evidence in civil proceedings or to be present in court. Instead, the child is represented by a court welfare officer or guardian *ad litem* who gives evidence on his or her behalf. If a child does have to give evidence, screens can be used. Most civil cases are held privately in chambers so that only the parties to the case and their legal representatives are present.

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 20 June. [32547]

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 20 June. [32548]

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

TRANSPORT

Airport Capacity (London)

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list, for each of the last three years, how many new-start airlines have been able to commence operations at *(a)* Heathrow and *(b)* Gatwick airports under the EU rule that allows 50 per cent. of any additional runway capacity to be offered to new-start airlines. [32795]

Mr. Norris: The information requested can be provided only at disproportionate cost. However, I refer the hon. Member to the Civil Aviation Authority document CAP 644, "Slot Allocation: A proposal for Europe's airports", which provides useful information on the proportion of slots allocated to new entrant airlines. A copy of this document will be placed in the Library.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the time allowance expresed in minutes per flight that airlines currently build into their operating schedules to allow for congestion at Heathrow and Gatwick airports. [32787]

Mr. Norris: This is a matter for individual airlines.

Runway Capacity

Mrs. Dunwoody: To ask the Secretary of State for Transport what assessment he has made of the conclusion of the runway capacity in the south-east—RUCATSE—study that a new full runway would provide for the equivalent of five years' traffic growth. [32908]

Mr. Norris: The RUCATSE study did not produce any general conclusion that a new runway would provide for the eqivalent of five years' traffic growth. The speed at which a new runway is taken up would depend on which site was chosen and when it was introduced. RUCATSE showed that, with new runways at either Heathrow or Gatwick in 2010, these would be full by 2015, with traffic being drawn in from the other London airports, but that the take-up of a new runway at Stansted would be much slower.

Traffic Area Offices

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) what contingency plans he has in place to amend the traffic area boundaries in the event of Parliament not approving secondary legislation; [33292]

(2) if the Government's proposals to close the traffic area offices in Manchester and Cardiff can proceed before the secondary legislation to amend the traffic area boundaries has been approved by Parliament. [33292]

Mr. Norris: There is nothing in legislation which requires the Secretary of State for Transport to provide an office in each traffic area, so the approval of new boundaries by Parliament is not necessary before the closure of offices. We would seek to make whatever arrangements for dealing with the work were most efficient. We will be consulting the Council on Tribunals.

Heathrow Terminal 5

Mr. Allen: To ask the Secretary of State for Transport when he estimates a fifth terminal at Heathrow would be completed in the event of the inquiry finding in favour of its construction. [33360]

Mr. Norris: Following submission of the inspector's report, the Secretaries of State for the Environment and for Transport are responsible forjointly determining whether BAA plc's application for planning permission for a fifth terminal should be approved. The construction timetable thereafter would be a matter for BAA plc.

Fuel Taxation

Sir Peter Fry: To ask the Secretary of State for Transport what steps he intends to take to protect United Kingdom coach and heavy goods vehicle operators from unfair competition resulting from lower fuel taxation in other EU countries. [33345]

Mr. Norris: Fuel duty is only one element of the costs that affect the international competitiveness of road transport operators. We have supported the introduction of minimum rates of fuel duty in the EU. The rate of duty on fuel in the UK is of course a matter for my right hon. and learned Friend the Chancellor of the Exchequer.

Satellite Navigation Services

Sir Michael Marshall: To ask the Secretary of State for Transport what proposals he has to ensure that the European centre for future satellite navigation services is based in the United Kingdom. [33255]

Mr. Norris: My Department is involved in discussion about the need for a European centre for future satellite navigation services. The case has not been established for such a centre, but if it is we will ensure that UK interests are protected.

Aircraft Movements (Punctuality)

Mr. Allen: To ask the Secretary of State for Transport what information he collates relating to the punctuality of aircraft leaving and arriving in the United Kingdom; and if he will make a statement on trends over the last five years. [32109]

Mr. Norris: The information relating to the punctuality of aircraft leaving and arriving in the United Kingdom is available in the Civil Aviation Authority monthly and annual publication "Punctuality statistics". My Department issues quarterly press notices with summary tables and with comment on these statistics. The level of punctuality achieved in 1995 was higher than that for 1990 and 1991, although slightly lower than that achieved in 1994.

Excalibur Airways

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the country of registration for all aircraft operated by Excalibur Airways operating to and from the United Kingdom. [33533]

Mr. Norris: Excalibur Airways currently operates one aircraft to and from the United Kingdom, which is registered in Antigua.

Air Accidents

Mrs. Dunwoody: To ask the Secretary of State for Transport what action he has taken with regard to safety recommendation 95–25 of the air accident investigation branch, as detailed in paragraph 2.9.1 of air accident report 1/96. [33284]

Mr. Norris: The Department of Transport has accepted and implemented the recommendation to which the hon. Member refers. Permit procedures have been reviewed and changed in order to clarify permit and safety responsibilities regarding applications by foreign operators involving the use of wet-leased aircraft.

These measures were announced on 10 January by my noble Friend the Minister for Aviation and Shipping. A copy of the announcement—Department of Transport press notice No. 9—was, at that time, placed in the House of Commons Library.

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Transport what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33523]

Mr. Norris: This information is not available.

Mr. McCartney: To ask the Secretary of State for Transport on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33520]

Mr. Norris: My Department has carried out a survey in each of the past five years of health and safety incidents and produced an annual report for the permanent secretary. The Health and Safety Executive has been involved five times.

London Underground (Serious Crimes)

Mr. Cox: To ask the Secretary of State for Transport how many serious crimes were recorded on the London Underground during 1995. [33107]

Mr. Norris: Crime figures on the London Underground are not collected by calendar year, but the figures for the most serious crimes in 1995–96, and as compared with the equivalent figures for 1994–95 were:

Violent assaults: 418—down by 15.7 per cent.

Robberies: 578—down by 5.9 per cent.

Indecent assaults: 154—up by 3.2 per cent.

Small Ships Register

Mr. Barry Field: To ask the Secretary of State for Transport (1) what representations his Department and the Marine Safety Agency have received about the delay in the awarding of the contract to run the small ships register by the agency; [33282]

(2) what discussions he has had with the director of the Marine Safety Agency about the small ships register and the awarding of the contract for running this service; [33280]

(3) what steps he is taking to ensure interested parties have the opportunity to bid for the contract for the small ships register from the Marine Safety Agency. [33281]

Mr. Norris: I have asked the chief executive of the Marine Safety Agency to write to my hon. Friend.

Letter from R. M. Bradley to Mr. Barry Field, dated 20 June 1996:

The Secretary of State has asked me to reply to your Questions enquiring: (a) what representations have been received about the delay in awarding the contract to run the Small Ships Register; (b) what discussions have taken place with the Marine Safety Agency about the Small Ships Register and the awarding of the contract for running this service, and, (c) what steps are being taken to ensure interested parties have the opportunity to bid for the Small Ships Register from the Marine Safety Agency.

To date no representations have been received about the delay in awarding the contract for running the Small Ships Register. Nor have any discussions taken place with the Secretary of State about the Small Ships Register or the awarding of the contract as this is an operational matter which has been dealt with within the Agency.

In the event that the contract for operation of the Small Ships Register is relet there will be a full competitive tendering exercise and all parties who have expressed an interest will be invited to tender together with any other parties who may be identified as potential suppliers.

Street Works Advisory Committee Report

Mr. Riddick: To ask the Secretary of State for Transport when he expects to publish the final report of the Street Works Advisory Committee. [34209]

Mr. Norris: The committee's report is published today, with the Government's response, which is set out in joint highway authority and utilities circular No. 1/96 (Department of Transport), 25/96 (Welsh Office). Copies of the report and circular have been placed in the Library.

Next Steps Agencies

Ms Jowell: To ask the Secretary of State for Transport what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32741]

Mr. Norris: The number of people employed by the Department of Transport in its agencies on 1 June 1996 is in the table.

	Male	*Female*	*Total*
Driving Standards Agency			
Grade 5	1	0	1
Grade 6	1	1	2
Grade 7	9	0	9
Senior Executive Officer	16	3	19
Higher Executive Officer	108	18	126
Executive Officer	1,028	110	1,138
Administrative Officer	40	62	102
Administrative Assistant	75	268	343
Total	1,278	462	1,740
Driver and Vehicle and Licensing Agency			
Grade 3	1	0	1
Grade 5	3	0	3
Grade 6	8	6	14
Grade 7	16	2	18
Senior Executive Officer	39	13	52
Higher Executive Officer	98	76	174
Executive Officer	133	291	424
Administrative Officer	477	1,236	1,713
Administrative Assistant	355	1,210	1,565
Total	1,130	2,834	3,964
Highways Agency			
Grade 2	1	0	1
Grade 3	3	0	3
Grade 4	5	0	5
Grade 5	18	2	20
Grade 6	47	1	48
Grade 7	172	11	183
Senior Executive Officer	314	23	337
Higher Executive Officer	212	52	264
Executive Officer	191	143	334
Administrative Officer	142	224	366
Administrative Assistant	40	70	130
Total	1,145	526	1,691
Marine Safety Agency			
Grade 4	1	0	1
Grade 5	2	0	2
Grade 6	10	0	10
Grade 7	62	2	64
Senior Executive Officer	84	3	87
Higher Executive Officer	31	13	44
Executive Officer	15	17	32
Administrative Officer	23	44	67
Administrative Assistant	9	35	44
Total	237	114	531
Marine Emergency Organisation			
Grade 4	1	0	1
Grade 5	1	0	1
Grade 6	3	0	3
Grade 7	11	0	11
Senior Executive Officer	11	3	14
Higher Executive Officer	35	3	38
Executive Officer	56	11	67
Administrative Officer	355	32	387
Administrative Assistant	2	14	16
Total	475	63	538
Vehicle Certificate Agency			
Grade 5	1	0	1
Grade 6	1	0	1
Grade 7	4	0	4
Senior Executive Officer	11	0	11
Higher Executive Officer	22	0	22
Executive Officer	6	2	8
Administrative Officer	8	9	17
Administrative Assistant	5	5	10
Total	58	16	74

	Male	Female	Total
Vehicle Inspectorate			
Grade 4	1	0	1
Grade 5	1	0	1
Grade 6	3	0	3
Grade 7	16	2	18
Senior Executive Officer	45	4	49
Higher Executive Officer	72	6	78
Executive Officer	552	45	597
Administrative Officer	169	144	313
Administrative Assistant	31	252	283
Industrial	191	20	211
Total	1,081	473	1,554

Professional and miscellaneous grades are included in the mainstream equivalents.

Fishing Industry (Accidents)

Mr. Loyden: To ask the Secretary of State for Transport how many people have been disabled as a result of accidents in the sea fishing industry during the last four years. [32365]

Mr. Norris: I refer the hon. Member to the answers I gave to the right hon. Member for Manchester, Wythenshawe (Mr. Morris) on 25 January 1995, *Official Report*, column *201*, and 14 February 1995, *Official Report*, column *525*. The position has not changed.

HOME DEPARTMENT

Firearms

Dr. Lynne Jones: To ask the Secretary of State for the Home Department what proportion of firearms-related crimes involved licensed pistols in the last available three years. [33244]

Mr. Maclean: Thirty per cent. of notifiable offences recorded by the police in which firearms were reported to have been used in England and Wales in 1992 involved pistols. The figure for 1993 was also 30 per cent. and that for 1994, 23 per cent.

Information is not collected centrally on whether these weapons are licensed. Most firearms used in crime are not covered or are untraceable because their serial numbers have been removed.

Paedophiles Register

Mr. Nicholas Baker: To ask the Secretary of State for the Home Department if he plans to introduce a public register of paedophiles. [33112]

Mr. Maclean: The Government published a consultation paper, "Sentencing and Supervision of Sex Offenders", on 17 June which proposed that convicted sex offenders should be required to notify the police of their address and any subsequent moves. This information will provide the police with a register of the current whereabouts of sex offenders.

Crime (Hemsworth)

Mr. Trickett: To ask the Secretary of State for the Home Department how many recorded crimes in *(a)* the Hemsworth constituency and *(b)* the relevant police divisional area were committed by those between the ages of 18 and 25 years; what proportion of the total crimes committed in the area, in the last available year, were committed by those aged 18 to 25 years; and how many of these crimes were directly or indirectly drugs-related. [33245]

Mr. Maclean: The information requested is not collected centrally.

Police (Damages)

Mr. Corbyn: To ask the Secretary of State for the Home Department how many actions for damages have been defended at trial in the civil courts by the Commissioner of Police of the Metropolis for the past five years and the present year to date; what were the causes of the actions; how much the Commissioner was required to pay in *(a)* compensatory damages and *(b)* exemplary damages; and what disciplinary action was taken against the police officers involved. [33330]

Mr. Maclean: The information is as follows:

	1991	1992	1993	1994	1995	1996 as at 8 May
Actions defended at trial	N/a	N/a	N/a	34	50	18
Amounts paid (£000s)	21	203	53	84	267	839

The requested breakdown of actions for damages can be provided only at disproportionate cost.

As regards disciplinary action, I refer the hon. Member to the reply given to a question from the hon. Member for Sunderland, South (Mr. Mullin) on 8 May, *Official Report*, column *156*. I understand that since that information was provided two cases have been recorded in 1996:

Case 1: involving three officers, formal disciplinary proceedings and dismissal of the officers concerned; and

Case 2: involving one officer, who has made subject to formal disciplinary proceedings.

Mr. Corbyn: To ask the Secretary of State for the Home Department how many cases have been the subject of an internal investigation on behalf of the Commissioner of Police of the Metropolis where no formal complaint has been recorded for the past five years and the present year to date; how many such cases arose from actions for damages brought against the Commissioner which *(a)* resulted in awards being made against the Commissioner at trial and *(b)* were

settled out of court (i) after and (ii) before proceedings were commenced; and what disciplinary action was taken against the police officers involved. [33332]

Mr. Maclean: The Commissioner informs me that information on internal investigations prior to 1994 is not readily available. This, and the other information requested, can be obtained only at disproportionate cost. The following is the number of internal investigations in 1994 to 31 May 1996:

Year	*Number of cases*
1994	424
1995	424
1996 (to 31 May)	167

Mr. Corbyn: To ask the Secretary of State for the Home Department how many actions or threatened actions for damages have been settled out of court for more than £10,000 by the Commissioner of Police of the Metropolis for the past five years and the present year to date; what were the causes of the actions; how much the Commissioner paid out; and what disciplinary action was taken against the police officers involved. [33331]

Mr. Maclean: Information in the form requested can be provided only at disproportionate cost. The total number of actions and threatened actions for damages over the last five years is as follows:

	1991	*1992*	*1993*	*1994*	*1995*	*1996 (as at 8 May)*
Action	74	85	140	174	140	50
Amount (in £000s)	390	468	1,332	1,050	1,051	359
Threatened Action	38	51	74	100	72	21
Amount (in £000s)	60	84	204	209	242	37

Monserrat Citizens

Mr. Rooker: To ask the Secretary of State for the Home Department what provision is being made for citizens of Monserrat to seek temporary refuge in the United Kingdom during the present emergency caused by the volcanic eruption. [33338]

Mr. Kirkhope: Arrangements have been announced enabling Montserratians who can be accommodated by sponsors in the United Kingdom, and who can meet their own travel costs, to be admitted to the United Kingdom on an exceptional basis outside the immigration rules. To date, 103 people have registered an interest in these arrangements, 58 of whom have left Montserrat.

Closed Circuit Television

Mr. Anthony Coombs: To ask the Secretary of State for the Home Department when he expects to announce the results of the latest CCTV challenge competition; and if he will make a statement about plans for future competitions. [34096]

Mr. Maclean: My right hon. and learned Friend will be announcing the results of the 1996–97 closed circuit television challenge competition on Friday 21 June. Details of the successful bids will be placed in the Library. The Government have stated their intention of making £45 million available for CCTV. Some £15 million of this will be available in 1997–98.

Boundary Commission Review

Mr. Amess: To ask the Secretary of State for the Home Department what action he proposes to take on the report of the interim review of the Boundary Commission for England. [34097]

Mr. Howard: I have today laid before Parliament the report of the interim review of the Boundary Commission for England together with a draft Order in Council for giving effect, without modification, to the recommendations contained in the report.

Asylum Seekers

Mr. Alex Carlile: To ask the Secretary of State for the Home Department (1) if he will make a statement on the policy of detaining certain asylum seekers in prisons; [32776]

(2) if he will make it his policy to have immigration officers' decisions to detain asylum seekers in prison reviewed by an independent adjudicator after they have spent seven days in detention; and if he will make a statement. [32774]

Miss Widdecombe: Detention is carried out under the powers contained in the Immigration Act 1971. The overriding consideration is whether the overseas national is likely to comply with any restrictions upon him, including any arrangements for his removal from the country.

Wherever possible, Immigration Act detainees, including asylum seekers, are held in immigration service detention centres. Prisons are used only when no places are available in an immigration service detention centre, or where the detainee is unsuitable for detention in these establishments. Immigration detainees in prisons are generally held separately or with unconvicted prisoners and are accorded the same privileges as those on remand.

Currently, any detainee who has an appeal outstanding, or who has been detained for more than seven days for further examination having sought entry to the United Kingdom, may apply to the independent appellate authorities for bail. The Asylum and Immigration Bill contains provision to extend bail rights to everyone detained under Immigration Act powers.

Mr. Carlile: To ask the Secretary of State for the Home Department on what occasions over the last 12 months asylum detainees have been confined to their cells continuously for 48 hours; what were the reasons for such continuous confinements; and if he will make a statement. [32775]

Miss Widdecombe: Between 1 June 1995 and 31 May 1996, 54 immigration detainees were found guilty of an offence against prison discipline and given a punishment of cellular confinement of two days or more. Prison Service records do not distinguish between those who had sought asylum and those who had not. That information is not held centrally and could be obtained only at disproportionate cost.

Mr. Henderson: To ask the Secretary of State for the Home Department if he will provide a breakdown of the number of asylum seekers currently detained under Immigration Act powers by *(a)* nationality, *(b)* gender, *(c)* place of detention, *(d)* length of detention and *(e)* immigration status at the time of application; and if he will indicate how many of these detainees' asylum applications have (i) yet to be determined, (ii) been refused with an appeal pending and *(c)* been refused and the appeal been refused. [33267]

Mr. Kirkhope: The information requested is in the tables.

Table 1: Number of people recorded as detained on 31 May and 7 June 1996[1,2] who had sought asylum at some stage, by gender and immigration status

	Port	Illegal entrants	Deport	Total
Male	418	247	32	697
Female	44	9	1	54
Total	462	256	33	751

[1] These figures include people who have been in detention for less than a month. Because of the delay in recording receptions into, and releases from, detention and the large number of persons detained for a short period, the figures should be used with caution.

[2] Illegal entrants and deports figures relate to 31 May, port figures to 7 June 1996.

Table 2: Number of people recorded as detained on 31 May and 7 June 1996[1,2] who had sought asylum at some stage, by stage of application

Stage of application	Total number detained
Awaiting initial decision	181
Awaiting result of appeal	400
Awaiting removal after refusal	170
Total	751

[1] These figures include people who have been in detention for less than a month. Because of the delay in recording receptions into, and releases from, detention and the large number of persons detained for a short period, the figures should be used with caution.

[2] Illegal entrants and deports figures relate to 31 May, port figures to 7 June 1996.

Table 3: Number of people recorded as detained on 31 May and 7 June 1996[1,2] who had sought asylum at some stage, by length of detention and immigration status

Length	Total number detained
0–1 month[1]	201
1–2 months	133
2–6 months	287
6–12 months	112
12 months+	18
Total	751

[1] These figures include people who have been in detention for less than a month. Because of the delay in recording receptions into, and releases from, detention and the large number of persons detained for a short period, the figures should be used with caution.

[2] Illegal entrants and deports figures relate to 31 May, port figures to 7 June 1996.

Table 4: Number of people recorded as detained on 31 May and 7 June 1996[1,2] who had sought asylum at some stage, by nationality and immigration status

Nationality	Total number detained
Nigeria	105
India	96
Algeria	72
Ghana	52
Turkey	39
Sri Lanka	38
Zaire	34
Gambia	29
Pakistan	29
China Peoples' Republic of	26
Romania	23
Yugoslavia	19
Bangladesh	17
Iran	13
Angola	12
Colombia	11
Lithuania	11
Ecuador	8
Somalia	8
Afganistan	7
Ivory Coast	6
Czechoslovakia	6
Albania	5
Ethiopia	5
Jamaica	5
Liberia	5
Poland	5
Russia	5
Sierra Leone	5
Uganda	5
Kenya	4
Tanzania	4
Lebanon	3
Bulgaria	2
Cameroon	2
Cyprus	2
Georgia	2
Montenegro	2
Niger	2
Sudan	2
Zimbabwe	2
Others	19
Nationality doubtful	4
Total	751

[1] These figures include people who have been in detention for less than a month. Because of the delay in recording receptions into, and releases from, detention and the large number of persons detained for a short period, the figures should be used with caution.

[2] Illegal entrants and deports figures relate to 31 May, port figures to 7 June 1996.

Table 5: Number of people recorded as detained on 31 May and 7 June 1996[1,2] who had sought asylum at some stage, by location of detention and immigration status

Prisons	Total number detained
HMP Rochester	145
HMP Haslar	103
HMP Birmingham	33
HMP Wormwood Scrubs	15
HMP Greenock	11
HMP Magilligan	8
HMP Bristol	4
HMP Wandsworth	4

Table 5: Number of people recorded as detained on 31 May and 7 June 1996[1] [2] who had sought asylum at some stage, by location of detention and immigration status

Prisons	*Total number detained*
HMP Doncaster	3
HMP Armley	2
HMP Chelmsford	2
Others	22
Other places of detention	
Campsfield House	156
Harmondsworth	83
Gatwick Apt Det Suite	44
Police Cells	26
Dover Harbour PS	24
Queens Building	15
Tinsley House	13
Manchester Apt Det Suite	11
Port	10
Stansted Apt Det Suite	8
Dover West	2
Others	7
Total	751

[1] These figures include people who have been in detention for less than a month. Because of the delay in recording receptions into, and releases from, detention and the large number of persons detained for a short period, the figures should be used with caution.

[2] Illegal entrant and deports figures relate to 31 May, port figures to 7 June 1996.

Stalking

Ms Jowell: To ask the Secretary of State for the Home Department how many new cases of stalking were reported to the police in *(a)* the Metropolitan police authority and *(b)* each other police force area for each year since 1990. [32585]

Mr. Maclean: The information requested is not collected centrally.

Mrs. Jane Kennedy: To ask the Secretary of State for the Home Department what representations he has received on the issue of stalking since 13 May. [33720]

Mr. Maclean: Since 13 May, we have received representations on the issue of stalking from: the National Anti-Stalking and Harassment Campaign, NASH; the Suzy Lamplugh Trust; hon. Friends and hon. Members and noble Lords in another place; and 13 members of the public, including victims of stalking.

Ms Janet Anderson: To ask the Secretary of State for the Home Department (1) what proposals he has to provide for a criminal offence of stalking; [33721]

(2) what representations he has received about the Stalking (No. 2) Bill [*Lords*]. [33722]

Mr. Maclean: Of the representations we have received on this subject, only early-day motion 875 made specific reference to the Stalking (No. 2) Bill.

The Government will be publishing a consultation paper shortly, which will put forward comprehensive proposals for legislation to deal with stalking.

Domestic Violence

Ms Jowell: To ask the Secretary of State for the Home Department how many separate incidents of domestic violence were reported to police in *(a)* the Metropolitan police authority and *(b)* each other police force area in each year since 1985; how many resulted in prosecutions and how many resulted in convictions. [32588]

Mr. Maclean: The information requested is not collected centrally.

Assaults (Women)

Ms Jowell: To ask the Secretary of State for the Home Department how many physical assaults and robberies against women were reported to police in *(a)* the Metropolitan police authority and *(b)* each other police force area for each year since 1990; how many of these cases were taken to court; and how many resulted in convictions. [32589]

Mr. Maclean: The information requested is not collected centrally.

Police (Sexual Harassment)

Ms Jowell: To ask the Secretary of State for the Home Department (1) how many complaints of sexual harassment were made by women police officers in *(a)* the Metropolitan police authority and *(b)* each other police force for each year since 1993; [32689]

(2) what steps he is taking to monitor levels of sexual harassment in the police service. [32688]

Mr. Maclean: Records of the number of complaints of sexual harassment made by women police officers are not kept centrally. All police forces in England and Wales have an equal opportunities statement and a grievance procedure, both of which will cover sexual harassment. Individual forces monitor the implementation and effectiveness of their equal opportunities policies, including those dealing with sexual harassment, and the operation of their grievance procedures. In addition, Her Majesty's inspectorate of constabulary pays close attention to this area during the inspection of individual forces.

Prisons (Private Sector)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make a statement on his plans for greater involvement of the private sector in the Prison Service and the targeting of regime activities. [33445]

Miss Widdecombe: I refer the hon. Member to the reply given to a question from the hon. Member for Rossendale and Darwen (Ms Anderson) on 4 June, *Official Report*, column *327*.

Prisons (Staff)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department how many staff inquiries about the exit package in the Prison Service have been received; how many staff will be taking the package during the current financial year; and if he will make a statement. [33446]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from David Scott to Mr. Alex Carlile, dated 20 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about exit packages from the Prison Service.

Just over 3,600 staff have applied to be considered for voluntary early retirement or severance. Earlier this year, business plans produced by governors and heads of headquarters groups and units indicated a likely net loss of about 1,500 posts during 1996–97. However, some proposals are being reviewed in the light of changing circumstances. It is not yet possible to say, therefore, exactly how many staff will be offered, and will accept, the exit package during this financial year. We aim to start letting staff know the outcome of their applications shortly.

Mr. Carlile: To ask the Secretary of State for the Home Department what was the average number of days spent on training by prison staff during 1995–96; and if he will make a statement. [33440]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from David Scott to Mr. Alex Carlile, dated 20 June 1996:

The Home Secretary has asked me, in the absence of the Director General, to reply to your recent Question about the average number of days spent on training by prison staff during 1995/96.

In 1995/96, the Prison Service monitored staff training for prison officer grades. For these grades, the Service achieved an average of 6.2 days training per member of staff.

In 1996/97, the Service is monitoring the training of all of its staff, and is committed through a new Key Performance Indicator to achieve an average of at least six days training per member of staff.

Prisons (Morale)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make a statement on morale, job satisfaction and security in the Prison Service. [33447]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from David Scott to Mr. Alex Carlile, dated 20 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about morale, job satisfaction and security in the Prison Service.

Prison work by its nature is difficult and demanding. Nevertheless, a staff survey in 1994 indicated that two thirds of staff were satisfied with their jobs, and over half felt proud to work for the Prison Service.

At present the service needs to lose some posts, but we are seeking as far as possible to achieve this by a mixture of natural wastage and voluntary redundancy.

The next survey is due to be carried out in 1997 and this will provide more up-to-date information.

Police (Strength)

Ms Jowell: To ask the Secretary of State for the Home Department how many police officers were employed in each police force area for each year since 1980; and how many were employed as beat officers. [32587]

Mr. Maclean: Information on police strength from 1980 to 1995 can be found in the appendix to the annual reports of Her Majesty's chief inspector of constabulary, copies of which are in the Library. Details of police strength for each force at March 1996 are set out in table A.

Information on the number of officers specifically assigned to beat duties is not available. Information on patrol strength in each force is available from 1991 and is set out in table B.

Police strength in England and Wales as at 31 March 1996

Force	*Total police ranks*
Avon and Somerset	2,981
Bedfordshire	1,128
Cambridgeshire	1,238
Cheshire	1,975
City of London	869
Cleveland	1,420
Cumbria	1,115
Derbyshire	1,763
Devon and Cornwall	2,899
Dorset	1,263
Durham	1,401
Dyfed-Powys	991
Essex	2,884
Gloucestershire	1,133
Greater Manchester	6,938
Gwent	1,044
Hampshire	3,347
Hertfordshire	1,712
Humberside	2,041
Kent	3,120
Lancashire	3,171
Leicestershire	1,908
Lincolnshire	1,147
Merseyside	4,411
Metropolitan police	27,343
Norfolk	1,401
Northamptonshire	1,153
Northumbria	3,668
North Wales	1,378
North Yorkshire	1,324
Nottinghamshire	2,318
South Wales	3,027
South Yorkshire	3,073
Staffordshire	2,209
Suffolk	1,138
Surrey	1,644
Sussex	3,074
Thames Valley	3,674
Warwickshire	979
West Mercia	2,017
West Midlands	7,145
West Yorkshire	5,142
Wiltshire	1,219

Police strength—patrol[1]

Force	*31 December 1991*	*31 December 1992*	*31 December 1993*	*31 March 1995*
Avon and Somerset	1,748	1,693	1,617	1,625
Bedfordshire	603	521	580	518
Cambridgeshire	665	656	649	669
Cheshire	981	1,007	1,051	1,024
City of London	394	360	355	380
Cleveland	849	836	814	816
Cumbria	719	662	673	649
Derbyshire	943	1,045	988	947
Devon and Cornwall	1,579	1,728	1,690	1,661
Dorset	718	746	735	727
Durham	747	778	762	770
Dyfed-Powys	570	593	589	605
Essex	1,591	1,609	1,533	1,531
Gloucestershire	630	645	592	628
Greater Manchester	3,555	3,666	3,577	3,552
Gwent	616	606	611	599
Hampshire	1,888	1,703	1,980	1,980
Hertfordshire	966	926	996	970
Humberside	1,008	1,142	1,099	1,182
Kent	1,954	1,900	1,837	1,531
Lancashire	1,733	1,805	1,726	1,593
Leicestershire	1,087	970	1,003	1,020
Lincolnshire	737	713	761	736
Merseyside	2,389	2,453	2,488	2,573
Metropolitan police	13,286	14,392	14,561	14,684
Norfolk	811	804	799	807
North Wales	818	794	796	798
North Yorkshire	865	811	785	781
Northamptonshire	649	698	729	720
Northumbria	1,897	1,756	1,974	2,149
Nottinghamshire	1,337	1,311	1,349	1,284
South Wales	1,834	1,953	1,985	2,023
South Yorkshire	1,724	1,657	1,694	1,682
Staffordshire	1,091	1,304	1,234	1,314
Suffolk	665	713	732	706
Surrey	1,157	1,007	1,010	879
Sussex	1,870	1,799	1,710	1,543
Thames Valley	1,961	2,017	2,061	2,104
Warwickshire	510	475	510	471
West Mercia	1,320	1,167	1,256	1,199
West Midlands	3,780	3,702	3,524	3,546
West Yorkshire	2,865	2,710	2,616	2,707
Wiltshire	621	632	661	612

[1] Based on returns provided by police forces, showing officers who spend more than 50 per cent. of their time on patrol duties. These include foot, car, beat and dog patrol, and mounted officers.

Rape

Ms Jowell: To ask the Secretary of State for the Home Department how many rapes and sexual assaults were reported to police in *(a)* the Metropolitan police authority and *(b)* each other police force area for each year since 1990; how many of these cases were taken to court; and how many ended in a conviction. [32590]

Mr. Maclean: The available information relates to offences recorded by the police and is given in the table. Information on court proceedings for 1995 is not yet available.

Notifiable offences of sexual assault[1] *recorded by the police, 1990 to 1995*

Police force area	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
Metropolitan police	3,428	3,331	3,876	4,300	4,715	4,303
Avon and Somerset	497	481	393	659	828	672
Bedfordshire	225	209	171	305	295	203
Cambridgeshire	264	271	303	285	305	291
Cheshire	257	306	314	328	366	387
Cleveland	209	212	187	161	148	216
Cumbria	214	149	112	171	163	165
Derbyshire	327	315	286	351	343	392

Notifiable offences of sexual assault[1] *recorded by the police, 1990 to 1995*

Police force area	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
Devon and Cornwall	565	577	462	729	616	570
Dorset	169	249	230	214	263	248
Durham	264	290	298	348	346	262
Essex	479	410	477	556	384	515
Gloucestershire	222	223	188	226	286	245
Greater Manchester	869	1,033	1,028	925	851	934
Hampshire	621	759	701	904	700	747
Hertfordshire	248	279	209	193	243	199
Humberside	655	696	586	616	546	583
Kent	565	498	740	697	696	669
Lancashire	376	408	289	349	361	445
Leicestershire	286	302	437	349	460	403
Lincolnshire	306	231	216	202	268	261
London, City of	24	11	26	19	21	13
Merseyside	563	504	503	584	594	671
Norfolk	296	279	280	267	254	225
Northamptonshire	202	180	204	184	260	229
Northumbria	474	458	552	495	547	395
North Yorkshire	188	142	151	202	203	179
Nottinghamshire	711	802	776	816	785	681
South Yorkshire	459	432	428	455	481	454
Staffordshire	342	339	285	345	358	411
Suffolk	258	298	269	259	264	284
Surrey	270	246	331	289	347	295
Sussex	590	532	629	514	563	533
Thames Valley	617	687	615	566	633	553
Warwickshire	126	119	174	262	216	171
West Mercia	303	298	350	281	329	349
West Midlands	1,030	1,053	1,091	1,045	927	856
West Yorkshire	1,090	1,131	924	1,017	1,013	1,028
Wiltshire	292	259	315	265	255	261
Dyfed-Powys	220	244	226	247	186	186
Gwent	239	176	251	227	201	203
North Wales	218	265	236	361	232	258
South Wales	331	325	393	402	375	392
England and Wales	19,889	20,009	20,512	21,970	22,227	21,337

[1] Offences of indecent assault on a male or a female and gross indecency with a child.

Notifiable offences of rape recorded by the police, 1990 to 1995

Police force area	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
Metropolitan police	981	1,158	1,192	1,314	1,404	1,495
Avon and Somerset	87	98	102	134	151	164
Bedfordshire	46	46	45	62	60	65
Cambridgeshire	33	62	74	65	69	99
Cheshire	25	37	53	75	80	63
Cleveland	32	47	45	34	55	46
Cumbria	23	19	26	26	40	34
Derbyshire	37	34	61	54	58	87
Devon and Cornwall	59	60	69	108	127	110
Dorset	23	49	36	39	83	43
Durham	45	45	42	51	56	75
Essex	91	83	71	84	95	128
Gloucestershire	19	23	40	44	128	47
Greater Manchester	177	227	193	231	236	258
Hampshire	111	136	149	138	107	136
Hertfordshire	21	46	33	48	31	52
Humberside	49	61	81	67	71	109
Kent	96	115	133	108	171	175
Lancashire	65	58	31	52	61	70
Leicestershire	21	38	37	46	77	62
Lincolnshire	34	38	33	41	51	45
London, City of	1	0	1	2	2	1
Merseyside	87	63	87	95	117	145
Norfolk	33	62	53	60	57	56
Northamptonshire	45	44	46	51	48	41
Northumbria	88	93	102	116	125	106
North Yorkshire	13	19	22	23	29	37
Nottinghamshire	108	111	112	175	181	119
South Yorkshire	59	74	62	89	94	83
Staffordshire	43	53	64	68	79	69
Suffolk	50	61	51	62	47	42

Notifiable offences of rape recorded by the police, 1990 to 1995

Police force area	1990	1991	1992	1993	1994	1995
Surrey	32	41	28	46	52	30
Sussex	64	73	82	70	105	118
Thames Valley	94	99	114	106	113	140
Warwickshire	9	18	18	9	21	16
West Mercia	39	50	53	60	56	60
West Midlands	170	214	207	204	211	237
West Yorkshire	153	213	206	215	260	235
Wiltshire	48	46	69	61	65	64
Dyfed-Powys	34	47	42	39	16	18
Gwent	39	38	42	48	33	60
North Wales	27	55	47	66	51	61
South Wales	80	91	88	103	94	120
England and Wales	3,391	4,045	4,142	4,589	5,067	5,221

Number of defendants prosecuted at magistrates courts and found guilty at all courts for sexual offences[1] by police force area 1990 to 1994

Police Force Area	Prosecutions					Convictions				
	1990	1991	1992	1993	1994	1990	1991	1992	1993	1994
Metropolitan police	614	642	688	769	810	443	424	393	398	392
Avon and Somerset	135	122	100	119	115	78	69	70	65	61
Bedfordshire	58	38	29	58	42	37	24	21	32	33
Cambridgeshire	75	56	80	59	75	57	34	54	33	44
Cheshire	72	75	100	86	73	48	58	82	59	51
Cleveland	52	56	50	36	31	42	38	26	25	25
Cumbria	47	37	33	32	35	39	29	16	27	23
Derbyshire	113	91	72	97	88	74	58	62	56	58
Devon and Cornwall	141	117	95	99	124	118	90	64	72	80
Dorset	46	65	46	54	47	30	30	29	23	32
Durham	67	56	52	54	51	53	42	37	41	39
Essex	79	92	88	85	90	55	70	53	51	46
Gloucestershire	45	39	43	34	30	36	23	29	26	30
Greater Manchester	299	288	337	269	280	190	188	202	155	157
Hampshire	154	137	141	169	143	100	88	86	95	93
Hertfordshire	68	60	55	45	66	48	28	29	21	30
Humberside	130	125	91	78	70	96	92	79	56	55
Kent	126	67	63	57	96	114	75	79	46	80
Lancashire	142	109	101	111	116	101	74	72	74	79
Leicestershire	68	81	55	83	94	45	64	32	38	47
Lincolnshire	78	60	43	70	58	54	30	31	38	28
London, City of	20	7	8	6	8	9	5	4	3	7
Merseyside	180	165	175	172	138	95	78	91	95	68
Norfolk	79	57	48	44	43	42	50	36	28	37
Northamptonshire	47	55	43	47	67	35	36	32	25	37
Northumbria	143	137	160	174	162	99	88	116	112	98
North Yorkshire	52	51	52	68	73	36	34	33	31	39
Nottinghamshire	166	179	177	145	146	117	108	104	76	79
South Yorkshire	125	108	116	113	125	82	77	73	66	76
Staffordshire	107	92	72	106	91	73	68	46	58	59
Suffolk	47	60	57	31	40	31	31	38	36	47
Surrey	54	56	22	37	58	33	37	20	24	27
Sussex	112	94	107	79	113	85	77	62	48	61
Thames Valley	106	137	136	104	114	83	69	87	57	64
Warwickshire	26	29	32	45	48	28	24	27	29	29
West Mercia	83	95	83	59	87	63	58	65	40	55
West Midlands	297	310	307	272	249	228	214	210	177	190
West Yorkshire	262	236	205	187	199	180	172	140	117	121
Wiltshire	46	68	51	42	56	37	42	35	27	28
Dyfed-Powys	46	38	45	52	42	28	21	26	29	32
Gwent	64	53	56	47	55	33	37	31	29	32
North Wales	64	56	65	72	59	43	47	40	48	47
South Wales	158	136	165	151	143	106	101	90	91	86
England and Wales	4,893	4,632	4,544	4,517	4,650	3,425	3,102	2,952	2,677	2,802

[1] Includes offences of indecent assault on a man, indecent assault on a woman and gross indecency with children.

Number of defendants prosecuted at magistrates courts and found guilty at all courts for rape by police force area 1990 to 1994

Police force area	Prosecutions					Convictions				
	1990	1991	1992	1993	1994	1990	1991	1992	1993	1994
Metropolitan police	241	311	281	314	353	125	111	107	84	90
Avon and Somerset	36	38	33	41	44	7	4	14	5	12
Bedfordshire	17	18	18	22	21	3	5	7	4	3
Cambridgeshire	19	23	22	32	20	3	6	5	8	4

Number of defendants prosecuted at magistrates courts and found guilty at all courts for rape by police force area 1990 to 1994

	Prosecutions					Convictions				
Police force area	*1990*	*1991*	*1992*	*1993*	*1994*	*1990*	*1991*	*1992*	*1993*	*1994*
Cheshire	13	10	31	23	19	7	6	8	15	8
Cleveland	16	30	31	26	20	6	6	8	8	5
Cumbria	11	9	9	16	16	10	2	4	4	4
Derbyshire	26	16	31	28	29	6	9	6	11	5
Devon and Cornwall	21	27	22	24	33	7	10	3	6	9
Dorset	19	20	14	16	22	5	9	2	6	10
Durham	22	25	16	18	25	7	11	7	9	7
Essex	38	39	31	49	41	16	8	7	8	6
Gloucestershire	10	17	11	7	14	2	3	7	4	3
Greater Manchester	105	131	105	138	165	30	37	35	28	39
Hampshire	44	69	46	63	48	11	17	12	13	11
Hertfordshire	12	20	27	10	17	2	4	4	2	4
Humberside	14	15	21	18	11	4	11	4	7	3
Kent	38	26	32	12	32	16	16	15	15	9
Lancashire	45	32	32	31	45	9	2	8	12	9
Leicestershire	13	11	23	18	25	6	3	11	9	2
Lincolnshire	20	21	15	18	24	9	4	2	4	2
London, City of	—	—	1	—	1	—	—	—	—	—
Merseyside	43	29	52	58	55	24	11	11	10	14
Norfolk	17	21	23	17	23	5	3	8	5	3
Northamptonshire	13	34	30	24	28	8	7	7	13	2
Northumbria	63	59	57	72	83	15	22	21	7	22
North Yorkshire	11	12	8	17	20	3	3	2	5	3
Nottinghamshire	52	68	47	58	53	20	20	4	16	13
South Yorkshire	45	44	37	53	42	14	11	14	6	14
Staffordshire	33	24	25	38	43	11	8	7	11	12
Suffolk	20	29	29	15	21	4	5	5	4	3
Surrey	5	12	9	11	10	1	2	2	4	2
Sussex	39	26	27	28	26	12	11	10	12	7
Thames Valley	34	45	47	33	32	5	18	11	5	4
Warwickshire	7	10	8	10	9	1	6	—	6	3
West Mercia	33	14	25	16	26	13	3	7	5	5
West Midlands	96	125	113	102	118	40	43	33	28	32
West Yorkshire	69	99	93	74	60	37	34	26	28	21
Wiltshire	20	17	33	18	14	6	8	6	4	—
Dyfed-Powys	15	21	20	26	9	2	3	10	1	3
Gwent	14	25	23	26	22	8	6	3	7	7
North Wales	4	22	20	17	19	3	7	7	7	6
South Wales	54	67	70	67	44	18	25	24	19	20
England and Wales	1,467	1,711	1,648	1,704	1,782	541	540	494	465	441

Prisons (Programmes)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department how many prisoners completed (i) programmes accredited as being effective in reducing reoffending and (ii) the sex offender treatment programme in the last financial year; and if he will make a statement. [33439]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Alex Carlile, dated 20 June 1996:

The Home Secretary has asked me to reply to your recent Question about how many prisoners have completed (i) programmes accredited as being effective in reducing reoffending and (ii) the sex offender treatment programme in the last financial year.

For the year ending 31 March 1996, 406 prisoners completed the core module of the sex offender treatment programme (SOTP) while a further 33 completed the SOTP booster programme (designed for men about to be released from very long sentences).

746 prisoners completed cognitive skills programmes, 115 of these being the reasoning and rehabilitation programme and 631 being the in-house thinking skills.

In order to meet the criteria set for programmes to be accredited the standards of existing programmes have had to be improved. Although this work has been completed it is too early to say how many prisoners have commenced running the enhanced programmes or provide numbers for completion.

Prisons (Disorder)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make a statement on preparation for disorder in the Prison Service; and how he will update the contingency plans. [33444]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from David Scott to Mr. Alex Carlile, dated 20 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the preparation for disorder in the Prison Service and the update of contingency plans.

The central Incident Intelligence Support unit monitors order in prisons and allows governors and area managers to identify those prisons with a rising trend of disorder in order to take corrective action.

Each prison has contingency plans, which are tested and updated annually, to assist governors in managing disorder. The command suite at headquarters is activated whenever there is a potentially serious possibility of major operational difficulty. Incidents are then managed by a senior prison governor, and additional resources allocated as required. The command suite, like establishments' contingency plans, is regularly tested to ensure that procedures are as effective as possible.

Restraint Cells

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what plans he has to develop a controlled restraint cell unit; where it will be located; and if he will make a statement. [33448]

Miss Widdecombe: A Prison Service study has examined the feasibility costs and benefits of concentrating the high security risk prisoners and those posing the most severe control problems in a top security prison. Ministers are considering the findings.

Animal Welfare

Mr. Morley: To ask the Secretary of State for the Home Department how many applications for project licences have been refused under section 5(4) of the Animals (Scientific Procedures) Act 1986 on the ground that the benefits likely to accrue as a result of the programme of research are not sufficient to outweigh the adverse effects on the animals concerned. [32812]

Mr. Sackville *[holding answer 17 June 1996]:* Statistics are not kept.

Project proposals which cannot be justified are almost always withdrawn by the applicant when challenged by the animals (scientific procedures) inspectorate. This precedes the formal application process and refusal is, therefore, necessary on only a small number of occasions.

ATTORNEY-GENERAL

Next Steps Agencies

Ms Jowell: To ask the Attorney-General what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32726]

The Solicitor-General: My right hon. and learned Friend the Attorney-General is responsible for two next steps agencies: the Treasury Solicitor's Department and the Government Property Lawyers. As at 1 April 1996, the total number of people employed by the Treasury Solicitor's Department was 383, of whom 183 were women, and the total number of people employed by the Government Property Lawyers was 129, of whom 67 were women. The number of women employed as at 1 April 1996 within each grade is in the following table.

	Treasury Solicitor's Department	*Government Property Lawyers*
Senior Civil Service	8	—
Grade 6	11	—
Grade 7	51	5
Senior Executive Officer	6	1
Higher Executive Officer	16	3
Executive Officer	30	15
Administrative Officer	24	17
Administrative Assistant	3	—
Secretarial and typist grades	26	23
Support grades	8	3

OVERSEAS DEVELOPMENT ADMINISTRATION

United Nations Industrial Development Organisation

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of *(a)* the work of UNIDO and *(b)* the impact of the restructuring which has taken place within that organisation in terms of value for money; and what discussions he has been involved in concerning its long-term future. [33550]

Mr. Hanley: We have commissioned an external assessment of UNIDO's performance and value as a development agency. We are considering the conclusions of the review in the light of the restructuring that has taken place within UNIDO and in the context of wider UN reform.

EDUCATION AND EMPLOYMENT

St. Bede's College, Manchester

Mr. Tony Lloyd: To ask the Secretary of State for Education and Employment if she will investigate the proposal by St. Bede's college, Manchester, to introduce a fee-paying element for pupils at that school whose fees are paid by Trafford local education authority. [33551]

Mrs. Gillan: No. This is a matter for Trafford local education authority to resolve with St. Bede's college.

University Lecturers

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many university lecturers took early retirement in each year since 1975. [33559]

Mr. Forth: This information is not held centrally.

University Personnel

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many university personnel are on *(a)* full-time contracts and *(b)* part-time contracts. [33560]

Mr. Forth: According to figures to be published shortly by the Higher Education Statistics Agency, the number of academic staff employed on a full-time basis in UK higher education institutions in 1994–95 was 102,700. The number of part-time staff was 12,000.

Students (Plagiarism)

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many students have failed to complete their degrees or been awarded pass or third-class degrees after being accused of plagiarism in each of the last five years. [33561]

Mr. Forth: This information is not collected centrally.

Mr. Sheerman: To ask the Secretary of State for Education and Employment what steps she is taking to ensure proper appeal structures are in place for students accused of plagiarism in their university coursework. [33562]

Mr. Forth: This is a matter for universities and colleges of higher education, which, as independent and autonomous bodies, are responsible for their own academic and administrative affairs, including any arrangements for considering appeals from students about the assessment of their coursework.

Training and Enterprise Councils

Mr. Sheerman: To ask the Secretary of State for Education and Employment what estimate he has made of the percentage of the budget of training and enterprise councils spent on the enterprise aspect of their work. [33564]

Mr. Paice: Training and enterprise councils play a central role in local economic development by co-ordinating the training and business support activity in their areas. As such, all the programmes they deliver on behalf of the Department contribute to local enterprise.

My right hon. Friend the President of the Board of Trade also controls funds provided to TECs for a range of small business and enterprise activity including the business link initiative.

Ms Jowell: To ask the Secretary of State for Education and Employment how many TEC board members are women; and what steps she is taking to ensure women play a full part in TEC boards. [32691]

Mr. Paice: There are 139 female board members on English training and enterprise councils. As private companies, the appointment of board members is a matter for TECs. TECs are required to draw up and implement an equal opportunities strategy which relates to all their activities, including membership of the board.

National Vocational Qualifications

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment when she last met with members of the National Council for Vocational Qualifications to discuss reform of the national vocational qualification system. [33737]

Mr. Paice: My right hon. Friend the Secretary of State for Education and Employment last met Sir Michael Heron, the chairman of the National Council for Vocational Qualifications, on 27 March 1996. The Secretary of State conveyed her priorities for NCVQ—including measures to further improve the quality of the national vocational qualification system—to its council via her annual guidance letter, 29 January 1996, and my hon. Friend Lord Henley, the Minister of State, Department for Education and Employment is in regular contact with the chairman of NCVQ.

Next Steps Agencies

Ms Jowell: To ask the Secretary of State for Education and Employment what is the total number of people employed by each of the next steps agencies under her Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32731]

Mr. Robin Squire: The following table shows the number of full-time equivalent staff in the Teachers Pension Agency and in the Employment Service at 1 April 1996, broken down by gender and grade or managerial level:

Staff in the Teachers Pensions Agency at 1 April 1996

	Men	*Women*	*Total*
Senior civil service by level of management			
Chief Executive	0	1	1
Director	0	0	0
Divisional Manager	0	0	0
Grades below the senior civil service by grade level			
Grade 6	0	0	0
Grade 7	4	0	4
SEO	4	5	9
HEO	7	19	26
EO	20	47	67
AO	46	130	176
AA	53	64	117
Total	134	266	400

Staff in the Employment Service at 1 April 1996

	Men	*Women*	*Total*
Senior civil service by level of management			
Chief Executive	1	0	1
Director	5	0	5
Divisional Manager	19	5	24
Grades below the senior civil service by grade level			
Grade 6	20	10	30
Grade 7	173	51	224
SEO	265	169	434
HEO	981	846	1,827
EO	3,681	7,504	11,185
AO	5,942	16,160	22,102
AA	777	1,724	2,501
Total	11,864	16,469	38,333

Training

Ms Jowell: To ask the Secretary of State for Education and Employment how many *(a)* women and *(b)* men received employer-funded training in each of the last five years. [32690]

Mr. Paice: From the labour force survey, the estimated number of women and men employees who had received employer-funded on or off-the-job training in the four weeks prior to the interview in each of the last five years is shown in the following table:

	Women	*Men*
Spring 1991	1,152,000	1,470,000
Spring 1992	1,148,000	1,369,000
Spring 1993	1,139,000	1,302,000
Spring 1994	1,254,000	1,395,000
Spring 1995	1,131,000	1,257,000

Figures for spring 1995 are not comparable to those for earlier years because of a change in the survey questionnaire.

The information for numbers training in a year is not available in the form requested.

Ms Jowell: To ask the Secretary of State for Education and Employment what is the proportion of *(a)* national vocational qualifications, *(b)* general national vocational qualifications and *(c)* modern apprenticeships currently obtained by (i) men and (ii) women by subject. [32693]

Mr. Paice: Information from the Department's national information system for vocational qualifications on the proportion of men and women achieving NVQs and GNVQs by subject area is given in the following table. Modern apprenticeships were launched in September 1995 and it is too early to present information on successfully completed modern apprenticeships.

Awards of NVQs and GNVQs to men and women by subject area: 1994–95 [1, 2, 3]

Percentage

	Type of award			
	NVQs		*GNVQs*	
Subject area	*Men*	*Women*	*Men*	*Women*
Business and Management	33	67	54	46
Arts, Crafts and Hobbies	0	0	57	43
Culture, Society and Education	11	89	8	92
Language, Communication and Self Help	41	59	49	51
Music and Performing Arts	0	0	0	0
Sports, Games and Recreation	76	24	0	0
Food, Drink, Tobacco, Catering, Leisure and Tourism	48	52	50	50
Environment, Security, Health and Safety	86	14	0	0
Agriculture, Horticulture and Animal Care	67	33	0	0
Science and Mathematics	0	0	60	40
Health and Personal Care	7	93	7	93
Architecture and Construction	98	2	93	7
Computers, Electrical and Electronic Engineering	56	44	81	19
Engineering, Production and Industrial Design	97	3	94	6
Minerals, Materials and Fabrics	61	39	0	0
Transport Services and Vehicle Engineering	99	1	0	0
All subjects	59	41	57	43

Source: NISVQ.

[1] Subject area is based on the Superclass classification.

[2] Data have been obtained from City and Guilds, the Business and Technology Education Council and the Royal Society for the encouragement of Arts, Manufactures and Commerce, RSA.

[3] Academic year from October 1994 to September 1995.

Female Ethnic Minority Pupils

Ms Jowell: To ask the Secretary of State for Education and Employment what assessment she has made of the performance, by *(a)* subject and *(b)* ethnic minority of female ethnic minority pupils at (i) general certificate of secondary education and (ii) A-level. [32692]

Mr. Paice: The Dearing review of 16 to 19 qualifications included a recommendation for work on developing a framework for national monitoring of candidate achievement by ethnic origin, which my right hon. Friend remitted to the School Curriculum and Assessment Authority and National Council for Vocational Qualifications for further study and advice. We also intend to obtain information about the progress of minority ethnic pupils in individual schools, by means of information gathered by the Office for Standards in Education as part of its regular inspection cycle and to undertake research as necessary, to look in greater depth at particular issues.

Nursery Voucher Scheme

Mr. Blunkett: To ask the Secretary of State for Education and Employment in respect of phase 1 and phase 2 of the nursery voucher scheme, how many inspectors she is aiming to recruit for each phase; how many applications to become a nursery education inspector she has received; how many such applicants have enrolled in the relevant training course; and of these, how many have successfully completed the course, to qualify as a nursery education inspector. [33539]

Mr. Robin Squire: In phase 1, the chief inspector of schools aims to recruit, train and register 200 to 300 nursery education inspectors: to date, some 450 applications have been received and 320 have been selected to undergo a training and assessment course before the end of July. The number successfully completing will be known when all the courses have been received for phase 2 against a target of 2,000 to 4,000. This is very encouraging.

Copyright

Mr. Maclennan: To ask the Secretary of State for Education and Employment when her Department plans to conclude its discussions with the Copyright Licensing Agency to ensure compliance with copyright law. [33764]

Mr. Robin Squire: The Department has been in correspondence with the Copyright Licensing Agency Ltd. but has had no reply since our last communication of 21 December 1995.

TREASURY

Incapacity Benefit

Mr. Alan Howarth: To ask the Chancellor of the Exchequer how many new recipients of incapacity benefit paid income tax in 1995–96; how many of these had their tax deducted at source by the Benefits Agency; and what was the total tax yield for 1995–96. [32236]

Mr. Jack: It is estimated that there were about 175,000 new claimants of taxable incapacity benefit in 1995–96 who were liable to income tax. Of this number, about

25,000 had no other source of taxable income and had tax deducted from their benefit by the Benefits Agency. The estimated revenue yield for 1995–96 is about £30 million.

Construction Industry

Mr. Wigley: To ask the Chancellor of the Exchequer how many people are currently unemployed whose last registered employment was in the construction industry. [33749]

Mrs. Angela Knight: The information available from the winter—December to February—1995–96 labour force survey, shows that in Great Britain, there were 263,000 currently unemployed persons whose last reported employment was in the construction industry.

Next Steps Agencies

Ms Jowell: To ask the Chancellor of the Exchequer what is the total number of people employed by each of the next steps agencies under his control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32742]

Mrs. Angela Knight: The information requested falls within the responsibility of the chief executives of the Royal Mint, the Office for National Statistics, the Valuation Office and Paymaster agencies. I have asked each of them to arrange for a reply to be given.

Letter from Roger Holmes to Ms Tessa Jowell, dated 20 June 1996:

The Chancellor of the Exchequer has asked me to reply to your Question about the employment of women.

The Royal Mint currently employs a total of 1003 staff—624 Industrial and 379 Non Industrial—of whom 174 are women.

The Royal Mint no longer employs staff under Civil Service Grades. I have nevertheless drawn broad comparisons. They are tabulated below:

Civil service grade	*Number of women*
Grade 7	1
SEO	3
HEO	9
EO	35
AO	76
AA	25
Semi-skilled	25
	174

Letter from Tim Holt to Ms Tessa Jowell, dated 20 June 1996:

The Chancellor of the Exchequer has asked me to reply to your Question on the total number of people, and the number by grade of women, employed by the executive agencies under the control of his department as far as it relates to the Office for National Statistics.

The Office for National Statistics (ONS) was formed on 1 April 1996 with the merger of the Central Statistical Office (CSO) with the Office of Population Censuses and Surveys (OPCS). With effect from 14 June 1996 the total number of people employed by the new agency was 3,434. This includes 3,229 permanent and fixed term appointment staff and 205 casual staff.

2,045 of the staff employed by ONS are women. They are employed in all grades from Support Bands up to members of the Senior Civil Service (formerly Grade 5s). An analysis of the number of women employed by grade is attached to this letter.

I hope you find this reply helpful.

Office for National Statistics Analysis of female staff by grade

Grade	*Permanent staff*	*Casual staff*	*Total staff*
Grade 5	5	—	5
Grade 6	4	—	4
Grade 7	58	—	58
Senior executive officer	47	—	47
Senior research officer	14	—	14
Senior social survey officer	11	—	11
Assistant social survey officer	7	—	7
Higher executive officer	197	—	197
Higher graphics officer	1	—	1
Librarian	1	—	1
Mapping and charting officer	1	—	1
Social survey officer	11	—	11
Assistant librarian	2	1	3
Assistant statistician	19	—	19
Executive officer	387	5	392
Research officer	5	—	5
Trainee statistical officer	4	3	7
Administrative officer	721	45	766
Personal secretary	51	1	52
Senior personal secretary	10	—	10
Typing manager	1	—	1
Administrative assistant	294	52	346
Typist	26	—	26
Support manager three	6	—	6
Support grade band one	23	1	24
Support grade band two	24	7	31
Totals	1,930	115	2,045

Letter from A. J. Langford to Ms Tessa Jowell, dated 20 June 1996:

In your question to the Chancellor (32742) you ask about the number of women employed in the Agency and the grades they hold.

I attach a schedule detailing the information you require.

Please let me know if I can assist further.

Valuation Office Agency—staff numbers 1 April 1996

Grade	*Total sip*	*Female sip*	*Percentage*
First class valuer (Grade 6)	140	1	0.71
Principal valuer (Grade 7)	300	20	6.7
Senior valuer (SEO)	719	173	24.1
Valuation executive (HEO)	635	156	24.6
Senior valuation executive (SEO)	34	2	5.9
Valuation technician (Executive Officer)	913	372	40.7
Valuation referencer (Admin Officer)	761	509	66.9
Valuation assistant (Admin Assistant)	763	632	82.8
Support staff[1]	38	26	68.4
Total	4,303	1,891	43.9

[1] Cleaners, messengers, security officers, porters.

Letter from Keith Sullens to Ms Tessa Jowell, dated 20 June 1996:

The Chancellor of the Exchequer has asked me to reply to your Question asking what is the total number of people employed by each of the next step agencies under his control; how many of those employees are women; and at what Civil Service or equivalent grades they are employed.

PAYMASTER employs a total of 669 people of whom 480 are women. A table setting out the grades in which they are employed is shown below. I have also included the percentage representation per grade which I hope you will find helpful.

Grade	Number of women	Percentage representation
Grade 7	2	40
SEO	4	19
HEO	39	48
EO	82	62
AO	233	81
AA	94	89
Typists	3	100
SGB 1	6	86
SGB 2	12	60

Earnings

Ms Jowell: To ask the Chancellor of the Exchequer how many people are earning less than £2.50 per hour in *(a)* Dulwich, *(b)* Luton, *(c)* Swindon and *(d)* the United Kingdom, breaking the figures down by (i) age, (ii) gender and (iii) ethnic origin. [32682]

Mrs. Angela Knight: Information from the labour force survey for the number of employees in Great Britain in 1995 who earned less than £2.50 per hour is shown in the tables. The information for local areas, such as Dulwich, Luton and Swindon, is not available.

Employees earning less than £2.50 per hour by sex and ethnic origin

	All	Men	Women
All employees	911,000	346,000	565,000
White	864,000	325,000	539,000
Ethnic minority groups	46,000	20,000	26,000

Employees earning less than £2.50 per hour by sex and age

	All	Men	Women
All	911,000	346,000	565,000
16–24	440,000	228,000	212,000
25–34	145,000	38,000	106,000
35–49	183,000	35,000	147,000
50+	143,000	44,000	99,000

Unemployment

Ms Jowell: To ask the Chancellor of the Exchequer (1) what was the total number of people registered unemployed in *(a)* Dulwich, *(b)* Luton and *(c)* Swindon, on 1 April 1996 and in each of the last five years; and what percentage this represented of the total work force; [32683]

(2) how many people are unemployed and claiming benefit in *(a)* Dulwich, *(b)* Luton and *(c)* Swindon; and how many of these will qualify for the new jobseeker's allowance. [32686]

Mrs. Angela Knight: The latest figures show that in May 1996, on the unadjusted basis, claimant unemployment in the Dulwich constituency, and the Swindon constituency stood at 4,539 and 4,147 respectively. The figures for Luton relate to the local authority area only and stand at 7,360.

It is not possible to determine how many of the people who are currently claimant unemployed will be entitled to jobseeker's allowance in October. If, however, their circumstances remain unchanged until October, they will transfer to JSA.

Further information on the number of people claimant unemployed in the areas requested can be obtained from the Nomis database accessed by the House of Commons Library.

Comparisons with the April 1966 figures will be affected by the changeover in January 1996 from a 1981–based ward geography to a 1991–based geography. The estimated effect of this rebasing exercise on each of these areas was the change their (January 1996) levels as follows: Dulwich, –7; Luton, –34; Swindon, +96.

Dewsbury Tax Office

Mrs. Ann Taylor: To ask the Chancellor of the Exchequer how many letters his Department received in 1994 *(a)* objecting to and *(b)* supporting the proposed closure of Dewsbury tax office. [33623]

Mr. Jack: The Inland Revenue has received 60 letters objecting to the proposed closure of Dewsbury tax office and none supporting it.

Mrs. Taylor: To ask the Chancellor of the Exchequer what is the estimated cost of the move of the Dewsbury tax district office from Dewsbury to Leeds. [33624]

Mr. Jack: The proposal to move Dewsbury tax office to Leeds is at an early stage and it is not possible at present to estimate the costs of this.

Mrs. Taylor: To ask the Chancellor of the Exchequer what is the estimated cost of running a tax shop in Dewsbury. [33625]

Mr. Jack: The initial estimate of the annual cost of running a tax shop in Dewsbury is £90,000.

Mrs. Taylor: To ask the Chancellor of the Exchequer how many people whose tax is currently handled by the Dewsbury tax office will be self-assessed for taxation in *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99. [33626]

Mr. Jack: Some 15,500 individuals whose tax is currently handled by Dewsbury tax office will become self-assessed for taxation in 1996–97. It is unlikely that this number will change significantly in 1997–98 and 1998–99.

Mrs. Taylor: To ask the Chancellor of the Exchequer how many people have visited or telephoned the Dewsbury tax office, for information or advice in each of the tax years to April 1995 and April 1996. [33627]

Mr. Jack: Details of the number of people who visited or telephoned the Dewsbury tax office and tax inquiry centre in the years ended April 1995 and April 1996 are as follows:

Year to	Personal callers	Telephone inquiries
April 1995	9,132	53,074
April 1996	9,442	56,203

Judicial Review

Ms Hodge: To ask the Chancellor of the Exchequer on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33596]

Mrs. Angela Knight *[holding answer 19 June 1996]:* None to date.

Ms Hodge: To ask the Chancellor of the Exchequer how many decisions by his Department were challenged by way of judicial review in each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealled successfully against the judicial review decision. [33567]

Mrs. Knight *[holding answer 19 June 1996]:* Two, both dating from 1993. Since in both cases issues of European Community law were referred to the European Court of Justice, decisions of the English courts are still awaited.

Partial Birth Abortions

Mrs. Peacock: To ask the Chancellor of the Exchequer how many partial birth abortions have been recorded as taking place in *(a)* NHS hospitals and *(b)* licensed premises in England and Wales. [33030]

Mr. Horam *[holding answer 18 June 1996]:* I have been asked to reply.

We are not aware of this procedure being used in the United Kingdom.

FOREIGN AND COMMONWEALTH AFFAIRS

Next Steps Agencies

Ms Jowell: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32734]

Mr. Hanley: The only next steps agency under this Department's control is the Wilton House Conference Centre. A total of 33 people are employed there, five of whom work part time. The grade and gender breakdown is:

	Male	Female
Assistant Principal (HCS5)	1	—
Principal (HCS7)	3	3
Executive Officer	1	7
Administrative Officer	—	4
Senior Personal Secretary	—	1
Personal Secretary	—	1
Catering Manager 3	1	—
Chef 2	1	—
Support Grade 2	3	5
Total	12	21

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 17 June, *Official Report*, column *327*, if the teacher referred to will be given back her job after her confinement leave if she so wishes. [33719]

Sir Nicholas Bonsor: The St. Helena Government have informed us that the teacher concerned will not be given her job back after her confinement because the vacancy created by her resignation has meanwhile been filled. Should a vacancy arise in the future, she will be able to apply for a job under the terms of the recently revised public service orders.

Copyright

Mr. Maclennan: To ask the Secretary of State for Foreign and Commonwealth Affairs when his Department will decide whether it is obliged to purchase a licence from the Copyright Licensing Agency. [33766]

Sir Nicholas Bonsor: We will take the necessary action concerning a licence with the Copyright Licensing Agency when discussions with the agency have been concluded.

International Labour Organisation Conventions

Miss Emma Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he proposes to take during discussions at the ILO and Organisation for Economic Co-operation and Development, and at the World Trade Organisation conference in Singapore, to promote ILO conventions on the right to freedom from slavery, servitude and forced labour with particular respect to low-income countries. [33041]

Mr. Forth: I have been asked to reply.

The promotion of International Labour Organisation conventions is a matter for the ILO, in which the UK continues to play a full part.

Miss Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to promote the International Labour Organisation conventions on freedom from discrimination, social security coverage and health and safety protection at the G7 summit in Lyons and the World Trade Organisation meeting in Singapore. [33042]

Mr. Forth: I have been asked to reply.

International Labour Organisation conventions are not on the agenda for discussion at the G7 summit in Lyon on 27 to 29 June or at the World Trade Organisation meeting in Singapore in December 1996.

NATIONAL HERITAGE

National Lottery

Mr. William Powell: To ask the Secretary of State for National Heritage if she will list each of the grants made by each of the lottery boards in respect of which (a) projects, *(b)* organisations and *(c)* individuals in Northamptonshire may receive support. [32238]

Mr. Sproat: Information on lottery awards broken down by the areas of support requested is not available. For a full list of lottery awards in Northamptonshire, I refer the hon. Member to the reply I gave on 11 June, *Official Report*, columns *99–100*.

Television Licences

Mr. Nigel Jones: To ask the Secretary of State for National Heritage what plans she has to widen access to the £5 concessionary television licence for retired people and those living in warden-patrolled accommodation. [33114]

Mr. Sproat: The Government have no plans to extend general availability of the concessionary television licence scheme for those living in accommodation for residential care. However, we intend to correct the situation where a whole housing scheme applies for the concession but cannot qualify solely because of the ownership circumstances of a small proportion of dwellings within its boundary.

Mr. Michael Brown: To ask the Secretary of State for National Heritage (1) how many prosecutions there have been against people for non-payment of the television licence fee for every year since 1990; and what is the average cost to the Exchequer of these prosecutions; [33317]

(2) what estimate he has made of the gender and average income of those individuals *(a)* prosecuted and *(b)* found guilty of non-payment of the television licence fee. [33316]

Mr. Sproat: According to figures provided by the BBC, the number of people prosecuted for television licence evasion in the United Kingdom for each year since 1990 was:

Year	*Number of prosecutions (to nearest thousand prosecutions)*
1990–91	183
1991–92	209
1992–93	232
1993–94	219
1994–95	210
1995–96	215

Information is not collected on gender or average income of those prosecuted for licence evasion, nor on the average cost to the Exchequer of prosecutions. Information on convictions for offences under the Wireless Telegraphy Acts is set out in the Home Office's annual publication "Criminal Statistics, England and Wales", supplementary table Vols. 1 and 2, which is held in the Library of the House.

Mr. Brown: To ask the Secretary of State for National Heritage what proportion of the revenue generated by the television licence fee was absorbed by the cost of its collection in the last year for which figures are available. [33327]

Mr. Sproat: In 1995–96, the costs of collecting the television licence fee comprised 5.2 per cent. of the income generated by licence sales.

Sports Clubs

Mr. Nigel Jones: To ask the Secretary of State for National Heritage what plans she has to encourage non-dividend-paying sports clubs to increase their youth development programmes; and if she will make a statement. [33172]

Mr. Sproat: Following the publication of the sports policy statement "Sport: Raising the Game" in July 1995, the Sports Council's regional offices have made it a priority to provide advice and information to schools, sports clubs, governing bodies of sport and local authorities on how best to establish school/club links. The Sports Council itself will establish a £2 million challenge fund to help develop school/club links. It is hoped that applications will be invited from schools, sports clubs and governing bodies of sport including non-dividend-paying sports clubs this autumn.

The sportsmatch scheme, launched by the Government in 1992 to increase the amount of business sponsorship going into grass roots and sport and physical recreation, has also earmarked up to £1 million for school projects. A great number of these projects could be aimed at improving links between sports clubs, other organisations and schools.

Historic Buildings (Admission Charges)

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage what plans she has to review admission prices to castles and historic buildings managed by English Heritage. [33641]

Mr. Sproat: This is an operational matter for English Heritage. I have no plans to intervene in its arrangements.

Next Steps Agencies

Ms Jowell: To ask the Secretary of State for National Heritage what is the total number of people employed by each of the next steps agencies under her Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32729]

Mr. Sproat: My Department is responsible for two agencies, the Historic Royal Palaces agency and the Royal Parks agency. HRPA employs 419 staff, of whom 183 are women. RPA employs 250 staff, of whom 68

are women. The following table shows the grades women are employed in and their respective numbers in those grades. These figures do not include casual staff.

	Number of women—HRPA	*Number of women—RPA*
Civil Service grades incorporating equivalents		
Grade 7	3	2
Senior executive officer	8	2
Higher executive officer	16	5
Executive officer	34	8
Administrative officer	54	7
Administrative assistant	62	—
Sub-total	177	24
Other grades which do not necessarily equate to Civil Service grades		
Inspector	—	1
Police sergeant	—	2
Police constable	—	39
Horse manager	—	1
Groom	—	1
Industrial gardeners	6	—
Sub-total	6	44
Total	183	68

Copyright

Mr. Maclennan: To ask the Secretary of State for National Heritage on what occasions her Department has signed a licence from the Copyright Licensing Agency. [33765]

Mr. Sproat: None. The Department of National Heritage is currently discussing the terms of its photocopying licence with the Copyright Licensing Agency. We expect to sign the final licence shortly.

Judicial Review

Ms Hodge: To ask the Secretary of State for National Heritage on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by her Department with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if she will list the relevant legislative provisions. [33590]

Mr. Sproat *[holding answer 19 June 1996]:* No such legislation has been introduced by the Department of National Heritage since its inception in 1992.

Ms Hodge: To ask the Secretary of State for National Heritage how many decisions by her Department were challenged by way of judicial review in each Session since 1991–92; and if she will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33572]

Mr. Sproat *[holding answer 19 June 1996]:* One decision was upheld by the courts in each of the Sessions 1993–94, 1994–95 and 1995–96. Additionally, in 1995–96 one application for judicial review against the Department was struck out. In no cases during the periods in question have the courts found for the applicant; nor has the Department ever submitted to judgment. It follows that the Department had never appealed against a judicial review decision.

HEALTH

Prescriptions (Students)

Mr. Jon Owen Jones: To ask the Secretary of State for Health how many claims for free prescriptions have been made by students; and how many have been successful for 1995–96 and in each of the previous five years. [29039]

Mr. Malone: During 1992–93, around 248,000 low-income scheme claims were made by students of which around 52 per cent. resulted in entitlement to free prescriptions. For 1993–94, the figures were respectively around 308,000 and 60 per cent. and for 1994–95 around 333,000 and 72 per cent. Information was not collected for years before 1992–93 and is not yet available for 1995–96.

Mr. Tipping: To ask the Secretary of State for Health how many claims for free prescriptions have been made by students; and how many have been successful for the latest year for which figures are available. [1059]

Mr. Malone *[pursuant to his reply, 21 November 1995, c. 66]:* I regret that my previous answer was incorrect. It should have read as follows:

"During 1994–95, around 333,000 national health service low-income scheme claims were made by students of which around 72 per cent. resulted in entitlement to free prescriptions".

Oral Contraceptives

Mr. Simon Hughes: To ask the Secretary of State for Health (1) if he will list the members for the day who attended the meeting of the Committee on Safety of Medicines held on 13 October 1995; [31866]

(2) how many full members of the Committee on Safety of Medicines were present at the meeting of the committee held on 13 October 1995. [31862]

Mr. Malone: Proceedings of the committee are confidential.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Gordon (Mr. Bruce) of 19 December 1995, *Official Report*, column *1150*, if he will list the factors which led to the choice of Professor Rawlins and Professor Langman to attend the meeting of the Committee for Proprietary Medicinal Products on 26 to 27 October. [31895]

Mr. Malone: Professor Rawlins and Professor Langman attended the meeting on the basis of their long-standing expertise in pharmacoepidemiology, and in their capacities as chairman of the Committee on Safety of Medicines and chairman of the Sub-Committee on Pharmacovigilance respectively.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his oral statement of 23 October 1995, *Official Report*, column 701, of what data the Medicines Control Agency requested an expedited analysis. [31864]

Mr. Malone: The Medicines Control Agency requested an expedited analysis of the data on venous thromboembolism from the transnational case control study. The Medicines Control Agency discussed with the investigators the availability of information on the relative risks of myocardial infarction and stroke with different oral contraceptives and understood that substantive data would not be available for one to two years.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer of 11 December 1995, *Official Report*, columns *521–24*, if he will list the members for the day of the Committee on Safety of Medicines during the period 1 January 1995 to 31 December 1995. [31860]

Mr. Malone: The information requested will be contained in the committee's annual report which will be published in due course.

Mr. Hughes: to ask the Secretary of State for Health, pursuant to his answer of 11 December 1995, *Official Report*, columns *520–21*, if all members and co-opted members of the Committee on Safety of Medicines received at 10.30 am on 12 October the papers relating to desogestrel and gestodene which had been dispatched on 11 October. [31861]

Mr. Malone: I refer the hon. Member to the replies I gave him on 1 April, *Official Report*, column *53*, and on 16 April, *Official Report*, column *487*.

Mr. Hughes: To ask the Secretary of State for Health which individual in the World Health Organisation in July 1995 made available preliminary results from the World Health Organisation study on oral contraceptives to the Medicines Control Agency. [31911]

Mr. Malone: The preliminary results from the study were provided to the Medicines Control Agency by the World Health Organisation in confidence.

Capital Projects, London

Mr. John Marshall: To ask the Secretary of State for Health if he will list the capital projects with a value of over £1 million which have been undertaken in London during the past four years. [31611]

Mr. Horam: The capital projects undertaken in London during the past four years with a value over £1 million are shown in the table.

Unit	*Scheme*
Bethlem and Maudsley NHS trust	Knights Hill—ESMI Unit
Camden and Islington Community Health Services NHS trust	Daleham Gardens Intensive Rehabilitation Unit/Health Clinic
Central Middlesex Hospital NHS trust	Central Middlesex Hospital Mother and Baby Unit
City and Hackney Community NHS trust	Medium Secure Unit
Chelsea and Westminster Healthcare NHS trust	Vincent Square Health Care Centre
Chelsea and Westminster Healthcare NHS trust	Chelsea and Westminster Hospital
Eastman Dental Hospital	Phase 2 Scheme 8
Enfield Community NHS trust	Medium Secure Unit
Enfield Community NHS trust	Reprovide Highlands Hospital
Forest Healthcare NHS trust	Whipps Cross Hospital Phase 2
Great Ormond Street Hospital For Children NHS trust	Camelia Botnar Laboratories
Great Ormond Street Hospital for Children NHS trust	Phase 1 redevelopment
Great Ormond Street Hospital for Children NHS trust	Southwood balconies and fire exit stairs
Guy's and St. Thomas' NHS trust	Guy's hospital development phase 3
Guy's and St. Thomas' NHS trust	St. Thomas' hospital—A and E upgrade/extension
Hammersmith Energy Centre	Incinerator installation
Hammersmith Energy Centre	Mechanical and electrical installation
Hammersmith Hospitals NHS trust	Charing Cross hospital linear accelerator and new building
Hammersmith Hospitals NHS trust	Hammersmith hospital cancer centre
Hammersmith Hospitals NHS trust	Hammersmith hospital PACS X-ray system
Homerton Hospital NHS trust	Homerton development A and E extension
Homerton Hospital NHS trust	Homerton—relocation of services
Homerton Hospital NHS trust	Medium secure unit—Hackney
King's College London	Camberwell joint education centre
King's Healthcare NHS trust	Kings College hospital theatres
King's Healthcare NHS trust	Kings College redevelopment of A and E
King's Healthcare NHS trust	Radiology phase 1 Neurosciences
Lewisham Hospital NHS trust	Lewisham phase 2 redevelopment
London Ambulance NHS trust	Homerton ambulance station
London Ambulance NHS trust	HQ/control room
Moorfields Eye Hospital NHS trust	Redevelopments phase 3A
North West London Mental Health NHS trust	Park Royal acute secure unit
Northwick Park and St. Mark's NHS trust	Relocation of St. Mark's hospital
Parkside Health NHS trust	North Kensington Pembridge centre
Pathfinder Mental Health Services NHS trust	Springfield hospital forensic psychiatric clinic
Richmond, Twickenham and Roehampton Healthcare NHS trust	Barnes ESMI phase 2 (Nucleus)
Richmond, Twickenham and Roehampton Healthcare NHS trust	St. John's Twickenham redevelopment phase 1

Unit	Scheme
Richmond, Twickenham and Roehampton Healthcare NHS trust	St. John's Twickenham redevelopment phase 2
Riverside Community Healthcare NHS trust	Regent St. Nursing Home for the Elderly
Royal Free Hampstead NHS trust	Royal Free hospital renal unit centralisation
Royal Hospitals NHS trust	St. Bartholomew's theatres
Royal Marsden Hospital NHS trust	Royal Marsden hospital paediatric unit
St. George's Healthcare NHS trust	Atkinson Morley's hospital theatres
St. George's Healthcare NHS trust	St. George's combined heat and power
St. Mary's NHS trust	Special children's wing
The National Hospital for Neurology and Neurosurgery	Phase 1B (new building)
University College London	Relocate tropical diseases
Wellhouse NHS trust	Barnet general hospital
West Lambeth Community Care NHS trust	South Western hospital redevelopment
West London Healthcare NHS trust	Regional secure unit
Whittington Hospital NHS trust	A and E redevelopment

Source:
CIM Database and North and South Thames regional office records. This table includes all schemes situated within London boundaries i.e. with London post codes and with a works cost of £1 million or over.

Residential Care (Mental Handicap)

Mr. Llew Smith: To ask the Secretary of State for Health (1) how many residential places for adults with mental handicap have been purchased by *(a)* health authorities and *(b)* social services departments in the past year; [33068]

(2) how many residential places for children with mental handicap have been purchased by *(a)* health authorities and *(b)* social services departments in the past year. [33067]

Mr. Bowis: The number of community occupied bed days purchased for patients with learning disabilities in England by the national health service in nursing homes, residential care homes or group homes in England in 1994–95 was reported to be 5.3 million, an average of 14,500 places on any one day. The figure is for all ages, including children; no age breakdown is available.

English social services departments supported 23,000 adult residents with learning disabilities in residential or nursing care in England at 31 March 1995. Comparable information for children is not available centrally. For Wales, this is a matter for my right hon. Friend the Secretary of State for Wales.

Mr. Smith: To ask the Secretary of State for Health (1) what assessment he has made of the effect on the funds and resources available to support people with mental handicap needing residential care of the closure of mental handicap hospitals and the sale of hospital sites; [33078]

(2) what steps he is taking to provide alternative provision for the care of those patients with mental handicap currently in mental hospitals which have already published locally their closure dates. [33065]

Mr. Bowis: It is for health and local authorities to work together to determine the best use of financial and other resources in planning the development of community based services for people with learning disabilities.

Decisions about the provision of services to meet the continuing care needs of patients with learning disabilities in long-stay hospitals are for the relevant heath authorities in consultation with social service departments and in the light of departmental guidance contained in HSG(92)42, LAC(92)15 and HSG(95)8, copies of which are available in the Library. In Wales, this is a matter for my right hon. Friend the Secretary of State for Wales.

Mr. Smith: To ask the Secretary of State for Health how many people with mental handicap were in *(a)* mental handicap hospitals and *(b)* other residential provision, including local authority, private, or voluntary in (i) 1970, (ii) 1980, (iii) 1990 and (iv) the most recent year for which figures are available. [33069]

Mr. Bowis: Centrally available information for England is shown in the table.

Adults with learning disabilities in hospitals and residential care, England

	National health service hospitals and units[1]	Private hospitals, beds[1]	Nursing homes, beds[2]	Residential homes, places[2]
1970	55,400	—	—	[3]3,100
1980	44,400	—	—	[4]13,800
1990	24,900	1.200	—	31,000
1995	11,400	40	3,200	39,000

Source:
DH annual returns, HES, RHAs.
[1] The figures are not directly comparable over time because of changes in the method of data collection. The 1970 and 1980 figures are estimates of residents at 31 December derived from the mental health inquiry which covered NHS mental handicap hospitals and units. The 1990 and 1995 figures are estimates of those in hospital under the care of a learning disabilities consultant, at 31 March. They are estimates based on a combination of data from the hospital episodes system and data obtained directly from the regional health authorities.
[2] Figures for beds and places have been given, rather than for occupied beds and residents, because the latter are not available before 1994 and 1987 respectively.
[3] This figure is from 1969 and may not be the same basis as later data.
[4] Includes children with learning disabilities in voluntary and private homes (of which there were 800 in 1983).

Compensation

Mr. Ian McCartney: To ask the Secretary of State for Health what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and additionally those involving expenditure of more than £5,000. [33486]

Mr. Horam: The figures for sick pay in each of the past five years can be provided only at disproportionate cost. The cost of compensation paid to employees of the Department or members of the public in each of the past five years is as follows:

	Minor £	*Major* £
1991	7,264.53	—
1992	113.50	—
1993	900.00	7,067.38
1994	3,750.00	—
1995	6,523.00	79,834.98

There have been no fatal injuries in any of the past five years.

Two cases involved expenditure over £5,000. Both were settled out of court in the sums of £7,067.38 and £75,334.98 respectively.

There have been no compensation payments as a result on incidents involving information technology.

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Health on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33484]

Mr. Horam: Information is not collected centrally on the regular health and safety inspections and checks in accommodation occupied by the Department of Health and its agencies. We have no record of any involvement by the Health and Safety executive in health and safety issues within buildings occupied by the Department or its agencies in the past five years.

Mr. McCartney: To ask the Secretary of State for Health what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33487]

Mr. Horam: Expenditure specifically related to meeting health and safety standards is not recorded separately.

Mr. McCartney: To ask the Secretary of State for Health how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33485]

Mr. Horam: Figures are available only for the previous three years. The numbers of minor injuries are as follows:

1993–94: 85

1994–95: 91

1995–96: 76

During this period, there were no fatalities and only one major injury—1995–96. Information technology, related injuries are not separately identified.

Beta-interferon

Mr. Gordon Prentice: To ask the Secretary of State for Health what is the cost to the NHS per patient for a course of treatment of the drug beta-interferon. [33372]

Mr. Malone: The length of a course of treatment with beta-interferon is for the doctor to determine, and varies from patient to patient.

Edgware Hospital

Ms Harman: To ask the Secretary of State for Health if he will make a statement on the plans for the future provision of accident and emergency services at Edgware hospital. [33606]

Mr. Dorrell: Discussions about the future of the casualty service to be provided at Edgware have been proceeding for some months with local doctors and others. I expect these discussions to be concluded soon.

Ms Harman: To ask the Secretary of State for Health if he will publish the exchange of correspondence between himself, the hon. Member for Hendon, North (Sir J. Gorst) and the hon. Member for Harrow, East (Mr. Dykes) on the future provision of accident and emergency services at Edgware hospital. [33612]

Mr. Dorrell: No.

Next Steps Agencies

Ms Jowell: To ask the Secretary of State for Health what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32735]

Mr. Horam: The information is provided in the following tables.

Medicines Control Agency

	Total	*Female*
UG3	1	1
UG4	3	1
UG5	28.9	7.3
UG6	14	4
UG7	59.65	21.65
SEO	10.2	4.2
PHO1	12	6
SSO	3.3	3.3
HEO	20	6
PHO2	2.1	2.1
HPTO	1	0
HSO	26	15
LIB	1	0
TM	1	1
EO	45	24
SO	16	14
ALIB	1	1
SPES	4	4
AO	38	23
ASO	11	10
PES	40.5	39.5
AA	22	13
TYP	2.15	2.15
Total	362.8	203.2

NHS Estates agency	Total	Female
UG3	1	0
UG5	4	0
UG6	17	2
UG7	54	4
SEO	8	4
SPTO	13	2
HEO	14	9
HPTO	11	3
IO	1	0
LIB	1	1
EO	7	1
PTO	1	1
Other[1]	7	7
Total	139	34

[1] NHS regional office staff.

NHS Pensions Agency	Total	Female
UG6	1	0
UG7	1	0
SEO	3	0
HEO	19.8	11
EO	60.6	39.6
AO	240.8	187.8
AA	53	28
PES	3	3
Typist	13	13
SM3	1	0
SGB1	2.5	1.5
SGB2	29.9	6.9
Total	428.6	290.8

Medical Devices Agency	Total	Female
UG4	1	0
UG5	4	1
UG6	6	1
UG7	19.6	1.6
SPTO	31.8	4.8
SEO	3	0
HPTO	12.4	2.4
LIB	1	0
HEO	7	1
PTO	10	4
EO	10.4	5.4
ALIB	1	1
SPES	1	1
TECH II	1	0
AO	17	11
PES	6	6
AA	5	3
TYPIST	0.6	0.6
Total	137.80	43.80
Agencies		
Total	1,068.2	571.8

Numbers are as at June 1996, are whole-time equivalents and exclude staff on loan or secondment or special leave without pay.

Clinical Trials

Ms Jowell: To ask the Secretary of State for Health what percentage of those exposed to drugs and medicines in clinical trials prior to market release are *(a)* men and *(b)* women. [32694]

Mr. Malone: This information is not available centrally.

Private Finance Initiative

Ms Harman: To ask the Secretary of State for Health how many of the proposed PFI contracts for *(a)* Norfolk and Norwich, *(b)* Amersham, *(c)* Carlisle, *(d)* Swindon, *(e)* North Durham and *(f)* Bishop Auckland have been signed. [33726]

Mr. Horam: Full business cases for Norfolk and Norwich, Amersham and Swindon have been approved, but contracts have not yet been signed. Full business cases for the other schemes mentioned are being worked up by the trusts concerned, with the advice and support of the national health service executive.

Infections (Schools)

Mr. Eastham: To ask the Secretary of State for Health what measures his Department is pursuing to combat dermatitis infections in schools. [31622]

Mr. Horam *[holding answer 7 June 1996]:* When a child has dermatitis the responsibility for managing his or her care and treatment rests with his or her general practitioner. If there are a number of cases of an infectious skin condition in a school, additional advice may be obtained from the local consultant in communicable disease control.

Mental Health

Mr. Milburn: To ask the Secretary of State for Health how many patients with learning disabilities have been detained under the Mental Health Act 1983 in each year since it came into force. [33369]

Mr. Bowis: The table gives the number of formal admissions of patients detained under the Mental Health Act 1983 who were classified as "mentally impaired" or "severely mentally impaired", in England for 1987–88 to 1992–93. These include admissions to national health service facilities and private mental nursing homes authorised to detain patients under the Registered Homes Act 1984; information for special hospitals is not available centrally. Data for earlier years are not available on a comparable basis. Figures for 1993–94 and 1994–95 will be published shortly.

Admissions of formally detained patients with categories "mental impairment" or "severe mental impairment". NHS hospitals (excluding special hospitals) and private mental homes registered to detain patients.

England

	Number admitted
1987–88	199
1988–89	268
1889–90	213
1990–91	227
1991–92	310
1992–93	252

Figures are taken from Korner returns KH15 and KO37 and relate to financial years.

TRADE AND INDUSTRY

Recruitment

Mr. Donohoe: To ask the President of the Board of Trade what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31416]

Mr. John M. Taylor: No executive search agencies were used by the DTI in the financial year 1994–95. In the financial year 1995–96, three senior posts were filled with the assistance of executive search agencies. The details are as follows:

	£
St. James's Management Recruitment	25,962.34
Korn/Ferry Carre/Orban International Ltd.	29,551.25
Saxton Bampfylde International Ltd.	30,075.00
Total	85,588.59

DTI headquarters made no use of employment companies for recruitment during the period in question. I have asked agency chief executives to reply directly to the hon. Member.

Letter from Jim Norton to Mr. Brian Donohoe, dated 20 June 1996:

The President of the Board of Trade has asked me to reply on behalf of the Radiocommunications Agency to the above Parliamentary Question.

The Radiocommunications Agency did not use executive search agencies or employment companies for the filling of vacancies in either financial year.

Letter from Seton Bennett to Mr. Brian Donohoe, dated 20 June 1996:

The President of the Board of Trade has asked me to provide additional information on behalf of the National Weights and Measures Laboratory in reply to your question about the use of executive search or employment companies in 1994/95 or 1995/96.

This Agency did not use an executive search company during this period. Two specialist posts were filled in 1995/96 with the assistance of employment agencies, and the details were as follows:

	£
Capita Recruitment Services	2,974
Draft Personnel Ltd.	2,645
Total cost	5,619

Letter from Peter Joyce to Mr. Brian Donohoe, dated 20 June 1996:

The President of the Board of Trade has asked me to reply to your question about the use made of executive search agencies or employment companies in filling vacancies within The Insolvency Service during the financial years 1994–95 and 1995–96.

The Insolvency Service has not used executive search agencies or employment companies in any of its permanent recruitment during those financial years.

Letter from R. J. Marchant to Mr. Brain Donohoe, dated 20 June 1996:

In the absence of the Comptroller General on official business overseas I am replying for the Patent Office to your question on the use made of executive search agencies and employment companies.

The Patent Office has not used such means for filling its vacancies.

Letter from John S. Holden to Mr. Brian Donohoe, dated 20 June 1996:

I have been asked by the President of the Board of Trade to reply on behalf of Companies House Executive Agency to your Parliamentary Question.

During the financial year 1994–95 and 1995–96 no executive search agencies or employment companies were used by Companies House to assist in filling vacancies.

Pemed UK

Mr. Macdonald: To ask the President of the Board of Trade in what capacity his officials attended the inaugural reception for Pemed UK on 14 October 1993. [33300]

Mr. Lang: Among the principal guests at a reception organised by Pemed on 14 October 1993 was a delegation of business men from the former Yugoslav Republic of Macedonia led by its Ministers for industry. This was the first major industrial delegation from that country to visit the UK. The official responsible for trade promotion with the former Yugoslav Republic of Macedonia attended the reception in that capacity.

Health and Safety

Mr. Ian McCartney: To ask the President of the Board of Trade what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33518]

Mr. John M. Taylor: This information could be provided only at disproportionate cost.

Business Links

Mrs. Roche: To ask the President of the Board of Trade when his Department's business links publicity programme is scheduled to start; how much it will cost public funds; and how the money will be targeted. [33194]

Mr. Page: A publicity programme for business links has been in existence since the first business links opened, involving mainly local activities. Now that the network is nearing completion, it will be supplemented by a national business links advertising campaign, which will begin on June 24. The campaign will feature poster, radio and national newspaper advertisements and is designed to draw attention of companies to the potential benefits of the business links service. The campaign will be supported by a national telephone service, which will switch callers directly to their local business link. The total cost of the advertising and supporting publicity campaigns for 1996–97 is £4 million.

Small and Medium Businesses

Mrs. Roche: To ask the President of the Board of Trade if he will list the actions taken as a result of the meetings of the group of Ministers across Departments responsible for small and medium enterprises. [33193]

Mr. Page: The aim of the group is to provide a forum for co-ordinated and cohesive policy across Whitehall Departments and to address the areas vital to the competitiveness of small businesses.

The small firms Ministers have been closely involved in the "Your Business Matters" consultation and in co-ordinating a response to the issues which most recently were raised.

A list of measures to assist small businesses is contained in "Your Business Matters—Government Response", a copy of which is in the Library of the House.

Coal Industry Records

Mr. Hardy: To ask the President of the Board of Trade what assessment he has made of the level of charges made for the inspection and copying of maps, plans and records of the British coal industry; and if he will consult the Coal Authority in regard to these charges. [32970]

Mr. Page: The Coal Authority is under a financial duty to recover through fees and charges the full cost of carrying out certain activities, including making information available pursuant to section 57 of the Coal Industry Act 1994.

Mr. Hardy: To ask the President of the Board of Trade what charges are made by the British Coal Authority in regard to the inspection and copying of records concerning the coal mining industry. [33032]

Mr. Page: This is a matter for the Coal Authority. I have placed a copy of the authority's scale of charges concerning mining records in the Library of the House.

Living Conditions

Ms Jowell: To ask the President of the Board of Trade how many people in *(a)* Dulwich, *(b)* Luton and *(c)* Swindon are living below the European decency threshold, expressed as (i) a total figure and (ii) a percentage of the total population. [32684]

Mr. John M. Taylor: The information requested is not available. Details of earnings are not available for areas smaller than a county or London borough, and information on income is derived from national estimates.

Next Steps Agencies

Ms Jowell: To ask the President of the Board of Trade what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32740]

Mr. John M. Taylor: The chief executives of the DTI executive agencies will respond direct to the hon. Member.

Letter from Seton Bennett to Ms Tessa Jowell, dated 20 June 1996:

The President of the Board of Trade has asked me to provide additional information on behalf of the National Weights and Measures Laboratory in reply to your question about the number of staff employed by this Agency.

The figures you request are contained in the following table:

Grade level	*Female*	*Male*	*Total*
Grade 5	0	1	1
Grade 6	0	0	0
Grade 7	0	4	4
SEO level	1	7	8
HEO level	0	11	11
EO level	4	8	12
AO level	9	0	9
AA level	3	1	4
Total staff	17	32	49

The figures are provided on a headcount basis by grade level. They exclude casual staff.

Letter from Jim Norton to Ms Tessa Jowell, dated 20 June 1996:

I have been asked to answer the question you raised on behalf of the Radiocommunications Agency.

The following table shows the total numbers of women by Civil Service and equivalent grade employed in the Agency on 7 June.

Grade	*Total*	*Female*
Grade 3	1	0
Grade 5	6	0
Grade 6	7	0
Grade 7	33	3
SEO and equivalent	59	4
HEO and equivalent	95	5
EO and equivalent	182	22
AO and equivalent	96	50
AA and equivalent	44	32
Total	523	116

Letter from Peter Joyce to Ms Tessa Jowell, dated 20 June 1996:

The President of the Board of Trade has asked me to reply to your question about the number of staff and the number and grades of women employed by The Insolvency Service.

Grade	*Male*	*Female*	*Total*
Grade 3	1	0	1
Grade 4	2	0	2
Grade 5	1	1	2
Grade 6	0	0	0
Inss Grade A	10	0	10
Grade 7	1	0	1
Inss Grade B	53	4	57
SEO	6	1	7
Inss Grade C	86	29	115
HEO	18	13	31
HPTO	1	0	1
Inss Grade D	201	116	317
EO	63	61	124
PTO	1	0	1
Inss Grade E	44	35	79
AO	134	191	325
PS	0	13	13
SBG1	1	1	1
SM3	0	1	2

Grade	Male	Female	Total
AA	59	84	143
SGB2	19	5	24
TYP	2	137	139
	703	692	1,395

Source:

DTI PERMIS Computer Records. Date: 1 April 1996.

Staff included in the data comprise permanent staff, staff on loan from other Government Departments, staff seconded from the private sector (who have been allocated to the grades which reflect their salaries) and staff on paid maternity and sick leave.

The data does not include casual staff and those on short term appointments from agencies.

Letter from John S. Holden to Ms Tessa Jowell, dated 20 June 1996:

I have been asked by the President of the Board of Trade to respond to your recent Parliamentary Questions on behalf of the Companies House Executive Agency.

I have set out on the attached page the information you requested, but please do let me know if you require any additional breakdown.

Grade	Male headcount	Per cent.	Female headcount	Per cent.	Total
Grade 4	1	100.0	—	—	1
Grade 5	2	100.0			2
Grade 7	7	63.6	4	36.4	11
SEO	12	92.3	1	7.7	13
SPTO	1	100.0	—	—	—1
HEO	31	54.4	26	45.6	57
EO	63	54.8	52	45.2	115
AO	113	34.6	214	65.4	327
AA	54	41.5	76	58.5	130
SPS	—	—	1	100.0	1
PS	—	—	3	100.0	3
TM	—	—	1	100.0	1
Typist	—	—	8	100.0	8
SM2	—	—	1	100.0	1
SM3	4	40.0	6	60.0	10
SGB1	10	23.8	32	76.2	42
SGB2	51	18.5	224	81.5	275
Total	349	35.0	649	65.0	998

Figures exclude casuals, unpaid maternity leave, career break schemes, but include all part-time employees.

Letter from P. R. S. Hartnack to Ms Tessa Jowell, dated 20 June 1996:

I am replying in relation to the Patent Office to your Parliamentary Question to the President of the Board of Trade about the staffing of next step agencies. The following figures give headcount by grade, excluding staff currently out of the office on loan, career breaks or similar arrangements.

Grade	Male	Female	Total
Grade 3	1	0	1
Grade 5	2	1	3
Grade 6	5	0	5
Grade 7	7	2	9
Assistant comptroller	1	0	1
Superintending examiner	5	0	5
Principal examiner	13	3	16
Senior examiner	125	12	137
Examiner	41	3	44
SEO	17	4	21
HEO	36	18	54
EO	88	71	159
AO	81	123	204
AA	47	61	108
Support grades	4	6	10
Personal secretaries	0	7	7
Typists	0	7	7
Total	473	318	791

Bomb Bags

Ms Jowell: To ask the President of the Board of Trade if he will reclassify bomb bags as fireworks. [32687]

Mr. John M. Taylor: As stated in my written reply to the hon. Member on 15 May 1996, *Official Report*, column *494*, "bomb bags" are toys and therefore subject to the safety requirements of the Toys (Safety) Regulations 1995. I can see no advantage therefore in classifying these items to treat them as fireworks, for example for the purposes of the general product safety regulations. The items do not fall within the definition of a firework in British standard 7114:1988.

Euro 96 Merchandise

Mr. Meacher: To ask the President of the Board of Trade what steps he has taken to ensure that Euro 96 merchandise is clearly marked if produced by child labour. [33156]

Mr. Nelson *[holding answer 17 June 1996]:* None. It is for the parties concerned to decide how to present their merchandise.

Mr. Meacher: To ask the President of the Board of Trade what reports he has received alleging that Euro 96 souvenir footballs have been made by child labour in Pakistan; and if he will make a statement. [33157]

Mr. Nelson *[holding answer 17 June 1996]:* None. As the Government have made clear previously, we remain firmly opposed to the exploitation of child labour. That is why we are supporting this week, at this year's general conference of the International Labour Organisation, a resolution concerning the elimination of exploitative child labour.

Burma

Mrs. Fyfe: To ask the President of the Board of Trade which British companies have current or planned investment in Burma of which he is aware; and what is its total value. [32359]

Mr. Nelson *[holding answer 18 June 1996]:* It is not the practice of my Department to divulge information relating to British companies' individual investments overseas as this is considered commercially confidential. The British Government do not compile figures on the

UK's total investment in Burma. However, I refer the hon. Member to the answer given by my right hon. Friend Lord Fraser of Carmyllie on 19 March, *Official Report, House of Lords*, column *95*.

Mrs. Fyfe: To ask the President of the Board of Trade if he will make it his policy to discourage tourism to Burma. [32358]

Mr. Hanley *[holding answer 18 June]:* I have been asked to reply.

We have no current plans to discourage tourism to Burma. We do not think that this would be an effective means of achieving the principal objective of our policy towards Burma, which is to persuade the State Law and Order Restoration Council—SLORC—to introduce democracy and full respect for human rights.

WALES

Local Management of Schools (Funding)

Mr. Sweeney: To ask the Secretary of State for Wales (1) if he will list the deadlines, formal and informal, given to unitary authorities in Wales for production of section 42 statements of funding for local management of schools; and if he will list those authorities which *(a)* have complied and *(b)* have not complied with each deadline; [31924]

(2) if he will set out action which is available to him to take in respect of authorities which fail to comply with statutory deadlines for the production of section 42 statements of expenditure under schemes of local management of schools; and what action he has taken in respect of authorities in Wales which have failed to comply with recent deadlines. [31925]

Mr. Jonathan Evans: Local education authorities are required by section 42(3) of the Education Reform Act 1988 and regulation 7 of the Education (School Financial Statements) (Prescribed Particulars) Regulations 1995 as applied in Wales by the Education (School Financial Statements) (Prescribed Particulars) (Amendment and Revocation) Regulations 1996 to publish, before the beginning of the financial year to which they relate, budget statements in respect of schools maintained by them.

Recognising the additional pressures faced by authorities in the light of local government reorganisation, including late finalisation of some local management of schools schemes, the Department indicated to LEAs that, for its own purposes, it would be prepared to wait until 30 April 1996 for submission of budget statements.

Complete section 42 statements were provided by 30 April by:

Torfaen

Blaenau Gwent

Carmarthenshire

Bridgend

Monmouth

The following authorities submitted budget details, but not complete statements:

Conwy

Cardiff

Flintshire

Vale of Glamorgan

Reminders were sent to authorities on 20 May requesting finalised budget statements by the end of May.

All authorities have now submitted budget statements to the Department, although in some cases they are incomplete. The Department is pursuing outstanding details with the authorities concerned.

My right hon. Friend has powers under section 99 of the Education Act 1944 to direct authorities to fulfil their statutory duties under education legislation if he considers it expedient to do so. He will consider using those powers in any cases where outstanding information is not provided shortly.

Wind Farms

Mr. Barry Jones: To ask the Secretary of State for Wales how much energy is generated by wind farms in Wales. [32890]

Mr. Gwilym Jones: In 1995 some 171 GW hours of electricity was generated by wind schemes in Wales.

Mr. Barry Jones: To ask the Secretary of State for Wales how many wind farms there are in Wales; and in what locations. [32888]

Mr. Gwilym Jones: There are currently eight non-fossil fuel obligation wind farm developments in Wales. Their locations are as follows:

Mynydd y Cemaes: Near Cemaes, Powys

Penrhyddlan: Llandinam, near Newtown, Powys

Llidiartywaun: Llandinam, near Newtown, Powys

Rhyd-y-Groes: Rhosgoch, Anglesey

Taff Ely: Near Tonyrefail, Rhondda Cynon Taff

Llangwyryfon: Near Llanrustyd, Cardiganshire

Bryntitli: Near Rhayader, Powys

Dyffryn Brodyn: Near Trelech, Carmarthenshire

Mr. Barry Jones: To ask the Secretary of State for Wales what is his policy on wind farms. [32887]

Mr. Gwilym Jones: The Government's policy is to stimulate the development of renewable energy sources wherever they have prospects of being economically attractive and environmentally acceptable, in order to contribute to diverse, secure and sustainable energy supplies; a reduction in the emission of pollutants; the encouragement of internationally competitive renewable industries.

Prostrate Cancer

Mr. Barry Jones: To ask the Secretary of State for Wales how many cases of prostate cancer have occurred in Wales in each of the last 10 years; and if he will make a statement. [32895]

Mr. Gwilym Jones: The latest available information on the number of new registrations of prostrate cancer diagnosed in residents of Wales is given in the list.

1981: 568

1982: 546

1983: 611

1984: 690

1985: 699

1986: 680

1987: 699

1988: 728

1989: 855

1990: 858

Motorway Lighting

Mr. Frank Field: To ask the Secretary of State for Wales if he will list the location of the sections of motorway in Wales that have overhead lighting by parliamentary constituency; and if he will plot this information on a map and place a copy in the Library. [33037]

Mr. Gwilym Jones: The following is a list of locations by parliamentary constituencies:

Location	*Parliamentary constituency*
1. Junction 22 Newhouse	Monmouth
2. Second Severn crossing approach road Junction 29 Castleton	Newport, East and Newport, West
3. Junction 38 Margam—Junction 41 Pentyla	Swansea, East and Aberavon
4. Junction 41 Pentyla roundabout	Swansea, East
5. Junction 49 Pont Abraham	Llanelli

A map showing this information as at 13 June 1996 has been placed in the Library of the House.

Schools (Selection)

Mr. Barry Jones: To ask the Secretary of State for Wales in which schools in Wales there is a process of selection; and if he will make a statement. [33240]

Mr. Jonathan Evans: I am not aware of any maintained schools in Wales which operate a process of selection in admission arrangements. A number of independent institutions do, but comprehensive information on admission arrangements is not held centrally.

Powered Outdoor Wheelchairs

Mr. Barry Jones: To ask the Secretary of State for Wales how many powered outdoor wheelchairs have been provided to patients by each of the health trusts since 1992; and if he will make a statement. [33163]

Mr. Gwilym Jones: Some 664 powered outdoor wheelchairs have been supplied to Welsh patients by the artificial limb and appliance service since 1992. Management responsibility for this function transferred to three NHS trusts on 1 April 1996.

Cancer Screening

Mr. Barry Jones: To ask the Secretary of State for Wales how much money he has spent on NHS screening for (i) breast cancer and (ii) cervical cancer; and if he will make a statement. [33160]

Mr. Gwilym Jones: I shall write to the hon. Member as soon as possible and place a copy of my reply in the Library of the House.

School Budgets

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on (i) infant schools' budgets and (ii) primary schools' budgets. [33164]

Mr. Jonathan Evans: Budgets for maintained infant and primary schools are determined by application of the local management of schools scheme operated by the local education authority in whose area they are located. The amount of each school's budget depends on the resources the local authority concerned makes available to schools in its area.

Women's Refuges

Mr. Barry Jones: To ask the Secretary of State for Wales how many refuges for women escaping domestic violence have been registered in Wales; and if he will make a statement. [33322]

Mr. Jonathan Evans: There is no statutory requirement for the registration of refuges for women escaping domestic violence, and information on the number of refuges is not held centrally.

Next Steps Agencies

Ms Jowell: To ask the Secretary of State for Wales what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32730]

Mr. Hague: The information requested for my Department's next steps agency, Cadw, is given in the table:

Cadw staff by grade and gender

Grade	*Male*	*Female*	*Total*
Grade 5	1	0	1
Grade 6	2	0	2
Grade 7	6	1	7
SEOs	11	3	14
HEOs	10	8	18
EOs	15	16	31
AOs	8	13	21
AAs	15	10	25
Industrial/museum support grades	91	28	119
Total	159	79	238

Information as at 1 April 1996.

Ambulance Service

Mr. Morgan: To ask the Secretary of State for Wales what guidance he has given the members of the Welsh ambulance policy advisory group on the requirement to align the boundaries of proposed new ambulance trusts with those of the new health authorities; and if he will make a statement. [33820]

Mr. Hague: None. The Welsh ambulance policy advisory group is an independent body operating under its own terms of reference.

Mr. Morgan: To ask the Secretary of State for Wales (1) on what date he first *(a)* received notification from and *(b)* was consulted by the Welsh ambulance policy advisory group in respect of the proposed reorganisation of the trust structure for the provision of ambulance services in Wales. [33819]

(2) if he will make a statement on the timetable for the *(a)* receipt, *(b)* consideration, *(c)* consultation and *(d)* confirmation of (i) new boundary and (ii) other changes in the trust structure for the provision of ambulance services in Wales. [33817]

Mr. Hague: I have not received any proposals to reconfigure ambulance services in Wales. These are currently matters for the relevant trusts in consultation with health authorities.

Mr. Morgan: To ask the Secretary of State for Wales at how many of the meetings of the Welsh ambulance policy advisory group on reorganisation of the ambulance trust structure his Department has been represented. [33821]

Mr. Hague: The Welsh ambulance policy advisory group invites one of my officials to attend its meetings as an observer. He has attended on three occasions when ambulance service configuration has formed part of the agenda.

Mr. Morgan: To ask the Secretary of State for Wales on what date he informed the Welsh ambulance policy advisory group of the nature of special financial provision for the South and East, Wales Ambulance NHS trust in the event of wholesale reorganisation of Welsh ambulance services. [33818]

Mr. Hague: I have had no such contact with the Welsh ambulance policy advisory group. The financial performance of individual trusts is a matter solely for the trust board and my Department.

Social Services Inspectorate

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his oral statement of 17 June, *Official Report*, columns 521–24, what proposals he has to strengthen the social services inspectorate. [33825]

Mr. Hague: I shall announce my proposals shortly.

Copyright

Mr. Maclennan: To ask the Secretary of State for Wales what assessment he has made of the adequacy of his Department's compliance with the Copyright, Designs and Patent Act 1988; and if he will make a statement. [33768]

Mr. Hague: As far as I am aware, the Department's compliance with the Copyright, Designs and Patents Act 1988 is adequate.

Child Abuse (North Wales)

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his oral statement of 17 June, *Official Report*, columns 521-24, if he will include in the terms of reference of the Waterhouse judicial inquiry, the need for *(a)* a children's ombudsman and *(b)* a children's commissioner. [33824]

Mr. Hague: I have no plans to do so.

Publications (Subscriptions)

Mr. Maclennan: To ask the Secretary of State for Wales if he will list all *(a)* periodicals, *(b)* magazines and *(c)* academic journals subscribed to by his Department in the last three months. [33755]

Mr. Hague: A list of all newspapers, periodicals and journals subscribed to by my Department was placed in the Library of the House in January 1996. Since then, the following new titles have been subscribed to:

Care Standard

Dynamic Graphics

Eurostat—Theme 1—Regions

Gupta Pro

Home and School

New Economy

Nursing Times Research

Office Secretary

Programme on Education Building Exchange

Property Letter

Rent Officer Statistics

Sheep Farmer

Soundtrack

Talking Points on Britain's Economy

Training Education Employment

UK Meat Market Review

Bovine Spongiform Encephalopathy

Mr. Tyler: To ask the Secretary of State for Wales if he will list the number of confirmed BSE cases in each of the last 36 months. [33305]

Mr. Jonathan Evans *[holding answer 18 June 1996]:* The number of confirmed BSE cases in Wales by year and month reported in the last 36 months, as at 18 June 1996, is as follows:

1993	*Number*
May	280
June	302
July	271
August	260
September	281
October	267
November	374
December	287
1994	
January	264
February	299
March	327
April	316
May	229
June	195
July	126
August	151
September	179
October	173
November	166
December	78
1995	
January	188
February	199
March	124
April	126
May	116
June	100
July	128
August	128
September	83
October	85
November	98
December	99
1996	
January	92
February	122
March	72
April	41
May	67 as at 18 June 1996

Supply Estimates

Mr. Morgan: To ask the Secretary of State for Wales if he will list the dates of publication of the Supply estimates in *(a)* 1991, *(b)* 1992 and *(c)* 1993. [30410]

Mr. Hague: The information requested is given in the table.

	Financial year		
	1991–92	*1992–93*	*1993–94*
	Publication date		
Main Supply estimates	12 March 1991	10 March 1992	9 March 1993
Summer supplementary estimates	13 June 1991	16 June 1992	17 June 1993
Winter supplementary estimates	14 November 1991	12 November 1992	18 November 1993
Spring supplementary estimates	18 February 1992	16 February 1993	15 February 1994

DEFENCE

Next Steps Agencies

Ms Jowell: To ask the Secretary of State for Defence what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32732]

Mr. Arbuthnot: The information will be placed in the Library.

Defence Codification Authority

Mr. Matthew Banks: To ask the Secretary of State for Defence if he will make a statement about defence agency status for the Defence Codification Authority. [34210]

Mr. Soames: I am pleased to report that the Defence Codification Authority became a defence agency of the Ministry of Defence on 17 June 1996. The aim of the DCA is to maximise the benefits of the NATO codification system by uniquely describing every item in the NATO inventory, thereby increasing the effectiveness and efficiency of logistics systems and operations, promoting interoperability and interchangeability, while reducing duplication and waste. The DCA currently has a staff of 161 civilians mainly based at Anderston, Glasgow with a small complement of staff at Didcot, Oxfordshire. The owner of the DCA will be Air Officer Communications and Information Systems at Headquarters Logistics Command, Brampton and its chief executive will be Mr. Ken Bradshaw.

The chief executive has been set the following key targets for the first year of operation:

1. To complete an annual policy evaluation by September 1996 and establish future policy direction to reflect strategic initiatives in NATO and the MOD.

2. To increase the rate at which the number of duplicate NATO stock numbers (NSNs) are eliminated by 0.15 per cent. of the total number of NSNs.

3. To extend the DCA's NSN database file purification service to the Army and RAF by March 1997.

4. To let a development contract for the item of supply information system ISIS2, by July 1996.

5. To install a financial management information system to meet HM Treasury accounts direction by March 1997.

6. To reduce the DCA's unit cost of NSN codification, assuming forecast levels of demand, to less than £61.

7. To reduce agency running costs by 5 per cent.

8. To reduce the number of post-codification queries to less than 14,000.

9. To define an acceptable quality level for inclusion in contracts with external suppliers by September 1996.

I am arranging for copies of the agency's framework document to be placed in the Library of the House.

Ministerial Visits

Mr. Harvey: To ask the Secretary of State for Defence if he will list those constituencies he has visited in the last three months on official business and those constituencies he intends to visit in the next three months; and if he will make a statement. [32330]

Mr. Portillo: During the last three months, I visited the following constituencies on official business:

Date	*Constituency*
6 March	Yeovil
8 March	Solihull
13 March	Ruislip-Northwood
19 March	Grantham
28 March	Manchester, Central
6–7 May	Birmingham, Ladywood
21 May	Mid-Norfolk

It is not my practice to give details of my future programme, but my office would normally write to hon. Members before visits to their constituencies on official business.

Publications (Subscriptions)

Mr. Maclennan: To ask the Secretary of State for Defence if he will list all *(a)* periodicals, *(b)* magazines and *(c)* journals received on subscription by his Department over the last three months. [33758]

Mr. Arbuthnot: This information is not held centrally and could be provided only at disproportionate cost.

Copyright

Mr. Maclennan: To ask the Secretary of State for Defence when his Department plans to conclude its discussions with the Copyright Licensing Agency to ensure compliance with copyright law. [33769]

Mr. Arbuthnot: The MOD library in conjunction with the Directorate of Intellectual Property Rights are currently considering a licence with the Copyright Licensing Agency. The MOD is awaiting a reply to correspondence sent to the agency.

SCOTLAND

Compulsory Competitive Tendering

Mr. Galbraith: To ask the Secretary of State for Scotland (1) how many representations he has received regarding the removal of the compulsory competitive tendering moratorium for Local Government (Planning and Land) Act 1980 work; what discussions he has held with local authorities and their representatives concerning this decision; and if he will make a statement; [32576]

(2) what factors underlay his decision to remove the moratorium on compulsory competitive tendering for Local Government (Planning and Land Act) 1980 work; and if he will make a statement. [32574]

Mr. Kynoch: My right hon. Friend and I have received representations from hon. Members, private contractors and six local authorities. Contractors welcomed the decision to bring forward the reintroduction of compulsory competitive tendering to 1 January 1997, and drew my attention to the fact that, in the absence of compulsory competitive tendering, there had been a decline in the amount of work subject to competition. Some local authorities have, however, expressed concern about the practicality of the timetable and, in addition, one council has lodged a petition for judicial review of that decision.

My right hon. Friend and I remain strongly of the view that council tax payers should benefit from the introduction of competition as soon as is practicable. Nevertheless, in the light of the representations, and bearing in mind that we do not have powers to specify different dates for different authorities for the reintroduction of competition for work under the Local Government, Planning and Land Act 1980, we have now decided not to make regulations bringing forward the date for reintroduction to 1 January. My right hon. Friend announced this in a letter to Rosemary McKenna, the president of the Convention of Scottish Local Authorities on 13 June. Instead, we are consulting on that a practicable timetable for reintroduction would be, but clearly 1 January is no longer practicable.

Electoral Registers

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will list, per constituency (1) the number of overseas voters on the current Scottish electoral registers; [33050]

(2) the number of electors attaining the age of 18 years on the current Scottish electoral registers. [33061]

Lord James Douglas-Hamilton: Electoral statistics collected from the 1996 electoral registers are based upon the new parliamentary constituencies which take effect at the next general election. The information on the numbers of overseas voters and of those attaining the age of 18 years is as follows:

	Attainers 1996	*Overseas electors 1996*
Scotland	44,873	1,055
Aberdeen Central	366	16
Aberdeen North	735	4
Aberdeen South	555	42
Airdrie and Shotts	656	5
Angus	712	12
Argyll and Bute	616	10
Ayr	800	17
Banff and Buchan	797	9
Caithness, Sutherland and Easter Ross	468	15
Carrick, Cumnock and Doon Valley	1,009	18
Central Fife	641	2
Clydebank and Milngavie	692	11
Clydesdale	702	7
Coatbridge and Chryston	625	5
Cumbernauld and Kilsyth	773	12
Cunninghame North	787	15
Cunninghame South	772	3
Dumbarton	74	16
Dumfries	673	12
Dundee East	541	17
Dundee West	504	6
Dunfermline East	568	19
Dunfermline West	675	11
East Kilbride	751	7
East Lothian	638	11
Eastwood	1,022	25
Edinburgh Central	296	43
Edinburgh East and Musselburgh	486	20
Edinburgh North and Leith	343	40
Edinburgh Pentlands	744	39
Edinburgh South	562	74
Edinburgh West	669	30
Falkirk East	678	13
Falkirk West	618	5
Glasgow and Upper Nithsdale	553	23
Glasgow Anniesland	423	9
Glasgow Baillieston	501	1
Glasgow Cathcart	453	11
Glasgow Govan	345	13
Glasgow Kelvin	300	32
Glasgow Maryhill	384	10
Glasgow Pollok	466	5
Glasgow Rutherglen	528	7
Glasgow Shettleston	279	1
Glasgow Springburn	357	2
Gordon	834	11
Greenock and Inverclyde	634	8
Hamilton North and Bellshill	635	1
Hamilton South	522	1
Inverness East, Nairn and Lochaber	718	27
Kilmarnock and Loudoun	872	8
Kirkcaldy	599	10
Linlithgow	669	11
Livingston	781	3
Midlothian	534	7
Moray	800	11
Motherwell and Wishaw	529	4
North East Fife	669	40
North Tayside	689	23
Ochil	791	14
Orkney and Shetland	464	7
Paisley North	598	5
Paisley South	629	9
Perth	685	18
Ross, Skye and Inverness West	611	15
Roxburgh and Berwickshire	557	6
Stirling	636	33
Strathkelvin and Bearsden	910	6
Tweeddale, Ettrick and Lauderdale	684	25
West Aberdeenshire and Kincardine	934	29
West Renfrewshire	815	16
Western Isles	269	2

Shotgun and Firearm Licences

Mr. William Ross: To ask the Secretary of State for Scotland how many revocations and cancellations there

were for (i) shotgun and (ii) firearm licences for each police force in Scotland, for each of the last five years for which figures are available; what were the reasons for such actions; how many appeals there were in each year and police force area; and how many were successful. [32955]

Lord James Douglas-Hamilton: The number of shotgun and firearms licences revoked or cancelled in Scotland in each of the last five years, for which statistics are available, is set out in the table. The reasons for such actions are not recorded centrally nor is the number of appeals.

Force	*1990*	*1991*	*1992*	*1993*	*1994*
Shotgun certificates revoked					
Central	5	3	5	2	4
Dumfries and Galloway	4	11	12	1	2
Fife	6	12	3	6	4
Grampian	22	11	12	28	16
Lothian and Borders	28	13	5	9	3
Northern	9	8	3	10	10
Strathclyde	20	23	28	23	17
Tayside	11	14	20	15	5
All forces	105	95	88	94	61
Firearms certificates revoked					
Central	2	2	1	1	1
Dumfries and Galloway	3	4	1	0	0
Fife	2	1	2	1	2
Grampian	10	3	4	9	5
Lothian and Borders	7	4	2	5	1
Northern	9	6	8	10	6
Strathclyde	7	6	4	2	4
Tayside	5	6	12	5	4
All forces	45	32	34	33	23
Shotgun certificates cancelled					
Central	564	467	310	225	246
Dumfries and Galloway	649	717	422	295	224
Fife	1,243	610	413	215	275
Grampian	1,521	1,275	997	717	714
Lothian and Borders	1,100	1,312	976	586	583
Northern	1,208	997	957	593	547
Strathclyde	2,707	2,555	2,007	995	966
Tayside	789	708	546	431	428
All forces	9,781	8,641	6,628	4,057	3,983
Firearms certificates cancelled					
Central	105	85	51	63	63
Dumfries and Galloway	375	218	197	113	106
Fife	334	133	111	88	88
Grampian	693	697	382	283	281
Lothian and Borders	529	314	328	246	205
Northern	594	578	430	379	300
Strathclyde	516	456	383	273	250
Tayside	266	134	215	157	160
All forces	3,412	2,615	2,097	1,602	1,453

Statistics

Mr. Fisher: To ask the Secretary of State for Scotland which statistics his Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32863]

Mr. Michael Forsyth: (a) The following regular statistical surveys have been discontinued since 1989:

Survey of initial police action against children involved in crimes and offences: (discontinued from 1989).

Survey of detailed information from district courts on non-payment of police fixed penalties and non-payment of fiscal fines: (discontinued from 1990).

Survey of non-vocational further education in certain small centres: (discontinued from 1992).

Survey of foreign and Commonwealth students in teacher training colleges: (discontinued from 1993).

Survey of excesses and deficits in teacher supply: (discontinued from 1995).

Survey of applications for teaching posts: (discontinued from 1995).

Survey of number of cases dealt with by social work departments: (discontinued from 1995).

Survey of housing owned by regional authorities: (discontinued from 1996).

(b) Available information is that the publication of no other major statistical series has been discontinued since 1989: changes in the basis of publication of statistical series are made from time to time in response to requirements for information.

Offshore Installations (Solway Firth)

Dr. Godman: To ask the Secretary of State for Scotland what is his Department's role in respect of *(a)* consultations on the siting of the Esso exploration rig west of the Solway firth at the "Cod Hole" and *(b)* safeguarding the interests of commercial fishermen who currently fish there. [32373]

Mr. Raymond S. Robertson: Esso is currently carrying out exploration drilling in block 112/15 to the west of the Solway firth which was awarded in the 14th round of offshore oil and gas licensing. This block is subject to strict conditions—agreed with, among others, the Scottish Office Agriculture, Environment and Fisheries Department—to restrict the timing and scope of certain activities carried out under the licence. In accordance with these conditions, the company has kept SOAEFD fully informed in advance of each stage of its exploration work in the area. Esso also consulted a number of fishermen's associations—including the Scottish Fishermen's Federation, the Clyde Fishermen's Association and the National Federation of Fishermen's Organisations—prior to deciding the location and timing of its exploration drilling.

Arrangements regarding the specific siting of drilling rigs are required by SOAEFD only when species that spawn in the sediment may be adversely affected by drilling activities. No specific arrangements of this nature were required in this case.

Next Steps Agencies

Ms Jowell: To ask the Secretary of State for Scotland what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32738]

Mr. Michael Forsyth: The numbers of males and females employed in each of the agencies, expressed in full time equivalent terms, are shown in the tables.

Permanent staff in executive agencies of the Scottish Office at 1 April 1996 (full-time equivalent)

Grade equivalent	Scottish Office Pensions Agency			Scottish Fisheries Protection Agency			Student Awards Agency Scotland		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Senior CS	—	—	—	1.0	—	1.0	1.0	—	1.0
Grade 6	1.0	—	1.0	4.0	—	4.0	—	—	—
Grade 7	3.0	—	3.0	17.0	—	17.0	—	—	—
SEO	2.0	—	2.0	39.0	—	39.0	2.0	1.0	3.0
HEO	11.0	3.0	14.0	41.0	1.0	42.0	5.0	1.6	6.6
EO	17.0	15.1	32.1	41.0	3.0	44.0	9.0	10.6	19.6
AO	32.0	37.5	69.5	7.0	3.0	10.0	30.0	41.6	71.6
AA	27.0	21.0	48.0	3.3	20.4	23.7	8.0	13.5	21.5
Industrials	—	—	—	59.0	—	59.0	—	—	—
Total	93.0	76.6	169.6	212.3	27.4	239.7	55.0	68.3	123.3

Grade equivalent	Scottish Agricultural Science Agency			Historic Scotland			Total (excluding SPS)		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Senior CS	1.0	—	1.0	2.7	—	2.7	5.7	—	5.7
Grade 6	2.0	—	2.0	5.0	–	5.0	12.0	—	12.0
Grade 7	10.0	1.6	11.6	17.0	5.4	22.4	47.0	7.0	54.0
SEO	7.0	1.5	8.5	31.0	11.0	42.0	81.0	13.5	94.5
HEO	17.0	12.3	29.3	27.0	6.0	33.0	101.0	23.9	124.9
EO	9.0	12.3	21.3	46.6	24.0	70.6	122.6	65.0	187.6
AO	5.0	26.6	31.6	26.6	37.6	64.2	100.6	146.3	246.9
AA	7.0	8.0	13.0	51.9	58.9	110.8	97.2	119.8	217.0
Industrials	15.0	1.0	16.0	219.0	2.0	221.0	293.0	3.0	296.0
Total	73.0	61.3	134.3	426.8	144.9	571.7	860.1	378.5	1,238.6

Scottish Prison Service [1]

Male: 3,838.8

Female: 600.2

Total: 4,439.0

[1] Due to a pay and grading review, Scottish Prison Service staff are no longer classified by the standard civil service grades and are now split into paybands. Consequently, no breakdown along the lines requested is possible for SPS.

Health Service Estate (Revaluation)

Mr. Gallie: To ask the Secretary of State for Scotland what arrangements are being made following the periodic revaluation of the NHS estate which was completed last year. [34099]

Lord James Douglas-Hamilton: One of the requirements of these valuations is to provide an independent estimate of the net current value of newly built property and for property that has become surplus to requirements since the last independent valuation exercise. This allows new property to be valued on a consistent basis with the existing NHS estate, preventing pricing distortions in the NHS internal market, and for the book value of surplus assets to be adjusted to a level that reflects likely net disposal proceeds. These adjustments require submission of trust debt to the consolidated fund and are technical in nature and involve no loss to the Exchequer. Her Majesty's Treasury has today presented a minute to the House giving particulars and the circumstances of the remission which it has approved in principle.

Local Authority Spending

Sir Hector Monro: To ask the Secretary of State for Scotland what plans he has to cap Scottish local authorities in the current year. [34212]

Mr. Michael Forsyth: None.

Bovine Spongiform Encephalopathy

Mr. Tyler: To ask the Secretary of State for Scotland if he will list the number of confirmed BSE cases in each of the last 36 months in Scotland. [33308]

Mr. Raymond S. Robertson *[holding answer 18 June 1996]:* The information requested is in the table.

	Confirmed BSE cases
1993	
June	182
July	137
August	153
September	106
October	238
November	212
December	182
1994	
January	256
February	125
March	218
April	157
May	113
June	151
July	106
August	52
September	97
October	72
November	80
December	89

	Confirmed BSE cases
1995	
January	100
February	94
March	75
April	80
May	63
June	34
July	60
August	66
September	52
October	39
November	67
December	36
1996	
January	34
February	68
March	53
April	5
May	48

SOCIAL SECURITY

Expenditure

Mr. Alan Howarth: To ask the Secretary of State for Social Security what percentage of gross domestic product is currently represented by social security expenditure. [32486]

Mr. Burt: On the basis of the latest available estimates of total expenditure in 1995–96, approximately 13 per cent.

Child Support Agency

Ms Lynne: To ask the Secretary of State for Social Security (1) if he will give a breakdown of the percentage of total incoming telephone calls to the Child Support Agency client helpline which received *(a)* a personal answer and *(b)* a recorded answer for each month since September 1994; [31920]

(2) what was the average (i) time to answer and (ii) call handling time on the Child Support Agency national client helpline in each month since September 1994; [31917]

(3) how many call handling positions are *(a)* staffed and *(b)* available on the Child Support Agency national client helpline; [31919]

(4) what percentage of calls were answered within the target time to answer on the Child Support Agency client helpline in each month since September 1994; and what was the target time to answer. [31918]

Mr. Andrew Mitchell *[holding answer 12 June 1996]:* The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Steve Heminsley to Ms Liz Lynne, dated 19 June 1996:

In the absence of Miss Chant, the Chief Executive, I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency Client Help Line.

Two of the questions refer to the "National Client Helpline". This section does not exist as such and appears to be a confusion of two titles: the Client Help Lines (CHL) which are based in the Child Support Agency Centres, and the National Enquiry Line (NEL). I have assumed that the intended reference is to the CHL.

The information requested is shown on the attached table, apart from the average time to answer a call. This information is not available.

When a client calls the CHL during opening hours they will receive a personal answer either immediately or after being held in a queue of calls. Like any other organisation where a great deal of contact with clients is by telephone, clients who do not receive an immediate answer may choose to hang up and ring at a later time, the later contact being successful.

Where, therefore, the attached figures refer to calls offered by BT, this does not represent the total number of people trying to get through. Research has shown that at peak times as many as 90% of the calls being presented can be from clients who are calling again after not getting through earlier. It follows that the figure showing the percentage of calls receiving a personal answer does not equate to the number of people who receive a personal answer. It is not possible to identify the individual number of callers trying to get through.

When the CHL is closed, clients will receive a recorded message provided by the BT National Screening Centre (NSC). Prior to February 1995 the BT NSC facility was used to provide a message for any calls that were unable to reach the CHL queue. This was withdrawn to avoid unnecessary charges incurred by the customer and the Agency. The percentage of calls shown to have received a recorded message since that date is as a consequence substantially lower.

The CHL aims to answer 80% of calls within 20 seconds. The total staffing complement for the CHL is 288.5 posts. The current staff in post figure is 264.5; 15 of whom are still receiving training. Additional staff are being recruited to fill vacancies on the CHL. Not all the Helpline positions are manned at any one time due to flexible working arrangements and leave.

The total number of calls to the client helpline offered by BT analysed by the percentage of those personally answered, the percentage of calls which received a BT national screening centre message (NSC), the number and percentage of calls that were answered within 20 seconds and the average duration of the calls answered

Date	Total calls offered by BT	Percentage of calls receiving personal answer[1]	Percentage calls answered by NSC	Calls receiving personal answer within 20 seconds	Percentage of calls receiving personal answer within 20 seconds	Average duration of calls answered (min/sec)
September 1994	432,203	27.19	65.35	52,890	45.00	4.37
October 1994	397,372	36.52	64.34	72,834	50.19	4.13
November 1994	479,023	30.29	68.21	70,260	48.42	3.24
December 1994	327,678	34.47	67.53	59,799	52.94	3.49
January 1995	438,484	34.54	50.15	65,293	43.11	5.02
February 1995	339,999	42.25	[2]5.22	83,916	58.41	5.04
March 1995	354,955	44.80	2.12	85,980	54.07	5.03

The total number of calls to the client helpline offered by BT analysed by the percentage of those personally answered, the percentage of calls which received a BT national screening centre message (NSC), the number and percentage of calls that were answered within 20 seconds and the average duration of the calls answered

Date	Total calls offered by BT	Percentage of calls receiving personal answer[1]	Percentage calls answered by NSC	Calls receiving personal answer within 20 seconds	Percentage of calls receiving personal answer within 20 seconds	Average duration of calls answered (min/sec)
April 1995	924,117	14.78	1.48	54,553	39.93	5.00
May 1995	359,153	39.94	1.65	82,658	57.63	5.04
June 1995	257,961	55.62	2.37	93,204	64.96	5.10
July 1995	260,179	58.76	3.37	94,613	61.89	5.08
August 1995	348,954	42.06	2.26	73,477	50.06	5.09
September 1995	558,743	27.13	1.84	71,481	47.16	5.11
October 1995	374,765	43.24	3.03	78,902	48.70	5.10
November 1995	612,847	22.11	2.72	47,732	35.22	4.58
December 1995	487,236	24.00	3.00	47,392	40.54	4.52
January 1996	776,796	19.63	1.84	50,412	33.06	4.53
February 1996	518,573	28.56	3.40	55,371	37.38	4.52
March 1996	423,383	38.45	3.46	62,123	38.16	4.44
April 1996	701,051	20.51	2.68	45,382	31.57	4.49

[1] The percentage of calls receiving a personal answer does not equate to the number of people who receive a personal answer.
[2] From February 1995 NSC answered out of hours calls only.

Ms Lynne: To ask the Secretary of State for Social Security (1) what consideration has been given to the replacement of the Child Support Agency computer system; [33346]

(2) what meetings have taken place involving the chief executive of the Child Support Agency in the last three months where major changes to or replacement of the Child Support Agency computer system have been discussed. [33347]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Steve Heminsley to Ms Liz Lynne, dated 19 June 1996:

In the absence of Miss Chant, the Chief Executive, I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency Computer System (CSCS).

The Agency has recently conducted an Information Systems Strategy review, which included an analysis of any new systems that may be required and examined the likely timetable for the routine replacement or enhancement of existing systems, including CSCS. The findings are still being assessed and refined and the Agency is not yet in a position to announce a decision.

The Chief Executive of the Child Support Agency is involved in numerous meetings to discuss strategic issues for the Agency including CSCS.

Caller Service Sites (Yorkshire)

Mr. Trickett: To ask the Secretary of State for Social Security which caller service sites in the Yorkshire area are to be lost; what are the Benefit Agency's plans for these sites; and what expenditure has been undertaken on each of these sites over the last five financial years. [33025]

Mr. Roger Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Jon Trickett, dated 19 June 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking which Caller Service sites in the Yorkshire area are to be lost; what are the Benefit Agency's plans for these sites; and what expenditure has been undertaken on each of these sites over the last five financial years.

Local managers have been reviewing the provision of caller outlets within the District network in the Yorkshire Area but no decisions have yet been made to close any individual site.

Should there be any proposals to close a particular site there would be local consultation in the usual way with customers, their MPs and customer representative groups.

I hope you find this reply helpful.

Benefits Agency (Yorkshire)

Mr. Trickett: To ask the Secretary of State for Social Security (1) what running costs savings will be required of the management team in the Yorkshire area by the charge programme in the next three years; and what will be the change in the budget for the Hemsworth area for each of the next three years; [33023]

(2) what plans he has for staff reductions within the Benefits Agency in the Hemsworth area; and what estimate he has made of the numbers of staff who will be employed in the Wakefield district in each of the next three years. [33024]

Mr. Burt: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Jon Trickett, dated 19 June 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking what running costs savings will be required of the management team in the Yorkshire area by the Change Programme in the next three years; what will be the change in the budget for the Hemsworth area for each of the next three years; what plans he has for staff reductions within the Benefits Agency (BA) in the Hemsworth area and what estimate he has made of the numbers of staff who will be employed at the Wakefield District in each of the next three years.

The Agency will carry out a wide-ranging review of its activities as part of the Departmental Change Programme. Such a programme of change will cover fundamental areas of the organisation's business and we are committed to achieve a 25% improvement in our productivity by 1998/99. In the first year it has been necessary to identify efficiencies and economies in excess of £200 million nationally.

The BA in the Yorkshire area is examining all aspects of BA processes and business services. Until that examination is complete the impact on running costs for the Yorkshire Area Management Team and Hemsworth cannot be assessed.

It is also too early to assess the precise impact this will have on staffing at a local level. However, there are at present no plans for any reductions of staff for the Wakefield District in this financial year.

I hope you find this reply helpful.

Mr. Trickett: To ask the Secretary of State for Social Security what decisions were taken at the recent meeting of the Benefits Agency management team responsible for the Yorkshire area relating to the departmental change programme. [33022]

Mr. Burt: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Jon Trickett, dated 19 June 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what decisions were taken at the recent meeting of the Benefits Agency (BA) management team responsible for the Yorkshire area relating to the departmental change programme.

The BA management team responsible for the Yorkshire area meet regularly to discuss all aspects of performance and service delivery in the Area they serve.

At one of their recent meetings the management team discussed the potential impact of the Departmental Change Programme and a range of other issues that could have an impact on the delivery of benefit services in Yorkshire. This is part of a normal planning process within the BA and is intended to assist managers in setting priorities and in planning the effective use of resources.

No firm decisions were taken at the meeting mentioned in relation to the Departmental Change Programme. However District Managers were asked to review their customer service provision in the light of the 1996/97 budget allocation to ensure they provide a high quality service at the lowest possible cost.

I hope you find this reply helpful.

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Social Security on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33512]

Mr. Burt: The information could be obtained only at disproportionate cost.

Mr. McCartney: To ask the Secretary of State fo Social Security what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and additionally those involving expenditure of more than £5,000. [33515]

Mr. Burt: The information could be obtained only at disproportionate cost.

Child Benefit

Mr. Bayley: To ask the Secretary of State for Social Security what has been *(a)* the number of child benefit recipients and *(b)* the expenditure on child benefit broken down into age bands and household income adjusted for family size for the latest year available. [33823]

Mr. Andrew Mitchell: The information is in the tables.

Estimates of expenditure include one-parent benefit; it is not possible to separately identify child benefit expenditure alone from survey data.

Number of child benefit recipients by household equivalised net income and age of eldest child in the United Kingdom (thousands), 1992–93

	Household equivalised net income (per week)					
Age of eldest child	*£0 to £100*	*£100.01 to £200*	*£200.01 to £300*	*£300.01 to £400*	*£400.01 and above*	*All*
Under 5	140	670	500	230	190	1,740
5 to 10	230	910	510	200	140	1,990
11 to 15	270	970	630	240	170	2,280
16 or over	90	340	260	130	110	930
All	720	2,880	1,910	810	610	6,940

1. Results are based on the 1992 and 1993 family expenditure surveys.
2. All prices are given at January 1993 levels.
3. Estimates are derived from survey data and are subject to sampling error. Figures are shown to the nearest 10000 benefit units, and £5 million. Figures may not sum due to rounding.
4. Income is adjusted for family size (equivalised) using the McClements scale. For example, to have a similar standard of living as a couple without children with an income of £100, a single person would need an income of £61 and a couple with two children aged 5 to 7 years would need £141.

Child benefit and one-parent benefit expenditure by household equivalised net income and age of eldest child in the United Kingdom, (£ million pa), 1992–93

	Household equivalised net income (per week)					
Age of eldest child	*£0 to £100*	*£100.01 to £200*	*£200.01 to £300*	*£300.01 to £400*	*£400.01 and above*	*All*
under 5	100	475	325	140	115	1,160
5 to 10	230	905	450	180	120	1,880
11 to 15	295	980	540	205	140	2,160
16 or over	105	330	205	100	80	820
All	735	2,685	1,515	625	460	6,020

1. Results are based on the 1992 and 1993 family expenditure surveys.
2. All prices are given at January 1993 levels.
3. Estimates are derived from survey data and are subject to sampling error. Figures are shown to the nearest 10,000 benefit units, and £5 million. Figures may not sum due to rounding.
4. Income is adjusted for family size (equivalised) using the McClements scale. For example, to have a similar standard of living as a couple without children with an income of £100, a single person would need an income of £61 and a couple with two children aged 5 to 7 years would need £141.

Benefit Deductions

Mr. Frank Field: To ask the Secretary of State for Social Security how many households, from data taken for the annual statistical inquiry, in 1993, 1994 and 1995, are having weekly deductions made from their supplementary benefit or income support as appropriate, for *(a)* electricity and *(b)* gas (i) of under £2 per week and (ii) in each £1 band above £2 per week up to £50 per week. [33620]

Mr. Roger Evans: The information is not available in the format requested. Such information as is available is set out in the table.

Numbers have been given, as requested, in £1 bands for deductions in excess of £2 per week, but only to a deduction level of £23 for gas and £24 for electricity. All higher amounts are banded together as numbers are too small to break down accurately.

Cases with gas deductions

£	May 1993	May 1994	May 1995
All cases	204,000	231,000	214,000
Under 2.00	1,000	1,000	1,000
2.00–2.99	2,000	1,000	1,000
3.00–3.99	4,000	4,000	3,000
4.00–4.99	7,000	7,000	6,000
5.00–5.99	12,000	14,000	10,000
6.00–6.99	19,000	20,000	16,000
7.00–7.99	24,000	26,000	21,000
8.00–8.99	25,000	29,000	25,000
9.00–9.99	26,000	30,000	25,000
10.00–10.99	26,000	31,000	31,000
11.00–11.99	18,000	20,000	20,000
12.00–12.99	13,000	15,000	17,000
13.00–13.99	8,000	10,000	12,000
14.00–14.99	6,000	8,000	8,000
15.00–15.99	4,000	4,000	6,000
16.00–16.99	3,000	4,000	4,000
17.00–17.99	2,000	2,000	3,000
18.00–18.99	1,000	2,000	2,000
19.00–19.99	1,000	1,000	1,000
20.00–20.99	—	1,000	1,000
21.00–21.99	—	1,000	1,000
22.00–22.99	—	1,000	1,000
23.00–50.00	—	1,000	1,000

Notes:

1. Numbers have been rounded to the nearest thousand. Due to rounding, the totals may not tally.
2. Sample size: 1 in 20.
3. "—" denotes nil or negligible.
4. No annual inquiries have been produced since 1993. Data are therefore taken from quarterly inquiries for 1994 and 1995.
5. There will be cases where deductions are made in respect of both gas and electricity. These cases will be counted in both the gas and electricity deduction tables.

Sources:

Income support annual inquiry 1993.

Income support quarterly inquiries May 1994 and May 1995.

Cases with electricity deductions

£	May 1993	May 1994	May 1995
All cases	76,000	74,000	71,000
Under 2.00	—	—	—
2.00—2.99	2,000	1,000	1,000
3.00—3.99	2,000	2,000	2,000
4.00—4.99	4,000	3,000	3,000
5.00—5.99	5,000	5,000	5,000
6.00—6.99	7,000	7,000	6,000
7.00—7.99	8,000	8,000	7,000
8.00—8.99	7,000	8,000	7,000
9.00—9.99	7,000	6,000	6,000
10.00—10.99	6,000	7,000	6,000
11.00—11.99	4,000	5,000	5,000
12.00—12.99	5,000	4,000	4,000
13.00—13.99	3,000	3,000	3,000
14.00—14.99	3,000	3,000	3,000
15.00—15.99	2,000	2,000	2,000
16.00—16.99	2,000	2,000	2,000
17.00—17.99	2,000	2,000	2,000
18.00—18.99	1,000	2,000	1,000
19.00—19.99	1,000	1,000	1,000
20.00—20.99	1,000	1,000	1,000
21.00—21.99	—	1,000	1,000
22.00—22.99	1,000	1,000	1,000
23.00—23.99	—	1,000	—
24.00—50.00	2,000	2,000	2,000

Notes:

1. Numbers have been rounded to the nearest thousand. Due to rounding, the totals may not tally.
2. Sample Size: 1 in 20.
3. "—" denotes nil or negligible.
4. No annual inquiries have been produced since 1993. Data are therefore taken from quarterly inquiries for 1994 and 1995.
5. There will be cases where deductions are made in respect of both gas and electricity. These cases will be counted in both the gas and electricity deduction tables.

Sources:

Income support annual inquiries 1993.

Income support quarterly inquiries May 1994 and May 1995.

Appeals Tribunals (Bradford)

Mr. Rooney: To ask the Secretary of State for Social Security (1) what consultations have taken place on the operation of social security appeals tribunals in Bradford; [33723]

(2) what proposals he has in respect of social security appeals tribunals in Bradford. [33724]

Mr. Roger Evans: The administrative arrangements for social security appeals tribunals is the responsibility of the independent tribunal service, which has been asked to write to the hon. Member.

Mr. Rooney: To ask the Secretary of State for Social Security how many appeals have been heard at Bradford social security appeals tribunals for each of the last five years. [33725]

Mr. Evans: The information is not available in the format requested. Such information as is available is set out in the table.

Social security appeal tribunal hearings in Bradford

Year	Actual number of appeals heard	Approximate number of appeals heard[1]
1991–92	—	900
1992–93	—	900
1993–94	—	750
1994–95	—	750
1995–96	1,055	—

[1] The independent tribunal service does not keep detailed records for periods before the previous financial year.

Next Steps Agency

Ms Jowell: To ask the Secretary of State for Social Security what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32739]

Mr. Burt: The information is in the table.

Grade	Benefits Agency M	Benefits Agency F	Contributions Agency M	Contributions Agency F	Child Support Agency M	Child Support Agency F	Information Technology Services Agency M	Information Technology Services Agency F	War Pensions Agency M	War Pensions Agency F	Total M	Total F
1–4	7	3	0	1	0	1	1	0	0	0	8	5
5	28	5	3	0	3	0	6	0	5	0	45	5
6	222	92	11	0	6	1	16	3	23	10	278	106
7	227	62	28	5	18	9	81	10	4	1	358	87
SEO	484	168	111	49	46	42	199	56	10	4	850	319
HEO	1,696	1,436	338	251	186	200	330	188	24	33	2,574	2,108
EO	7,429	12,865	989	1,406	623	1,414	422	249	104	245	9,567	16,179
AO	10,151	30,311	927	2,473	1,022	2,716	129	165	127	359	12,356	36,024
AA	2,836	5,974	297	1,026	246	535	16	21	64	152	3,459	770
Spec/Pes	0	77	0	0	0	13	0	26	0	3	0	119
Typist	3	683	0	1	0	13	0	4	0	70	3	771
SM1	1	1	0	0	0	1	0	0	0	0	1	0
SM2	2	3	1	0	0	0	1	0	0	2	4	6
SM3	1	18	0	0	0	0	1	1	0	0	2	19
SGB1	163	143	16	18	4	0	7	1	0	0	190	162
SGB2	814	394	0	0	22	1	17	41	0	4	853	440
PROF	3	129	0	0	0	0	0	0	0	0	3	129
OTHERS	0	0	0	0	0	0	0	0	6	32	6	32
IND	0	0	0	0	0	0	0	0	7	21	7	21
Total	24,067	52,364	2,721	5,230	2,176	4,946	1,226	765	374	936	30,564	64,241
	76,431		7,951		7,122		1,991		1,310		94,805	

[1] Staff numbers quoted refer to staff in post figures based on a quarterly head count on 1 April 1996.
[2] The figures include temporarily promoted staff in the higher grade and fixed-term appointments.

Severe Hardship Payments

Ms Jowell: To ask the Secretary of State for Social Security how many young people aged 16 to 19 were receiving severe hardship payments for each year since 1992. [32586]

Mr. Roger Evans: The information is not available in the format requested. Such information as is available is set out in the table.

Year	Number of directions made
1992	83,406
1993	118,528
1994	111,797
1995	111,523

1. Severe hardship payments are made only to 16 and 17-year-olds who are registered for youth training and would otherwise suffer severe hardship. Access to benefit is via a direction made by the Secretary of State, normally for a period of eight weeks. If the 16 and 17-year-old is still at risk of severe hardship when the direction ends, he or she can apply for a further direction. Information is available only on the number of directions made, not the number of individuals.
2. Since 1988, the Government have further encouraged unemployed 16 and 17-year-olds to take the more positive option of youth training in place of dependence on benefit. Young people over the age of 18 have access to unemployment benefits as adults.

Departmental Efficiency Targets

Mr. Sweeney: To ask the Secretary of State for Social Security what representations he has received about the feasibility of his plans to increase the efficiency of his Department; and if he will make a statement. [34098]

Mr. Lilley: I have received a number of representations about my programme to increase the efficiency of my Department by 25 per cent. A number of projects are already under way which will contribute to the achievement of this target including the redevelopment of the Department's Newcastle estate to provide significant savings in running costs while improving the working environment for staff through the involvement of the private sector.

Following the submission of proposals from three shortlisted suppliers, I am pleased to announce that a consortium consisting of AMEC Developments Ltd. and Building Property and Facilities Management has been selected as the preferred supplier to develop the Newcastle estate. Detailed negotiations will commence immediately and I expect a major contract under the private finance initiative to be signed later this year.

NORTHERN IRELAND

Elections (Postal and Proxy Votes)

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will state, by constituency, the number of absent postal and proxy votes allowed in the 30 May elections and the equivalents figures in the 1992 general election. [32077]

Mr. Ancram: The figures are in the table.

Constituency	Number of postal papers allowed and issued 1992	Number of postal papers allowed and issued 1996	Number of proxy votes allowed and issued 1992	Number of proxy votes allowed and issued 1996
Belfast, East	486	634	195	178
Belfast, North	374	566	241	180
Belfast, South	675	621	181	149
Belfast, West	443	458	271	235
North Antrim	831	1,105	201	163
South Antrim	676	698	286	241
East Antrim	706	575	296	228

Constituency	Number of postal papers allowed and issued 1992	1996	Number of proxy votes allowed and issued 1992	1996
North Down	755	713	293	190
South Down	4,166	2,115	1,192	555
East Londonderry	2,010	1,517	399	275
Fermanagh and South Tyrone	5,417	4,336	430	638
Foyle	1,285	1,081	246	200
Lagan Valley	844	1,065	260	195
Mid-Ulster	3,245	2,676	393	443
Newry and Armagh	3,384	2,174	195	349
Strangford	698	872	240	180
Upper Bann	1,587	1,546	266	178
West Tyrone	n/a	1,913	n/a	410
Totals	27,582	24,665	5,585	4,987

Motorway Lighting

Mr. Frank Field: To ask the Secretary of State for Northern Ireland if he will list the location of the sections of motorway in Northern Ireland that have overhead lighting by parliamentary constituency; and if he will plot this information on a map and place a copy in the Library. [33038]

Mr. Moss: Responsibility for the subject in question has been delegated to the Roads Service under its chief executive, Mr. W. McCoubrey. I have asked him to arrange for a reply to be given.

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for Northern Ireland how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32421]

Sir John Wheeler: The Northern Ireland Office and Northern Ireland Departments' expenditure on sending civil servants accompanying Ministers is as follows:

1994–95: £47,825

1995–96: £86,659

Public Appointments

Ms Mowlam: To ask the Secretary of State for Northern Ireland how many appointments are made to non-departmental and other public bodies in Northern Ireland annually; by which Departments these public bodies are administered; and how many of these appointments are annual. [32918]

Sir John Wheeler: The information is as follows:

Name of body	Number of appointments 1993–94	1994–95	1995–96	Administered by
Drainage Council for Northern Ireland	18	—	—	Department of Agriculture for Northern Ireland
Agricultural Wages Board	15	—	15	"
Northern Ireland Fishery Harbour Authority	5	2	1	"
Pig Production Development Committee	4	3	2	"
Livestock and Meat Commission	3	1	3	"
Fisheries Conservancy Board	2	2	2	"
Foyle Fisheries Commission	—	—	2	"
Construction Industry Training Board	—	—	—	Department of Economic Development for Northern Ireland
Enterprise Ulster	—	8	7	"
Equal Opportunities Commission for Northern Ireland	3	2	4	"
Fair Employment Commission for Northern Ireland	2	4	3	"
General Consumer Council for Northern Ireland	8	—	4	"
Labour Relations Agency	1	6	2	"
Local Enterprise Development Unit	4	4	2	"
Northern Ireland Commissioner for the Rights of Trade Union Members	—	—	1	"
Northern Ireland Commissioner for the Protection Against Unlawful Industrial Action	—	—	1	"
Northern Ireland Tourist Board	2	5	1	"
Ulster Sheltered Employment Ltd.	2	4	—	"
Committees for the Employment of Disabled People	1	4	—	"
Health and Safety Agency for Northern Ireland	10	—	—	"
Industrial Development Board for Northern Ireland	1	5	6	"
Industrial Research and Technology Board	1	1	12	"
Statistics Advisory Committee	—	—	10	"
Training and Employment Agency (Advisory Board)	11	1	1	"
Fair Employment Tribunal	5	1	54	"
Northern Ireland Industrial Court	9	1	0	"
Northern Ireland Industrial Tribunals	12	10	166	"
Scheme of Compensation for Loss of Employment through Civil Unrest	2	0	1	"
Law Reform Advisory Committee	5	—	1	Department of Finance and Personnel
Citizen's Charter Advisory Panel	—	—	7	"
Northern Ireland Economic Council	5	1	4	"
Statute Law Council	6	1	1	"
Historic Buildings Council	—	14	—	Department of Environment for Northern Ireland
Historic Monuments Council	—	—	14	"
Nature Conservation and the Countryside	—	—	16	"
Northern Ireland Housing Executive	5	6	9	"
Housing Benefit Review Board Panels	—	—	54	"

Name of body	Number of appointments 1993–94	1994–95	1995–96	Administered by
Rent Assessment Panel	33	—	—	"
NITHC/Belfast Harbour Commissioners/Londonderry Port and Harbour Commissioners	3	20	11	"
Planning Appeals Commission	5	—	3	"
Fire Authority for Northern Ireland	16	1	1	"
Northern Ireland Operator and Vehicle Licensing Review Body	5	1	—	"
Northern Ireland Water Council	15	—	—	"
Northern Ireland Local Government Officer's Superannuation Committee	—	—	17	"
Local Government Staff Commission	15	1	—	"
The Laganside Corporation	—	1	10	"
Arts Council of Northern Ireland	15	—	15	Department of Education (Northern Ireland)
Council for Catholic Maintained Schools	4	1	3	"
Northern Ireland Council for the Curriculum, Examinations and Assessment	18	—	—	"
Northern Ireland Higher Education Council	12	3	—	"
Sports Council for Northern Ireland	16	—	—	"
Ulster Folk and Transport Museum	4	1	2	"
Ulster Museum	3	3	1	"
Youth Council for Northern Ireland	6	—	14	"
Northern Ireland Museum Council	3	—	—	"
Staff Commission for the Education and Library Boards	13	—	—	"
Belfast Education and Library Board	37	2	1	"
North Eastern Education and Library Board	35	1	2	"
South Eastern Education and Library Board	36	3	5	"
Southern Education and Library Board	36	2	2	"
Western Education and Library Board	33	2	—	"
Mental Heath Commission for Northern Ireland	2	9	—	Department of Health and Social Services
National Board for Nursing, Midwifery and Health Visiting for Northern Ireland	10	—	4	"
Northern Ireland Council for Post Graduate Medical and Dental Education	7	—	17	"
Advisory Committee of the Therapeutic Professions Allied to Medicine	—	4	—	"
Central Dental Advisory Committee	—	7	1	"
Central Medical Advisory Committee	3	3	8	"
Central Nursing Advisory Committee	11	—	6	"
Central Personal Social Services Advisory Committee	—	6	—	"
Charities Advisory Committee	1	2	2	"
Clinical Engineering and Medical Physics Services Advisory Committee	—	7	—	"
Clinical Imaging Services Advisory Committee	3	3	4	"
Disability Living Allowance Advisory Board for Northern Ireland	—	—	16	"
Distinction and Meritorious Services Awards Committee	1	6	3	"
Laboratory Services Advisory Committee	6	1	6	"
Poisons Board	—	—	10	"
Child Support Appeal Tribunals (CSATs)	280	280	130	"
Disability Appeal Tribunals (DATs)	149	15	29	"
Medical Appeal Tribunals (MATs)	85	26	—	"
Mental Health Review Tribunal for Northern Ireland	1	—	20	"
Registered Homes Tribunal	31	—	—	"
Social Security Appeal Tribunals	9	402	105	"
Tribunal Under Schedule 11 of the Health and Personal Social Services (Northern Ireland) Order 1972	10	—	—	"
Eastern Health and Social Services Board	2	2	5	"
Northern Health and Social Services Board	3	—	3	"
Southern Health and Social Services Board	3	1	6	"
Western Health and Social Services Board	3	—	4	"
Eastern Health and Social Services Council	20	3	10	"
Northern Health and Social Services Council	17	2	8	"
Southern Health and Social Services Council	17	—	9	"
Western Health and Social Services Council	16	—	11	"
Health and Social Services Trusts	31	12	17	"
Northern Ireland Blood Transfusion Services Agency	—	—	3	"
Northern Ireland Central Services Agency	1	—	7	"
Northern Ireland Health Promotion Agency	2	7	13	"
Northern Ireland Regional Medical Physics Agency	—	2	—	"
Central Services Agency (CSA)	—	—	5	"
Probation Board for Northern Ireland	—	13	—	Northern Ireland Office
Rathgael and Whiteabbey Training Schools Management Board	—	—	12	"

The number of appointments for a term of one year is as follows:

Historic Monuments Council—the appointment of 14 members in 1995–96 was for one year as a transitional arrangement. Appointments are usually for a three-year term.

Nature Conservation and the Countryside—the appointment of 16 members in 1995–96 was for one year only as a transitional arrangement. Appointments are usually for a three-year term.

Northern Ireland Housing Executive—Three appointments are on an annual basis.

Child Support Appeal Tribunals (CSARs)

Disability Appeal Tribunals (DATs)

Medical Appeal Tribunals (MATs)

Social Security Appeal Tribunals (SSATs)

Appointments to the above tribunals are initially for one year, and thereafter renewable at three-yearly intervals, provided service is satisfactory. In 1995, 82 medical assessors were appointed for one year for SSATs. They are not members, but provide advice on medical interpretation as required by the tribunals.

Central Medical Advisory Committee—a representative from the Northern Ireland Junior Doctor's Committee of the British Medical Association is appointed annually.

Statistics

Mr. Fisher: To ask the Secretary of State for Northern Ireland which statistics his Department has discontinued *(a)* the collection and *(b)* the publication of since 1989. [32862]

Sir John Wheeler: Changes in the basis of compilation, presentation and publication of statistical series are made from time to time in response to the requirements of the Government and international organisations for statistical information. Other changes reflect changes in administrative systems on which some series are based, the development of new statistical techniques are technological developments affecting the compilation and dissemination of statistical data.

When such changes are made, they are normally documented in the relevant statistical publications.

Public Appointments (Salaries)

Ms Mowlam: To ask the Secretary of State for Northern Ireland if he will list the salaries of those members of non-departmental or other public bodies in Northern Ireland who occupy salaried positions. [32916]

Sir John Wheeler: The information is as follows:

£

Body	*Chairman*	*Vice*	*Members*
Law Reform Advisory Committee	—	—	2,360
Citizens' Charter Advisory Panel Northern Ireland Economic Council	7,500	—	5,000
Northern Ireland Economic Council	17,670	—	3,550
Standing Advisory Commission on Human Rights	8,550	—	—
Livestock and Meat Commission	12,884	—	4,818
Fisheries Conservancy Board	3,510	2,715	—
Northern Ireland Fishery Harbour Authority	4,675	—	2,820
Arts Council of Northern Ireland (Honoraria)	12,093	4,031	—
Council for Catholic Maintained Schools	4,200	—	—
Northern Ireland Council for the Curriculum, Examinations and Assessment (Honorarium)	8,790	—	—
Northern Ireland Education Council (Honorarium)	8,726	—	—
Sports Council for Northern Ireland (Honoraria)	10,146	3,382	—
Youth Council for Northern Ireland (Honoraria)	4,555	3,430	—
Staff Commission for Education and Library Boards	5,075	—	—
Belfast Education and Library Board	4,675	—	—
Northern Eastern Education and Library Board	4,675	—	—
South Eastern Education and Library Board	4,675	—	—
Southern Eduation and Library Board	4,675	—	—
Western Education and Library Board	4,675	—	—
Council for Nature Conservation and the Countryside	7,010	4,690	—
Northern Ireland Transport Holding Co. (NITHC)	23,170	—	7,740
Northern Ireland Housing Executive	29,255	11,710	4,840
Langanside Corporation	22,760	11,380	7,585
Local Government Staff Commission	7,518	—	—
Planning Appeals Commission	50,814	49,681	37,107–38,721
Fire Authority for Northern Ireland	15,560	7,780	—
Royal Group of Hospitals and Dental Hospital HSS Trust	19,285	—	—
Belfast City Hospital HSS Trust	19,285	—	—
Down Lisburn HSS Trust	19,285	—	—
South and East Belfast HSS Trust	19,285	—	—
Craigavon Area Hospital Group HSS Trust	17,145	—	—
Green Park HSS Trust	17,145	—	—
Ulster, North Down and Ards Hospitals HSS Trust	17,145	—	—
North and West Belfast HSS Trust	17,145	—	—
Craigavon and Banbridge Community HSS Trust	17,145	—	—
Newry and Mourne HSS Trust	17,145	—	—
Eastern Ambulance Service HSS Trust	15,125	—	—
North Down and Ards Community HSS Trust	15,125	—	—
Mater Infirmorum Hospital HSS Trust	15,125	—	—
Northern Ireland Ambulance Service HSS Trust	15,125	—	—
Mental Health Commission for Northern Ireland	10,125	—	—
National Board for Nurses, Midwives and Health Visitors for Northern Ireland	21,100	—	—
Child Support Appeal Tribunals (CSATs)	'59,800	'72,519	—
Disability Appeal Tribunals (DATs)	'59,800	'72,519	—
Medical Appeal Tribunals (MATs) Social Security Appeal Tribunals (SSATs)	'59,800	'72,519	—
Eastern Health and Social Services Board	22,600	—	5,000
Northern Health and Social Services Board	14,835	—	5,000
Southern Health and Social Services Board	14,835	—	5,000
Western Health and Social Services Board	14,835	—	5,000
Northern Ireland Blood Transfusion Service Agency	6,000	—	1,500
Northern Ireland Health Promotion Agency	7,200	—	—
Northern Ireland Regional Medical Physics Agency	6,000	—	1,500
Construction Industry Training Board	6,000	—	—
Enterprise Ulster	14,975	—	—
Equal Opportunities Commission for Northern Ireland	43,000	4,610	3,640
Fair Employment Commission for Northern Ireland	52,550	—	4,620

£

Body	Chairman	Vice	Members
General Consumer Council for Northern Ireland	18,825	—	6,085
Labour Relations Agency	17,500	—	3,640
Local Enterprise Development Unit	18,125	—	6,085
Northern Ireland Commissioner for the Rights of Trade Union Members	6,625	—	—
Northern Ireland Tourist Board	26,470	—	5,095
Health and Safety Agency for Northern Ireland	11,074	—	—
Industrial Development Board for Northern Ireland	33,130	—	5,980
Industrial Research and Technology Board	7,976	—	3,513
Training and Employment Agency (Advisory Board)	22,365	—	4,065
Northern Ireland Industrial Tribunals	62,018 (President 88,266)	75,978 Vice-President	—

[1] Joint appointments.

Ms Mowlam: To ask the Secretary of State for Northern Ireland how many people of the Northern Ireland Office central list in the public appointments unit *(a)* currently serve on more than one non-departmental or other public body, *(b)* have never served on a non-departmental or other public body and currently do not and *(c)* have previously served on a non-departmental or other public body and no longer do so. [32917]

Sir John Wheeler: In respect of those currently appointed to public bodies, I refer the hon. Member to the answer I gave the right hon. Member for Strangford (Mr. Taylor), *Official Report*, column *740*. No changes have occurred since that date. The other information requested is not readily available and could be provided only at disproportionate cost.

RUC Chief Constable

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will publish the service criteria and qualifications which he and the Police Authority will be applying in selecting the next Chief Constable of the Royal Ulster Constabulary. [32521]

Sir John Wheeler: In accordance with the provisions of section 7 of the Police Act (Northern Ireland) 1970, the appointment of the Chief Constable of the RUC is a matter for the Police Authority for Northern Ireland, subject to the approval of the Secretary of State.

I understand that, in relation to the appointment of the next Chief Constable of the RUC, the service criteria and qualifications decided upon by the Police Authority for Northern Ireland are set out in the public advertisement. They include:

(a) to have served in the chief officer grades for at least three years;

(b) to be suitable on medical grounds for the post;

(c) to have served at chief officer level in a constabulary with a substantial complement of officers;

(d) to have successfully completed the senior command course or the strategic leadership development programme or the chief police officers' course; and

(e) to have relevant experience of operational policing, policy, planning and resource management at chief officer level and have displayed the capacity for leadership and vision essential to the demands of the post.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what different criteria apply to the appointment of the Chief Constable of the RUC from the appointment of chief constables elsewhere in the United Kingdom. [32522]

Sir John Wheeler: The criteria used for the appointment of chief constables in other parts of the United Kingdom are a matter for each individual police authority at the time of appointment. There is therefore no single comparator which could be used to identify differences in the criteria applied to the appointment of the Chief Constable of the RUC.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what changes in the service criteria and service qualifications in the appointment of the Chief Constable of the RUC have been made since *(a)* 1969 and *(b)* 1989. [32523]

Sir John Wheeler: The information relating to appointments in 1969 is not available as records relating to that period cannot be traced.

In 1989, candidates for appointment to the post of Chief Constable of the RUC were required to:

(a) have achieved a high level of all-round professional competence;

(b) have held a post at chief officer level in a force with a minimum of 1,000 officers;

(c) (i) have experience of a wide range of police post at command level which should desirably include operations, administration, personnel and financial management; and

(ii) policing communities with complex social problems;

(d) have proven ability to manage resources both financial and personnel;

(e) have demonstrated the ability to be a team builder and have an understanding of the type of problems experienced in Northern Ireland.

Comparison of these with the service criteria and service qualifications required today indicates no substantive changes.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what factors underlay the delay in publishing the criteria for the appointment of the Chief Constable of the RUC. [32524]

Sir John Wheeler: I an not aware of any delay in the Police Authority for Northern Ireland's publication of the criteria for the appointment of the Chief Constable of the RUC.

Mr. Deva: To ask the Secretary of State for Northern Ireland when he plans to lay before the House the annual report for 1995 of the Chief Constable of the Royal Ulster Constabulary. [34077]

Sir Patrick Mayhew: Copies of the Chief Constable's annual report 1995 have today been placed in the Library. It is a general report on the carrying out by the RUC of its functions during 1995, which is submitted to the Police Authority for Northern Ireland and transmitted to me for laying before Parliament in accordance with section 15 of the Police Act (Northern Ireland) 1970.

Next Steps Agencies

Ms Jowell: To ask the Secretary of State for Northern Ireland what is the total number of people

employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32737]

Sir John Wheeler: The information requested for the agencies under the Northern Ireland Office and Northern Ireland Departments is listed:

Agency	*Total staff*	*Female staff*	*Grades of female staff (all grades include analogous ranks)*
Valuation and Lands Agency	311	108	17 Staff Officer (SO) 3 Executive Officer (EOI) 9 Executive Officer II (EOII) 48 Administrative Officer (AO) 31 Administrative Assistant (AA)
Government Purchasing Agency	58	26	1 Deputy Principal (DP) 5 SO 1 EOI 7 EOII 12 AO
Northern Ireland Statistics and Research Agency	122	69	1 Grade 7 9 DP 8 SO 3 EOI 6 EOII 29 AO 13 AA
Forensic Science Agency of Northern Ireland	123	48	11 DP 3.5 SO 8.5 EO 17 AO 1 Support Grade Band 1 (SGB1) 7 Support Grade Band 2 (SGB2)
Training and Employment Agency	1,377	674	2 Grade 7 18 DP 24 SO 171 EOI 111 EOII 255 AO 1 SGB1 5 SGB2 86 AA 1 Industrial
Industrial Research and Technology Unit	158	55	1 Grade 7 2 DP 5 SO 2 EOI 15 EOII 24 AO 2 SGB2 4 AA
Northern Ireland Prison Service	3,676	530	3 Grade 6 6 Grade 7 6 DP 16 SO 27 EOI 25 EOII 78 AO 47 AA 2 SG2 1 Governor 4 2 Governor 5 4 Principal Prison Officer 12 Senior Prison Officer 174 Basic Grade Prison Officer 5 Organist 17 Auxiliary Officer 15 Searchers 1 Night Patrol Officer 23 Cleaner
Compensation Agency	124	79.5	2.5 Grade 6 3.5 Grade 7 1 SO 4 EOI 18 EOII 22.5 AO 27 AA 1 Other
Child Support Agency	1,097	671	2 Grade 7 3 DP 12 SO 15 EOI 109 EOII 401 AO 129 AA
Social Security Agency	5,826	3,817	3 Grade 7 14 DP 58 SO 211 EOI 785 EOII 1,751 AO 995 AA
Health Estates Agency	126	30	1 Grade 7 1 DP 1 SO 3 EOI 4 EOII 10 AO 10 AA
Construction Service	720	143	1 Grade 7 6 DP 4 SO 10 EOI 16 EOII 64 AO 7 SGB2 35 AA
Planning Service	417	182	3 Grade 7 7 DP 20 SO 23 EOI 16 EOII 65 AO 10 SGB2 38 AA
Roads Service	2,354	412	1 Grade 7 3 DP 18 SO 33 EOI 59 EOII 179 AO 14 SGB2 100 AA 5 Industrial Staff

Agency	Total staff	Female staff	Grades of female staff (all grades include analogous ranks)
Water Service	2,398	358	1 Grade 7
			5 DP
			15 SO
			21 EOI
			59 EOII
			4 ASO
			185 AO
			185 AO
			8 SGB2
			58 AA
			2 Industrial Staff
Environment and Heritage Service	380	131	1 Grade 6
			1 Grade 7
			14 DP
			15 SO
			8 EOI
			20 EOII
			31 AO
			3 SGB2
			25 AA
			13 Industrial Staff
Driver and Vehicle Testing Agency	321	95	1 DP
			1 SO
			3 EOI
			4 EOII
			51 AO
			35 AA
Driver and Vehicle Licensing Northern Ireland	256	194	4 SO
			6 EOI
			15 EOII
			111 AO
			58 AA
Land Registers Northern Ireland	224	149	1 Grade 6
			4 DP
			10 SO
			4 EOI
			25 EOII
			82 AO
			8 SGB2
			15 AA
Public Records Office Northern Ireland	81	31	2 Grade 7
			1 DP
			2 SO
			4 EOI
			1 EOII
			14 AO
			2 SGB 2
			5 AA
Rate Collection Agency	261	163	1 DP
			6 SO
			6 EOI
			19 EOII
			121 AO
			4 SGB2
			6 AA
Ordnance Survey of Northern Ireland	192	22	1 SO
			11 EOI
			2 EOII
			6 AO
			2 AA

Non-general service grades have been included with the figures for the equivalent general service grade.

Bovine Spongiform Encephalopathy

Mr. Tyler: To ask the Secretary of State for Northern Ireland if he will list the number of confirmed BSE cases in each of the last 36 months. [33307]

Mr. Ancram *[holding answer 18 June 1996]:* The numbers of cases in the last 36 months are as follows:

1993

29
32
46
28
38
45
69

1994

52
43
49
30
11
29
21
27
28
25
29
19

1995

21
20
16
12
12
12
13
7
14
9
21
13

1996

13
11
14
10
4

Copyright

Mr. Maclennan: To ask the Secretary of State for Northern Ireland when his Department will enter discussions with the Copyright Licensing Agency with a view to ensuring compliance with copyright law. [33761]

Sir John Wheeler: No negotiations have yet taken place between the Northern Ireland civil service and the Copyright Licensing Agency.

Public Appointments

Ms Mowlam: To ask the Secretary of State for Northern Ireland how many people are currently on the central list of the Northern Ireland Office public appointments unit for appointment to non-departmental and other public bodies. [32922]

Sir John Wheeler *[holding answer 18 June 1996]:* The current number is 4,538.

AGRICULTURE, FISHERIES AND FOOD

Forest Enterprise (Disabled People)

9. **Mr. Bill Michie:** To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with Forest Enterprise regarding the continuing employment opportunities for people with disabilities in English woodlands previously owned by the Forestry Commission. [32370]

Mr. Boswell: While Forest Enterprise has no such responsibility for woodlands which it has sold, the new owners must comply with the statutory requirements for employing people with disabilities.

Food Agency

10. **Mrs. Clwyd:** To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to set up an agency for food. [32371]

Mr. Douglas Hogg: No. Issues of food safety are best dealt with by the Government Department with responsibility for the whole food chain.

Farming (Environmental Management)

11. **Mr. Thomason:** To ask the Minister of Agriculture, Fisheries and Food what programmes the Government have introduced to promote good environmental management by farmers; and what similar programmes were in existence in 1979. [32372]

Mr. Boswell: The Government's agri-environment programme provides a wide range of voluntary incentive schemes to encourage environmentally beneficial farming practices. There was no such programme in 1979.

Bovine Spongiform Encephalopathy

12. **Mr. Garnier:** To ask the Minister of Agriculture, Fisheries and Food when he next intends to pay an official visit to Harborough to meet farming representatives to discuss BSE. [32374]

Mrs. Browning: I have no immediate plans to visit Harborough, but my colleague the Minister for Rural Affairs regularly meets the National Farmers Union county branch.

13. **Mr. Harry Greenway:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the costs of BSE measures. [32375]

Mrs. Browning: I refer the hon. Member to the reply my right hon. Friend gave earlier today to the hon. Member for Southend, East (Sir T. Taylor).

20. **Mr. Canavan:** To ask the Minister of Agriculture, Fisheries and Food if he will make a further statement about the action he is taking on BSE. [32382]

Mrs. Browning: The UK Government have prepared a report setting out the detailed programme on which we are embarked to eradicate BSE in the United Kingdom. This report has been widely circulated at home and abroad and copies have been sent to all hon. Members.

Food Safety

14. **Mr. Callaghan:** To ask the Minister of Agriculture, Fisheries and Food when he last met consumer representatives to discuss measures to ensure the safety of food in the UK. [32376]

27. **Dr. Lynne Jones:** To ask the Minister of Agriculture, Fisheries and Food when he last met consumer representatives to discuss measures to ensure the safety of food in the United Kingdom. [32389]

Mrs. Browning: The Minister held one of his regular meetings with the chairmen of consumer organisations on Wednesday 8 May. He also met the Consumers Association to discuss bovine spongiform encephalopathy on the same day.

I met consumer organisations on 3 April and with the consumer panel on 25 April.

Common Agricultural Policy

15. **Sir Sydney Chapman:** To ask the Minister of Agriculture, Fisheries and Food if he will report progress on reforming the community agricultural policy; and what further initiatives he intends to take. [32377]

Sir Roger Moate: To ask the Minister of Agriculture, Fisheries and Food what mechanisms are in place for taking forward proposals for fundamental reform of the common agricultural policy; when he expects there to be substantial negotiations about reform; and what is his target date for achieving such reforms. [33247]

Mr. Baldry: This Government very much welcome the Commission's acknowledgement that the CAP cannot remain as it is. At the Prime Minister's insistence, the Madrid European Council requested the Commission to come forward with more detailed ideas for reform and I expect to see these during the course of the year. Meanwhile, the Agriculture Council next week will address reform of the fruit and vegetables regimes.

Countryside Stewardship Scheme

16. **Mrs. Lait:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to expand the countryside stewardship scheme. [32378]

Mr. Boswell: We are expanding the countryside stewardship scheme with £5 million additional funds for new agreements both this year and next year. A number of additional items will also be eligible for payment.

Disability Discrimination Act 1995

17. **Mr. Touhig:** To ask the Minister of Agriculture, Fisheries and Food what action is being taken to address the problem of discrimination against disabled

people in agriculture where the employer is not covered by the provisions of the Disability Discrimination act 1995. [32379]

Mr. Boswell: Employers not covered by the employment provisions of the Disability Discrimination Act 1995 will be encouraged to follow the guidance in the employment code of practice.

25. **Mr. Wareing:** To ask the Minister of Agriculture, Fisheries and Food what action is being taken in respect of discrimination against disabled people in agriculture where the employer is not covered by the provisions of the Disability Discrimination Act 1995. [32387]

Mr. Boswell: Employers, including agricultural employers, who employ fewer than 20 employees are not covered by the employment provisions of the Disability Discrimination Act 1995. Such employers will be encouraged to follow the guidance in the employment code of practice. My noble Friend the Minister of State, Department for Education and Employment will be deciding when and how to promote this in due course.

Cattle Cull Scheme

18. **Mr. Mark Robinson:** To ask the Minister of Agriculture, Fisheries and Food what progress has been made in the implementation of the 30-month cow cull scheme. [32380]

Mr. Baldry: The scheme is now running at maximum throughput of 27,000 animals a week, taking into account the restrictions on rendering and incineration capacity.

22. **Mr. O'Hara:** To ask the Minister of Agriculture, Fisheries and Food when he intends to review the working of the over-30 month slaughter scheme. [32384]

Mr. Baldry: The scheme is under continuous review.

Live Animal Exports

21. **Mrs. Bridget Prentice:** To ask the Minister of Agriculture, Fisheries and Food what new plans he has to safeguard the welfare of live animals exported from the United Kingdom. [32383]

Mrs. Browning: I refer the hon. Member to the reply that my right hon. Friend the Minister of Agriculture, Fisheries and Food gave to the hon. Member for Carshalton and Wallington (Mr. Forman) on 22 May 1996, *Official Report*, column *211*.

Fishing Policy

23. **Mr. Michael Brown:** To ask the Minister of Agriculture, Fisheries and Food when he next intends to discuss fishing matters with EC Commissioner Bonino. [32385]

Mr. Baldry: I most recently discussed fishing matters with Mrs. Bonino at the Fisheries Council on 10 June. No date has yet been fixed for our next discussion.

26. **Mr. Spearing:** To ask the Minister of Agriculture, Fisheries and Food what studies *(a)* he and *(b)* the Council of Agricultural and Fisheries Ministers of the European Community have commissioned in respect of the propagation and conservation policies adopted by Norway within their national territorial waters, and their possible adaptation for use by the European Community. [32388]

Mr. Baldry: UK and other EU fisheries experts maintain close contact with their Norwegian counterparts and the measures applied by Norway: discussions take place on both a formal and an informal basis in various forums. No studies have been commissioned by the UK; nor, so far as we are aware, by the EU. However, Norway and the EU share concerns on the state of North sea stocks. Joint working groups are studying the issues with a view to improving management arrangements for jointly managed stocks. Equally, there are common interests in the production of salmon on which there are continuing contacts.

Beef Ban

24. **Mr. Congdon:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his proposed timetable and procedure for the removal of the EU beef ban. [32386]

Mrs. Browning: We have already succeeded in removing any restrictions on the export of semen and on agreeing conditions for the export of gelatin and tallow. This is an important first step.

Our policy on the next steps is to agree a framework which sets out clear and agreed conditions which have to be met to lift elements of the export ban and indicates the dates by which we expect to meet these criteria. Negotiations with our Community partners on this are proceeding and I will keep the House informed of progress.

Fishing Fleet

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food what is the current tonnage of the United Kingdom fishing fleet; how far this is from its targets under the multi-annual guidance programme; and if he will make a statement. [34076]

Mr. Baldry: Latest available figures from the UK register show the current nominal tonnage of the UK fishing fleet as 207,000 tonnes. This figures, which represents some vessels measured in gross registered tonnes and others measured in gross tonnes, compares with an overall target for the end of 1996 in our existing multi-annual guidance programme of 176,981 GRT. Figures published recently by the European Commission, ostensibly using GT units, show us at 247,198 tonnes as against a target of 209,370 tonnes.

For a number of reasons, none of these figures give a correct picture of the actual position.

The first reservation relates to the end 1996 target itself. This was set using provisional data for the size of the UK fleet as at the end of 1991. We now know that this failed to include a significant number of vessels, the effect of which is to overstate the degree of reduction which we need to achieve.

The second reservation relates to the units of measurement used. Vessel tonnage is a volumetric measure which depends critically on the exact methodology. A valid comparison of fleet tonnage requires a consistent standard for the period in question. Consistency is, however, not readily achievable because the European Community is progressively altering the methodology used for the fishing fleet from the various

national and international standards, previously collectively called GRT, to a common standard based on the international tonnage convention 1969 and known as GT. A phased programme of conversion was introduced by Council regulation (EEC) 2930/86, amended in particular by Council regulation (EEC) 3259/94, using technical provisions laid down in Commission decision 95/84/EC. Copies of these instruments are available in the House library. This process is not due to be completed until 2003.

There is no simple mathematical relationship between GRT and GT for any given vessel establishment of a GT figure can be done only by physical measurement or, in the case of smaller vessels, by the application of formulae designed to give an approximation. Moreover, although GT figures are often higher than GRT figures for the same vessel, the range of outcomes can be as low as 50 per cent. or as high as 300 per cent. of the original tonnage according to the individual vessel characteristics. It is therefore impossible to use general assumptions to convert either the end 1996 target, or the current nominal tonnage of our fleet, to a GT basis, since the true result will depend on the actual relationship between GRT and GT for each of the particular vessels included on each occasion. Thus conversion requires consideration of each individual vessel.

The Commission's attempted conversion in their recent published figures noted above, does not allow for this and does not use procedures agreed by member states or laid down in EU law. Their figures cannot therefore be properly described as GT, nor can the relationship between them be assumed to be proportional to actual progress in reducing our fleet.

Detailed work is being carried out to arrive at an accurate assessment of the UK position—similar uncertainties arise in relation to the figures for other member states. But, because records relating to vessels already removed from the fleet are not always sufficient to enable GT equivalents to be determined, there will necessarily be a degree of imprecision. Similarly, some newer vessels will be measured only in GT and would need to be remeasured to arrive at a GRT figure. As things stand, it is not therefore possible to give a valid comparison of performance against target on either basis.

These and other technical issues such as discrepancies between UK and Commission records of the number of vessels in our fleet, are being discussed bilaterally with the Commission. We are also passing full details of our calculations to it so that agreement can be reached on appropriate adjustments. The total impact of this technical review is quite substantial. Once completed and agreed, I anticipate we shall be within a handful of percentage points of our tonnage target.

Dietary Supplements

Dr. Marek: To ask the Minister of Agriculture, Fisheries and Food at which Council of the European Union he expects the forthcoming draft directive on dietary supplements to be considered; and who will represent the United Kingdom at that Council. [33178]

Mrs. Browning *[holding answer on 17 June 1996]:* If the EU Commission tables a draft directive on dietary supplements, we would expect it to be considered at the Internal Market Council. The UK is normally represented at such meetings by the Minister for Competition and Consumer Affairs, but other Ministers may attend if necessary.

Written Answers to Questions

Friday 21 June 1996

DUCHY OF LANCASTER

Local Authority (Property)

Mr. Trickett: To ask the Deputy Prime Minister if he will make a statement on his recent meeting with the Coal Authority and English Partnerships in relation to the disposal of the Coal Authority's property portfolio. [33828]

The Deputy Prime Minister: I have had no such meeting.

SOCIAL SECURITY

Benefits Agency

Mr. Butler: To ask the Secretary of State for Social Security if a decision has been reached on the future of the Benefits Agency freeline telephone advice service; and if he will make a statement. [34398]

Mr. Roger Evans: The Benefits Agency is committed to providing a more responsive service to customers and to getting benefit payments right first time. The agency has therefore been reviewing all of its activities to ensure that its activities are properly focused on delivery of such a service at the lowest possible cost. As part of this review, it has been decided that the agency's freeline service should close from 12 July 1996. The review has concluded that many of the customers who contact the freeline service subsequently have to make contact with their local office to pursue their inquiry. This is because the freeline service has no direct access to customer records and cannot therefore give advice about a specific benefit inquiry. The closure of freeline will enable BA to refocus its resources to ensure that customers are put directly in contact with those dealing with their claims or who can link the benefits available to customer's own personal circumstances and thus reduce duplication of effort both for the customer and our staff. The very substantial investment made by BA in its telephone equipment in recent years means that customers will find it much easier to contact their own local office direct. However the benefit inquiry line service will be retained for people with disabilities, their carers and representatives because of their special requirements for advice and information.

All staff currently employed on freeline duties will be redeployed elsewhere in the agency where their considerable skills will be put to good use.

Child Support Agency

Mr. Biffen: To ask the Secretary of State for Social Security if he will list the monthly receipts to the Child Support Agency since April 1993. [32577]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to my right hon. Friend.

Letter from Steve Heminsley to Mr. John Biffen, dated 20 June 1996:

In the absence of Miss Chant, the Chief Executive, I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency receipts.

The information requested is shown in the attached table and is an extract from the monthly analyses of the flow of funds through the Agency's Client Fund Bank Account. The figures represent the receipts paid into the Client Funds Bank Account. They do not include those contributions to maintenance which are deducted from absent parents on Income Support and offset against the parent with care on Income Support. The Agency is advised of these contributions on a regular basis by the Benefits Agency.

I hope this is helpful.

C hild Support Agency Receipts

	Analysis of payments into client funds bank account (£'000s)												
	April	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*	*January*	*February*	*March*	*Total*
1993–94	5	2	24	115	286	524	889	1,432	2,011	2,353	3,103	4,148	14,892
1994–95	4,165	4,366	4,890	5,293	5,753	6,647	8,859	9,635	10,417	11,335	12,190	10,518	94,068
1995–96	8,161	9,215	9,492	9,279	9,880	10,499	11,197	11,657	11,717	14,467	13,408	14,604	133,576
1996–97	15,000	16,557	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	31,557

Ms Walley: To ask the Secretary of State for Social Security if he will list the current *(a)* backlog and *(b)* waiting time in respect of cases to be dealt with by the Child Support Agency, Dudley office; and what plans he has to appoint extra staff. [32575]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Steve Heminsley to Ms Joan Walley, dated 20 June 1996:

In the absence of Miss Chant, the Chief Executive, I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Dudley Child Support Agency Centre.

The Agency estimates that its normal head of work would be around 250,000 cases in the process of a maintenance assessment. As of 30 April 1996 the Agency was dealing with 422,454 cases in which action had not been fully completed. The Dudley Child Support Agency Centre had 66,097 cases awaiting action.

Information on waiting times is not available in the format requested. The Agency does collect figures on the Secretary of State target to clear 60 per cent. of new maintenance assessments within 26 weeks. In April 1996, 53 per cent. of maintenance assessments had been cleared within 26 weeks.

The Dudley Child Support Agency Centre, in line with all the Centres, recruits new staff on an ongoing basis to maintain staffing levels.

I hope this is helpful.

Compensation Recovery Unit

Mr. Worthington: To ask the Secretary of State for Social Security (1) if he will state the 10 highest sums recovered by the compensation recovery unit from the victims of illness, accident or disease in 1995–96 and the nature of their illness or disability; [33359]

(2) what was the amount recovered by the compensation recovery unit in 1995–96; [33357]

(3) what projection he has made of the amount of money likely to be recovered by the compensation recovery unit in the present financial year; [33336]

(4) how much money was recovered from sufferers from asbestos-related diseases by the compensation recovery unit in 1995–96. [33358]

Mr. Roger Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Tony Worthington, dated 20 June 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking if he will state the 10 highest sums recovered by the Compensation Recovery Unit (CRU) from the victims of illness, accident or disease in 1995–96 and the nature of their illness or disability; what was the amount recovered by the CRU in 1995–96; what projection he has made of the amount of money likely to be recovered by the CRU in the present financial year and how much money was recovered from sufferers from asbestos related diseases by the CRU in 1995–96.

The 10 highest sums recovered from individual victims of illness and the nature of the injury/disease they relate to is provided in the table below.

Amount £	*Injury/disease*
93,950.05	Neck injury
91,601.46	Multiple injuries
84,630.01	Back/spinal injury
79,186.77	Multiple injuries
73,217.08	Head/facial injury
72,337.38	Arm injury
70,756.37	[1]Miscellaneous
70,522.25	Head/facial injury
70,014.03	[1]Miscellaneous
69,945.16	Multiple injuries

[1] —miscellaneous injury is defined as lacerations, cuts, bruising or any combinatin whre no specific part of the body is mentioned.

The total amount recovered during 1995/96 was £135.1M. If the current trend continues it is envisaged that the amount recovered during the present financial year will be in the region of £145M.

Information relating to asbestos related diseases is not available. The system is not designed to identify these cases however, the amount recovered from asbestosis sufferers during 1995/96 was £1,507,320.58.

Data is provisional and subject to change.

I hope you find this reply helpful.

Housing Benefit

Mr. Cox: To ask the Secretary of State for Social Security how many people in the Benefits Agency districts serving the London borough of Wandsworth are receiving housing benefit. [33712]

Mr. Roger Evans: On 30 November 1995, the latest date for which information is available, there were 30,500 recipients of housing benefit in the London borough of Wandsworth.

Notes:

1. Housing benefit is administered by local authorities, consequently these data are not collected on a Benefits Agency district basis.
2. A "recipient" may be a single person or a couple.

Source:

Housing benefit management information system quarterly case load counts.

Benefit Statistics

Mr. Meacher: To ask the Secretary of State for Social Security if he will list the total level of in-work benefits for each year since 1975 *(a)* at current prices and *(b)* at constant 1996 prices; and if he will break down these figures for each year by family credit, housing benefit, income support and council tax benefit. [33920]

Mr. Roger Evans: The information is not available in the format requested. Such information as is available is set out in the tables.

Table 1: Expenditure on claimants who have income from work

£ millions

	Housing benefit		*Community charge benefit/council tax benefit*	
	Cash terms	*1996–97 prices*	*Cash terms*	*1996–97 prices*
1990–91	340	416	170	208
1991–92	395	455	80	92
1992–93	525	581	95	105
1993–94	600	645	130	140
1994–95	700	739	140	148

Notes:

1. "In-work" includes claimants with earnings from employment and self-employment.
2. Details not available before 1990.
3. GDP deflator at market prices used in the calculation.
4. Council tax benefit introduced in 1993–94.

Source:

Housing benefit management information system 1 per cent. sample.

Table 2

£ million

	Income Support	
	Cash terms	*1996–97 prices*
1988–89	355	502
1989–90	371	490
1990–91	448	549
1991–92	577	664
1992–93	677	750
1993–94	590	634
1994–95	564	595

Notes: 1.

"In-work" includes claimants with earnings from employment and self-employment.

2. GDP deflator at market prices used in the calculation.

Source:

Income support annual statistical inquiries—May 1989 to 1992.

Income support quarterly stastistical inquiries—February 1993 to 1995.

Table 3

£ millions

Year	Family income supplement/family credit Cash price	1996–97 prices
1975–76	12	53
1976–77	18	68
1977–78	25	87
1978–79	24	74
1979–80	27	71
1980–81	42	94
1981–82	66	134
1982–83	94	178
1983–84	123	223
1984–85	126	218
1985–86	130	213
1986–87	161	256
1987–88	180	272
1988–89	394	558
1989–90	425	562
1990–91	494	605
1991–92	626	721
1992–93	929	1,028
1993–94	1,208	1,299
1994–95	1,441	1,521

Table 3

£ millions

Year	Family income supplement/family credit Cash price	1996–97 prices
1995–96	1,683	1,729

Notes:
1. GDP deflator at market prices used in the calculation.
Source:
1996 departmental report and its predecessors.

Mr. Meacher: To ask the Secretary of State for Social Security how much was paid in in-work benefits in terms of *(a)* family credit, *(b)* housing benefit, *(c)* income support, *(d)* council tax benefit and *(e)* other in-work benefits (i) by region, (ii) by constituency and (iii) by travel-to-work-area in the last financial year. [33921]

Mr. Evans: The information is not available in the format requested. Such information as is available is set out in the tables. The information given is for the financial year 1994–95, broken down by region.

Estimated annual expenditure on benefits paid to claimants with income from work in 1994–95
Table 1: Housing Benefit and Council Tax Benefit

£ millions

	Not in receipt of income support		In receipt of income support		All cases	
	Housing benefit	Council tax benefit	Housing benefit	Council tax benefit	Housing benefit	Council tax benefit
Wales	25	3	9	2	34	4
Scotland	32	1	9	3	41	4
South East	106	14	33	8	139	22
South West	51	9	12	4	64	13
East Midlands	31	7	14	4	45	12
West Midlands	26	7	12	4	38	11
North West	58	17	15	5	73	23
Yorkshire and Humberside	46	14	14	4	59	17
North	27	8	15	4	42	13
East Anglia	16	3	19	2	25	6
London	119	12	21	4	140	16
Total	537	95	163	45	700	140

Notes:
1. Tables include benefit units where either the claimant or partner has income from employment/self-employment.
2. Figures have been rounded to the nearest million.
3. Totals may not sum due to rounding.
4. No information is available by constituency or travel-to-work area.
Source:
Estimates derived from the annual 1 per cent. housing benefit sample enquiry.

Table 2: Family credit, disability working allowance and income support

£ millions

	Family credit	Disability working allowance	Income support
Midlands	265	2.0	93.8
North Eastern	268	2.0	93.9
London North	170	1.1	96.3
Wales and South Western	194	1.9	94.2
North Western	241	2.0	64.9
Scotland	158	1.1	28.3
London South	146	0.9	92.2
Great Britain	1,441	11.0	563.7

Notes:
1. Figures for family credit have been rounded to the nearest million.
2. Figures may not sum due to rounding.
3. Areas are DSS administrative regions.
Sources:
1. Family credit statistics (5 per cent. sample of all awards)—February 1995.
2. Disability working allowance statistics (all awards)—February 1995.
3. Income support quarterly statistical inquiry—February 1995.

Severe Disability Allowance

Mr. Alan Williams: To ask the Secretary of State for Social Security in what circumstances the Department reclaims overpayments from the estates of deceased severe disability allowance beneficiaries; and what duty it has to make payments to estates in cases of underpayment. [33329]

Mr. Roger Evans: There are general principles governing the recovery of overpayments of benefit and the payment of arrears in cases where the claimant had died. Income support and the severe disability premium are covered by these principles.

If an overpayment is caused by misrepresentation or failure to disclose a material fact, recovery is sought in appropriate cases. Recovery from the estate of a deceased claimant is considered only if a recoverable overpayment is outstanding or an overpayment is discovered due to non-disclosure of assets, after death.

Where arrears of benefit are identified as being due to a claimant but that claimant is deceased, provision exists for the arrears to be paid to the person who, in the opinion of the Secretary of State, is entitled to the payment.

Family Expenditure Survey

Ms Corston: To ask the Secretary of State for Social Security what steps he has taken in the forthcoming 1996 report on households below average income to issue adjusted and unadjusted results to take account of the lack of representation of the homeless and the under-representation of *(a)* those aged 75 years and over, *(b)* those unemployed for six months and more and *(c)* the chronically sick and disabled, in the annual reports of the family expenditure survey. [33554]

Mr. Andrew Mitchell: The statistical series households below average income has been based on data from the family expenditure survey, which collects information on income only from people living in private households. The annual reports of the FES have not sought to correct for under or over-representation of various groups in the FES sample. However, HBAI statistics have always grossed the sample estimates to correct for variations in FES response rates and thereby to make the results more representative of the population living in private households. The Department's statisticians have reviewed the grossing of survey data and chosen a new grossing regime which will be adopted when HBAI switches to using data from the family resources survey. Details can be found in the HBAI methodological review report, a copy of which is in the Library.

There are no current plans to extend the coverage of the FES or family resources survey or to set up a new survey to collect information from people who are homeless or who live in institutions. There would be considerable methodological difficulties in collecting representative income data for these people. The Department's statisticians judge that, in general, the picture presented by HBAI statistics would not be greatly altered by the inclusion of such groups.

War Pensions

Mrs. Helen Jackson: To ask the Secretary of State for Social Security how many people are currently in receipt of *(a)* war widows pensions and *(b)* war pensions; and what were the equivalent figures (i) five years ago, (ii) 10 years and (iii) 15 years ago. [34043]

Mr. Heald: This information is in the table.

As at 31 March 1996 a total of 57,497 war widows' pensions and 265,375 war disablement pensions were in payment.

	31 December 1980	*31 December 1985*	*31 December 1990*	*31 December 1995*
War Widows' Pension	76,500	64,859	54,124	49,726
War Disablement Pension	266,478	220,256	191,870	264,597

Mrs. Jackson: To ask the Secretary of State for Social Security what representations he has received from which organisations with regard to allowing *(a)* partial and *(b)* total disregard of war pensions and war widows' pension, in the calculation of housing and other benefit entitlements. [34042]

Mr. Heald: I refer the hon. Member to the reply I gave the hon. Member for Southwark and Bermondsey (Mr. Hughes) on 23 January 1996, *Official Report*, column *221*.

Since January 1996, this Department has received a further 71 letters from hon. Members, and 69 letters from members of the public, local authorities and other interested parties.

HOME DEPARTMENT

Mr. Brian Parsons

Mr. Mullin: To ask the Secretary of State for the Home Department if he will call for a report from the Devon and Cornwall police as to when they completed their inquiry into the case of Mr. Brian Parsons arising from the recent submissions made by his solicitors to the Home Secretary; what further inquiries they have made; and when he expects to complete his consideration of the case. [32750]

Mr. Kirkhope: We received from Devon and Cornwall police in November 1995 a final report into certain matters raised in the representations which have been made on behalf of Mr. Parsons. Our provisional conclusion is that grounds have not emerged for referring the case to the Court of Appeal. I am writing today to the hon. Member and to others setting out the basis on which these provisional conclusions have been reached.

Prisons (Computer Software)

Mr. Redmond: To ask the Secretary of State for the Home Department if computer software equipment operated by prisons under private management has to be approved by his Department; and if he will make a statement. [33547]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Martin Redmond, dated 21 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about what approval is required for computer software equipment operated by prisons under private management.

The contractual agreements for prisons under private management have no requirement for commercial software to be approved before installation and use.

As with prisons in the public sector, privately managed prisons are provided with the local inmate data system (LIDS). This system is run from a central processor in each prison. No prison management is authorised to load any other software onto this central processor.

Prisons (Education)

Mr. Win Griffiths: To ask the Secretary of State for the Home Department how much money was spent on prison education in *(a)* cash and *(b)* real terms in 1978–79 and 1994–95; how much time was made available in each of these years; how many prisoners attended courses; and what was the cost per prisoner receiving education and the cost per prisoner whether or not receiving education in (i) Wales and (ii) the regions of England. [30709]

Miss Widdecombe *[holding answer 4 June 1996]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Win Griffiths, dated 21 June 1996:

The Home Secretary has asked me to reply to your recent Question about spending on education in 1978–79 and 1994–95.

The requested information is not available and could only be provided at disproportionate cost: prisons are operated on a national basis and separate statistics for England and Wales are therefore not available. The table below shows expenditure on education and cost per prisoner in cash and real terms for 1978–79 and 1994–95.

Prison service expenditure on education

	Education expenditure		*Cost per prisoner —Education*		*Average population*
Year	*Cash (£ million)*	*Real terms £ million at 1994–95 prices*	*Cash £*	*Real terms £ at 1994–95 prices*	
1978–79	6.1	17.8	145.2	423.7	42,008
1994–95	36.7	36.7	744.3	744.3	49,308

Prisons (Cells)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department how many prisoners in gaols in England and Wales are currently doubling up in cells designed for one; what was the equivalent figure 12 months ago; and if he will make a statement. [33437]

Miss Widdecombe *[holding answer 20 June 1996]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Alex Carlile, dated 21 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of prisoners currently doubling up in cells designed for one.

At the end of May 1996, there were 8,430 prisoners doubling up in cells designed for one. This represents 15.5. per cent of the total prison population. At the end of May 1995, there were 8,362 prisoners sharing accommodation designed for one. This represented 16.5 per cent of the total prison population.

Prisons (Costs)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will publish the methodology and research used to compare the cost of public and private gaols during 1993–94; and if he will make a statement. [33441]

Miss Widdecombe *[holding answer 20 June 1996]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Alex Carlile, dated 21 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking if he will publish the methodology and research used to compare the cost of public and private jails during 1993–94.

It is not possible to publish the study carried out by LEK Partnership comparing costs of private and public sector prisons using 1993–94 data, as it contains a considerable amount of commercially confidential information. This is because cost information was drawn from tender documents, as actual operating costs were not then available for the full year.

Summary results: LEK study of private and public sector performance

Percentage

Private prison	*Public comparator group*	*Cost[1] per CNA lower by*
Blakenhurst	Bullingdon Holme House Elmley	14
Doncaster	Bullingdon Holme House Elmley	14
Buckley Hall	Everthorpe Haverigg Ranby	26

Prisons (Staff)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what was the total number of staff employed in the Prison Service headquarters and central services on 1 January; what is the estimated change in staff numbers over the next three years; and if he will make a statement. [33442]

Miss Widdecombe *[holding answer 20 June 1996]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from David Scott to Mr. Alex Carlile, dated 21 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of staff employed at Prison Service headquarters.

At the end of October 1995 (the latest date on which detailed figures are available) there were 2130 full time equivalent staff in post in Prison Service headquarters. The Service aims to reduce the number of staff in headquarters to around 1800 full time equivalents by October 1996 and to around 1450 by April 1999.

Prisoners (Privileges)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department how many prisoners have achieved *(a)* basic, *(b)* standard and *(c)* enhanced privilege status; and if he will make a statement. [33443]

Miss Widdecombe *[holding answer 20 June 1996]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Alex Carlile, dated 21 June 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of prisoners who have achieved (a) basic, (b) standard and (c) enhanced privilege status.

Information on the number of prisoners on the privilege levels of incentives schemes is not available centrally and could be provided only at disproportionate cost.

TRADE AND INDUSTRY

Nuclear Companies

Mr. Batiste: To ask the President of the Board of Trade if the external financing requirements of the nuclear companies have been adjusted for 1996–97; and what impact this has had on public expenditure. [34399]

Mr. Lang: The external financing requirements have been adjusted to Electricity (England and Wales) £-42 million, Electricity (Scotland) £0 million and British Nuclear Fuels £-29 million to take account of the restructuring of the nuclear generating industry on 31 March 1996, agreed changes to provision of Nirex payments and the outcome of contractual negotiations between Nuclear Electric plc and British Nuclear Fuels. These changes have no impact on overall public expenditure.

ENVIRONMENT

Satellite-derived Data

Sir Michael Marshall: To ask the Secretary of State for the Environment (1) if he will list the level of his Department's funding in current and future years for the purchase of satellite-derived data; [33254]

(2) what current use is made of satellites to provide environmental data for his Department; and if he will make a statement. [33253]

Mr. Clappison: The Department uses Earth observation data from satellites directly and also indirectly through commissioned research. The advanced along track scanning radiometer, to be flown in 1999 to test for the onset of human-induced climate changes, is an unique example of instrument purchase. Funding will be £15 million between 1991 and 1999. Satellite-derived data contribute to commissioned research including the climate change predictions of the Hadley centre, the Institute of Terrestrial Ecology land cover map of Great Britain and the planned countryside survey 2000, north-east Atlantic rainfall and sea state climatology, and North sea plankton growth. Specific costs for the satellite data are not kept centrally. The Environment Agency uses satellite-derived data for water catchment management, diffuse pollution assessment and oil spill monitoring, and for research on flood defence. Specific future funding has yet to be identified. The Department keeps under review the further potential of satellite-derived data to provide information at an appropriate cost.

Air Pollution (West Midlands)

Mr. Pearson: To ask the Secretary of State for the Environment which areas have been identified in the west midlands as registering a level of air pollution deemed detrimental to human health. [33341]

Mr. Clappison: A summary of exceedences of national and international guidelines and standards for air pollution levels across the United Kingdom, including the west midlands, is included in the Department of the Environment's "Digest of Environmental Statistics No. 18, 1996" and "Air Pollution in the United Kingdom: 1994", published on behalf of the Department by the National Environmental Technology Centre. Copies of both reports have been placed in the Library of the House of Commons.

Noise Pollution

Mr. Pearson: To ask the Secretary of State for the Environment what is the level of complaints received by the statutory authorities in respect of noise pollution by *(a)* metropolitan district and *(b)* region in each of the last five years. [33343]

Mr. Clappison: This information is not collected by my Department. However, the Chartered Institute of Environmental Health carries out an annual survey of statistics of environmental noise complaints made to local authorities in England and Wales. I shall write to the hon. Member with further details

Road Traffic (West Midlands)

Mr. Pearson: To ask the Secretary of State for the Environment what representations he has received concerning the level of road traffic and its effects on health in the west midlands. [33340]

Mr. Clappison: I have received a number of letters from Members of Parliament and the public concerning air quality, but I am not aware of any correspondence on this specific subject.

Heavy Traffic (Health Problems)

Mr. Pearson: To ask the Secretary of State for the Enviroment what estimate has been made of the number of people suffering health problems caused by heavy traffic near their homes by *(a)* metropolitan district, *(b)* county council and *(c)* London borough. [33342]

Mr. Clappison: The scientific and technical basis for making such specific estimates is not available. However, the independent Committee on the Medical Effects of Air Pollution and the Advisory Group on Medical Aspects of Air Pollution Episodes, which advise the Goverment on such matters, have published several reports on the impact on public health of emissions from road traffic and other sources in the United Kingdom as a whole.

Copies of the reports have been placed in the Library of the House.

TREASURY

Prompt Payment Code

Mr. Redmond: To ask the Chancellor of the Exchequer which Government Departments to date have not signed up to the Confederation of British Industry's prompt payment code; and if he will make a statement. [31431]

Mrs. Angela Knight: None.

Unemployment Statistics (Ethnic Minorities)

Mr. Bernie Grant: To ask the Chancellor of the Exchequer what plans he has to improve the collection of statistics relating to unemployment in respect of black and other ethnic minority communities. [33602]

Mrs. Angela Knight: The collection and publication of unemployment and other labour market statistics relating to black and other ethnic minority groups were improved in 1992 with the introduction of the quarterly labour force survey. To obtain reliable figures for smaller sub-groups of the population surveyed, such as ethnic minority groups, the Office for National Statistics averages the data over several quarters. The ONS published a description of the methodology used and statistics produced in the June 1996 issue of "Labour Market Trends". ONS will publish further guidance for users in the autumn.

Construction Industry

Mr. Wigley: To ask the Chancellor of the Exchequer how many people there are currently employed in the construction industry in the United Kingdom; and what were the corresponding figures five and 10 years previously. [33801]

Mrs. Angela Knight: Information from the labour force survey is as follows:

Employment[1] in construction: United Kingdom (thousands), not seasonally adjusted

Winter 1995–96 1,819

Spring 1995 1,835

Spring 1990 2,141

Spring 1985 1,804

[1] Includes employees, self-employed, Government-supported training and employment programmes and, since 1992, unpaid family workers.

Tax Offices (Yorkshire)

Mrs. Ann Taylor: To ask the Chancellor of the Exchequer if he will list, in ranked order, those tax offices in Yorkshire that have achieved the targets set by the taxpayers charter. [33622]

Mr. Jack *[holding answer 20 June 1996]:* The taxpayers charter sets out the general principles by which the Inland Revenue operates. To meet commitments under the charter, individual areas of work are targeted. The targets are published and included in the operating plan of each regional executive office. In order to achieve the performance set out in the operating plans, targets are set for each tax office. As these vary depending on the individual circumstances in each office, it is not possible to draw any comparison between the performance of individual offices.

NATIONAL HERITAGE

Public Appointments

Mr. Walden: To ask the Secretary of State for National Heritage what measures she intends to take to encourage applications from members of the public to take up appointments on her Department's public bodies. [34464]

Mrs. Virginia Bottomley: I believe that it is very important to encourage a wide range of people with the right skills and experience to consider public service. I have commissioned advertisements in the national press, the first of which will appear in *The Sunday Times* on 23 June, inviting applications from members of the public willing to serve on one of the bodies sponsored by my Department when suitable vacancies arise.

EDUCATION AND EMPLOYMENT

Departmental Personnel

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many of the personnel employed by her Department work on the employment aspects of her responsibilities. [33549]

Mr. Robin Squire: The following table gives staff numbers in the Department and its agencies on 1 April 1996. Policies and programmes for education, vocational training and employment are increasingly integrated following the merger of the old Education and Employment Departments. Except in the agencies, the duties of officials reflect this and in many cases it is not possible to make the distinction that the hon. Member seeks.

DfEE staffing figures

1 April 1996

	Full-time head count	*Part-time head count*	*Full-time equivalent*
Permanent staff			
DfEE excluding agencies	4,739	473	5,045.1
Employment service agency	30,215	7,455	34,911.6
Teachers' pensions agency	334	62	370.2
Total DfEE including agencies	35,288	7,990	40,327
Casual staff			
DfEE excluding agencies	175	20	187.5
Employment service agency	3,308	179	3,420.8
Teachers' pensions agency	30	1	30.5
Total DfEE including agencies	3,513	200	3,639
All staff			
DfEE excluding agencies	4,914	493	5,233
Employment service agency	33,523	7,634	38,332
Teachers' pension agency	364	63	401
Total DfEE including agencies	38,801	8,190	43,966

Judicial Review

Ms Hodge: To ask the Secretary of State for Education and Employment on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by her Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if she will list the relevant legislative provisions. [33584]

Mr. Robin Squire: No central record of this is retained, but the Department is not aware of any such in respect of either the DFEE or the former Departments in relation to current functions.

School Funding

Mr. Blunkett: To ask the Secretary of State for Education and Employment what additional resources her Department has made available under the headings of school improvement and school effectiveness in recent years to *(a)* local education authorities and *(b)* grant-maintained schools; and, in each case, under what headings resources have been reduced to meet the additional costs. [33747]

Mr. Robin Squire: Support for school improvement and effectiveness is available to LEA-maintained schools through the grant for education support and training programme. With this programme, total expenditure on school effectiveness grants supported in 1995–96 was £121.5 million; this has risen to £134 million in the current financial year.

Support for the same purposes is available to grant-maintained schools through special purpose grants (development). It is for the schools themselves, as self-governing institutions, to decide how best to target these and other resources. The grants are paid by the Funding Agency for Schools, and I have asked the chairman of the Funding Agency for Schools to write to the hon. Member.

Resources for school effectiveness and improvement for publicly funded schools are provided within the totals provided by Parliament for education, and not at the expense of other headings.

Mr. Blunkett: To ask the Secretary of State for Education and Employment what funding is provided by her Department specifically for governor training and support to enhance school effectiveness in *(a)* local education authority schools and *(b)* grant-maintained schools. [33745]

Mr. Squire: As regards local education authority schools, the school effectiveness grant within the grant for education support and training programme includes governor training and support to enhance effectiveness. It is for individual local education authorities and schools to determine how to apportion expenditure between the eligible categories defined in regulations (No. 734) and described in the Department's circular 8/95, in the light of local priorities.

As regards grant-maintained schools, I refer the hon. Member to the answer I gave earlier. These schools may use special purpose grants (development) to support governor training as well as school effectiveness.

Ethnic Minorities

Mr. Bernie Grant: To ask the Secretary of State for Education and Employment what plans she has to improve the targeting of resources to assist the *(a)* black and *(b)* other ethnic minority unemployed. [33600]

Mrs. Gillan: The targeting of all the Department's programmes and services, including those delivered by training and enterprise councils and the Employment Service, is kept under regular review.

Student Drop-out Rates

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment what are the latest available statistics for student drop-out rates from higher education. [33718]

Mr. Forth: Our latest estimate of the drop-out rate of students from full-time and sandwich first degree courses is 17 to 18 per cent. in the academic year 1993–94. A range is given because the introduction of a new data source has made it difficult to measure drop-out accurately. Drop-out covers all those leaving degree courses because of exam failure, ill health, personal and other reasons. It includes those switching to a lower level course, but excludes students transferring between degree courses or subjects at the same university. The rate reflects the progression of students through the whole length of the course.

National Vocational Qualifications

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment what assessment she has made of the advantages of reducing the priority accorded to workplace competence assessments in the design and delivery of national vocational qualifications. [33739]

Mr. Paice: Demonstration of competence in the workplace will remain a key feature of national vocational qualifications. As stated in our action plan in response to the Beaumont report, published on 27 March, the Government believe that a combination of assessment methods is desirable.

Mr. Davies: To ask the Secretary of State for Education and Employment if she will make a statement on the progress of reform of the system of vocational qualifications. [33738]

Mr. Paice: Following the Government's action plan in response to the Beaumont review, the National Council on Vocational Qualifications has been asked to undertake a review of each NVQ in line with its 1995 criteria and guidance and the points in the action plan. That review has now started and NVQs will be reviewed on a rolling basis until April 1998.

Class Sizes

Mr. Don Foster: To ask the Secretary of State for Education and Employment what is the average class size for the most recent year for which information is available at *(a)* key stage 3, *(b)* key stage 4 and *(c)* sixth forms in city technology colleges. [33919]

Mr. Robin Squire: The available information is shown in the following list:

Average size of one teacher classes in city technology colleges in England—January 1995

Pupils aged mainly under 14: 23.0

Pupils aged mainly 14 and 15: 20.0

Pupils aged mainly 16 and over: 10.5

Source: Schools Census

TRANSPORT

Aviation Standards

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 30 April, *Official Report*, columns *443–44*, (1) on what basis the Federal Republic of Yugoslavia and Bulgaria were selected for an inspection by the Civil Aviation Authority, [33291]

(2) if he will place in the Library copies of the results of the inspections carried out in the Federal Republic of Yugoslavia and Bulgaria. [33290]

Mr. Norris: The disruption in the former Yugoslavia raised doubts as to that state's ability to comply with International Civil Aviation Organisation safety standards. In the case of Bulgaria, the assessment of compliance with ICAO standards was undertaken following a number of safety-related complaints received from passengers travelling on Bulgarian registered aircraft.

In both cases, the Department of Transport felt that an independent assessment was necessary to ensure that ICAO standards were being adhered to. The reports of such inspections are commercially confidential and could be released only with the consent of the country involved.

Satellite Navigation

Sir Michael Marshall: To ask the Secretary of State for Transport what studies his Department has made of the potential benefits for the United Kingdom in the transition to the future global navigation satellite system. [33257]

Mr. Norris: The Department of Transport has not carried out any studies of the potential benefits to the UK in the transition to the future global navigation satellite system. However, officials from the Department and the Civil Aviation Authority are participating in various European and international forums, including the International Civil Aviation Organisation, Eurocontrol, the European Space Agency, the International Maritime Organisation and the European Union. One of the main issues currently being examined in these forums is the benefits of future GNSS.

Sir Michael Marshall: To ask the Secretary of State for Transport if he will indicate the levels of his Department's funding allocated in current and future years to support United Kingdom participation in the European Space Agency satellite navigation development programme. [33256]

Mr. Norris: My Department has allocated £1.043 million per year for 1996–97, 1997–98 and 1998–99 for satellite navigation development work. The proportion of this to be allocated to UK participation in the European Space Agency's satellite navigation development programme has yet to be decided.

Train Arrivals and Departures

Mr. Allen: To ask the Secretary of State for Transport what information he collates relating to trains leaving and arriving at domestic destinations; and if he will make a statement on trends over the last five years. [33110]

Mr. Watts: My Department receives summary information concerning passenger train punctuality and reliability, collated by British Rail for the services under its overall control and by the franchising director for franchised services. The present arrangements were introduced with the British Rail passengers charter in 1992; annual results are therefore available only from 1992–93 onwards The data show that while there was deterioration during 1994, in part due to the National Union of Rail, Maritime and Transport Workers strike, overall there has been a slight improvement in both punctuality and reliability.

Transport Supplementary Grant

Mr. Robert Ainsworth: To ask the Secretary of State for Transport if he will set out for each local authority in England the value of the bids made in their 1995 transport policies and programmes submissions for the award of transport supplementary grant for 1996–97 and the value of transport supplementary grant awarded by his Department for *(a)* major highway schemes eligible for transport supplementary grant, *(b)* major highway schemes not eligible for transport supplementary grant, *(c)* structural maintenance on carriageways, *(d)* structural maintenance on bridges, *(e)* major public transport projects, *(f)* minor works: highways, *(g)* minor works: public transport, and *(h)* minor works: local safety schemes and (i) parking. [33301]

Mr. Norris: Department of Transport support for local authority capital expenditure on transport infrastructure may be given as transport supplementary grant, TSG, grant under section 56 of the Transport Act 1968, or credit approvals.

TSG is given for major highway scheme on roads of more than local importance, structural maintenance on the

carriageways of principal roads and assessment, strengthening and other structural maintenance of bridges and highway structures. It is payable at a rate of 50 per cent. of accepted expenditure. Section 56 grant is given to major public transport schemes only. Credit approvals are given to match TSG and section 56 payments and for any worthwhile expenditure ineligible for grant.

The introduction of the package approach means that resources allocated for minor works may be used flexibly for either highway or public transport infrastructure works. No allocations were made specifically for parking.

Tables showing the bids from, and allocations of grants and credit approvals to, the local authorities in England for 1996–97 have been placed in the Library.

Local transport capital settlement 1996–97

All figures in £000

	Major highway schemes				*Structural maintenance*			
	TSG Eligible (a)		*Non-eligible (b)*		*Principal RDS (c)*		*Bridges (d)*	
	Bid	*Accepted*	*Bid*	*Accepted*	*Bid*	*Accepted*	*Bid*	*Accepted*
City of London	—	0	0	0	0	0	1,067	622
Barking	0	0	0	0	1,000	178	284	146
Barnet	960	0	0	0	500	178	555	140
Bexley	8,439	7,650	840	150	1,500	720	633	458
Brent	0	0	399	300	1,000	516	725	220
Bromley	500	0	17,245	9,135	650	265	930	180
Camden	0	0	0	0	4,335	794	1,711	320
Croydon	0	0	0	0	1,431	794	1,130	225
Ealing	50	0	0	0	142	142	373	123
Enfield	521	400	1,541	0	2,912	794	2,885	1,070
Greenwich	9,245	5,500	0	0	698	345	674	284
Hackney	1,052	0	0	0	629	284	1,975	245
Hammersmith	0	0	3,631	1,667	1,025	450	597	530
Haringey	1,350	0	2,453	450	625	328	1,027	416
Harrow	5,540	4,400	0	0	481	292	1,295	395
Havering	0	0	0	0	115	102	277	277
Hillingdon	3,669	2,010	0	0	673	216	2,826	1,030
Hounslow	1,586	1,100	0	0	1,860	436	1,808	790
Islington	0	0	0	0	1,542	543	1,007	907
Kensington	1,344	400	133	133	301	266	967	300
Kingston	1,600	1,050	4,012	4,000	1,037	510	5,562	2,560
Lambeth	0	0	300	125	727	351	765	585
Lewisham	5,864	3,300	1,411	58	1,052	310	650	410
Merton	44	0	0	0	200	177	120	120
Newham	2,180	1,250	800	800	390	345	4,360	1,600
Redbridge	0	0	0	0	800	356	200	150
Richmond	0	0	650	650	239	211	387	185
Southwark	2,923	306	258	50	1,375	577	1,758	747
Sutton	1,850	200	0	0	183	161	1,074	244
Tower Hamlets	0	0	263	200	1,050	323	1,390	734
Waltham Forest	111	100	0	0	400	354	556	382
Wandsworth	0	0	780	108	1,013	427	1,715	765
Westminster	750	490	5,760	125	383	306	6,650	2,786
Bolton	0	0	388	243	1,208	546	4,530	990
Bury	0	0	0	0	1,089	524	1,400	484
Manchester	8,664	3,575	1,100	0	2,719	767	3,303	1,266
Oldham	2,608	2,000	0	0	1,842	638	4,736	1,190
Rochdale	0	0	0	0	902	474	2,872	2,392
Salford	9,673	4,950	0	0	1,924	682	1,595	910

All figures in £000

	Major highway schemes				*Structural maintenance*			
	TSG eligible (a)		*Non-eligible (b)*		*Principal RDS (c)*		*Bridges (d)*	
	Bid	*Accepted*	*Bid*	*Accepted*	*Bid*	*Accepted*	*Bid*	*Accepted*
Stockport	200	200	0	0	2,704	766	4,805	1,378
Tameside	770	0	0	0	1,240	566	1,520	584
Trafford	13,409	11,403	0	0	723	244	1,400	1,134
Wigan	1,798	0	0	0	1,266	441	1,038	510
Knowsley	5,500	4,500	0	0	3,650	692	390	322
Liverpool	3,425	0	0	0	2,100	936	1,725	726
St. Helens	1,967	947	0	0	200	134	1,883	715
Sefton	2,560	1,960	0	0	658	192	1,479	510
Wirral	325	325	0	0	400	264	1,985	583
Barnsley	4,588	4,444	0	0	1,860	669	2,275	562
Doncaster	12,447	2,850	0	0	928	502	1,497	1,162

All figures in £000

	Major highway schemes				Structural maintenance			
	TSG eligible (a)		Non-eligible (b)		Principal RDS (c)		Bridges (d)	
	Bid	Accepted	Bid	Accepted	Bid	Accepted	Bid	Accepted
Rotherham	0	0	300	200	806	426	1,760	984
Sheffield	7,731	4,375	5,400	4,300	4,110	1,334	5,334	1,945
Gateshead	10	0	1,000	400	430	286	631	308
Newcastle	6,940	2,640	0	0	2,450	740	3,341	1,514
North Tyneside	250	0	0	0	1,500	549	1,183	557
South Tyneside	0	0	100	100	276	184	1,066	496
Sunderland	3,116	850	0	0	2,810	878	1,260	582
Birmingham	32,541	24,572	604	0	6,000	1,258	3,770	1,084
Coventry	11,010	11,010	0	0	535	305	868	741
Dudley	15,600	0	7,190	2,000	1,722	692	1,300	454
Sandwell	1,840	1,300	0	0	3,705	953	5,087	1,105
Solihull	1,900	900	0	0	750	200	281	271
Walsall	9,212	3,304	0	0	1,073	522	4,226	986
Wolverhampton	6,814	4,535	0	0	3,620	898	3,300	1,100
Bradford	1,690	0	0	250	3,782	1,271	8,569	1,106
Calderdale	200	0	0	0	3,626	1,306	1,826	494
Kirklees	50	0	80	0	6,095	1,550	2,100	556
Leeds	10,185	8,220	2,926	1,650	3,000	1,306	4,814	1,020
Wakefield	4,809	2,535	15	0	2,016	765	2,434	680
Isle of Wight	0	0	0	0	866	461	430	197
Bath and North East Somerset	0	0	0	0	695	277	1,263	735
Bristol	3,156	58	681	600	552	312	2,156	934
North Somerset	479	469	0	0	1,133	287	390	304
South Gloucester	11,321	4,155	2,683	1,500	740	294	175	162
Hartlepool	0	0	4,156	1,500	289	282	10	18
Middlesbrough	0	0	0	0	291	144	1,013	702
Redcar and Cleveland	2,265	1,500	503	200	1,152	542	265	237
Stockton	8,823	986	0	0	716	247	220	200
East Riding	1,200	0	675	550	3,055	1,430	700	518

All figures in £000

	Major schemes Public transport (PT) (e)		Minor works Packages (parts f and g)		Other minor works Roads (part f)	PT (part g)	Roads and PT (parts f and g)	Local safety schemes (h)		Parking (i)
	Bid	Accepted	Bid	Accepted	Bid	Bid	Accepted	Bid	Accepted	Bid
City of London	0	0	0	0	885	0	66	0	0	5
Barking	0	0	0	0	174	0	175	507	262	100
Barnet	0	0	0	0	3,177	150	375	1,155	318	0
Bexley	0	0	0	0	1,446	0	263	750	387	65
Brent	0	0	879	0	4,117	0	578	2,880	537	0
Bromley	0	0	0	0	1,480	135	370	335	255	171
Camden	0	0	1,140	0	2,053	95	603	771	318	516
Croydon	0	0	1,050	0	4,653	0	541	1,408	655	0
Ealing	0	0	2,021	0	1,975	0	325	150	150	184
Enfield	0	0	290	0	1,200	0	326	921	502	0
Greenwich	0	0	77	0	2,912	1,055	513	856	387	150
Hackney	0	0	0	0	4,060	275	277	644	468	0
Hammersmith	0	0	4,468	0	1,776	0	348	700	387	800
Haringey	0	0	653	0	2,111	0	359	425	337	260
Harrow	0	0	0	0	2,046	0	291	300	268	0
Havering	0	0	0	0	1,064	0	281	550	214	1,074
Hillingdon	200	0	0	0	1,995	0	443	1,229	223	500
Hounslow	0	0	2,200	0	2,293	100	363	869	576	690
Islington	0	0	513	0	5,734	150	453	1,040	262	230
Kensington	0	0	0	0	2,234	300	178	390	227	0
Kingston	0	0	0	0	342	0	342	683	343	1,170
Lambeth	0	0	0	0	3,290	10	341	392	165	200
Lewisham	0	0	0	0	1,561	150	327	1,338	300	0
Merton	0	0	0	0	2,344	450	452	960	270	300
Newham	0	0	0	0	808	50	453	742	657	0

All figures in £000

	Major schemes Public transport (PT) (e)		Minor works Packages (parts f and g)		Other minor works Roads (part f)	PT (part g)	Roads and PT (parts f and g)	Local safety schemes (h)		Parking (i)
	Bid	Accepted	Bid	Accepted	Bid	Bid	Accepted	Bid	Accepted	Bid
Redbridge	0	0	0	0	6,543	0	254	534	380	40
Richmond	0	0	430	0	732	171	253	389	342	145
Southwark	0	0	0	0	1,554	640	266	750	304	0
Sutton	0	0	620	0	3,342	70	488	994	345	550
Tower Hamlets	0	0	1,102	0	1,503	90	268	450	218	1,000
Waltham Forest	0	0	540	0	1,314	0	385	570	246	25
Wandsworth	0	0	0	0	6,625	3,970	513	1,780	421	500
Westminster	0	0	0	0	3,022	0	330	940	368	855
Bolton	0	0	2,719	311	0	15	0	393	248	0
Bury	0	0	1,368	418	0	0	0	340	247	150
Manchester	0	0	9,887	1,219	0	0	0	1,300	788	338
Oldham	0	0	5,003	351	1,952	0	0	680	429	130
Rochdale	0	0	1,967	549	0	0	0	275	268	0
Salford	0	0	4,695	409	0	0	0	713	630	0

All figures in £000

	Major schemes Public transport (PT) (e)		Minor works Packages (parts f and g)		Other minor works Roads (part f)	PT (part g)	Roads and PT (parts f and g)	Local safety schemes (h)		Parking (i)
	Bid	Accepted	Bid	Accepted	Bid	Bid	Accepted	Bid	Accepted	Bid
Stockport	0	0	7,790	320	0	0	0	1,017	234	0
Tameside	0	0	3,122	329	0	0	0	360	310	0
Trafford	0	0	1,847	203	2,000	0	0	356	242	100
Wigan	0	0	2,501	391	0	0	0	250	214	0
Knowsley	0	0	2,995	900	400	0	0	419	294	0
Liverpool	0	0	5,080	1,720	0	0	0	1,200	614	150
St. Helens	0	0	1,561	540	0	0	0	175	110	15
Sefton	0	0	2,798	1,000	0	0	0	525	200	100
Wirral	0	0	3,655	870	0	0	0	400	400	0
Barnsley	3,500	0	2,875	711	595	0	0	310	250	0
Doncaster	250	0	3,125	936	0	0	0	600	262	0
Rotherham	0	0	2,020	816	135	90	0	170	170	0
Sheffield	150	0	4,680	1,662	4,770	0	0	550	417	0
Gateshead	0	0	1,635	460	1,820	0	0	400	325	350
Newcastle	0	0	2,207	565	0	0	0	400	325	0
North Tyneside	0	0	2,249	440	450	0	0	300	195	0
South Tyneside	0	0	1,032	355	0	0	0	378	310	600
Sunderland	100	0	2,840	680	428	15	0	530	375	340
Birmingham	0	0	7,802	3,085	65	0	0	2,350	1,150	340
Coventry	0	0	785	413	20	0	0	308	200	0
Dudley	0	0	0	994	2,115	0	0	750	370	1,000
Sandwell	0	0	3,432	945	0	0	0	441	240	130
Solihull	0	0	695	658	0	0	0	1,205	530	425
Walsall	0	0	4,010	988	0	0	0	852	460	400
Wolverhampton	0	0	5,200	956	0	0	0	690	370	300
Bradford	20	0	5,694	1,450	0	0	0	1,076	750	0
Calderdale	750	0	1,670	1,350	0	0	0	330	326	0
Kirklees	0	0	3,012	950	845	0	0	864	520	100
Leeds	35,500	0	5,875	3,800	6,147	0	0	1,400	747	909
Wakefield	0	0	3,947	700	2,230	0	0	589	347	106
Isle of Wight	0	0	0	0	4,590	10	1,952	486	264	100
Bath and North East Somerset	1,176	0	1,186	500	0	0	0	375	150	0
Bristol	670	0	3,039	850	0	0	0	617	325	0
North Somerset	0	0	1,736	400	0	0	0	50	20	0
South Gloucester	236	0	2,015	850	0	0	0	345	182	0
Hartlepool	0	0	413	150	0	0	0	30	20	0
Middlesbrough	0	0	903	355	0	0	0	445	275	0
Redcar and Cleveland	0	0	704	280	0	0	0	93	55	0
Stockton	0	0	1,186	465	0	0	0	79	50	0
East Riding	0	0	301	0	613	10	100	140	137	0

All figures in £000

	Major highway schemes				Structural maintenance			
	TSG eligible (a)		Non-eligible (b)		Principal RDS (c)		Bridges (d)	
	Bid	Accepted	Bid	Accepted	Bid	Accepted	Bid	Accepted
Hull	4,500	4,500	436	350	500	145	2,000	538
North East Lincoln	4,223	1,000	0	0	1,085	516	200	176
North Lincoln	0	0	0	0	1,915	322	720	402
North Yorkshire	7,532	2,777	0	0	10,606	1,382	6,300	1,744
York	2,262	2,262	0	0	1,021	100	221	206
Bedfordshire	3,087	1,567	0	0	2,560	815	3,585	986
Berkshire	7,447	998	0	0	2,260	722	2,665	1,114
Buckinghamshire	10,361	5,204	0	0	2,100	922	2,500	758
Cambridgeshire	7,114	4,571	0	0	3,668	1,150	5,622	1,433
Cheshire	23,610	17,820	1,300	0	11,155	3,090	6,265	2,341
Cornwall	5,098	3,386	0	0	3,202	946	4,610	1,340
Cumbria	4,550	2,830	0	0	3,000	796	3,300	1,256
Derbyshire	3,631	3,541	0	0	2,469	750	1,996	1,294
Devon	4,932	2,689	82	0	6,203	1,633	4,519	1,290
Dorset	4,850	451	0	0	1,005	587	2,735	1,160
Durham	9,670	3,233	1,519	700	2,210	904	3,700	1,727
East Sussex	9,291	6,330	2,290	1,500	4,786	1,013	3,365	1,144
Essex	5,950	431	695	200	6,300	1,551	4,967	1,540
Gloucestershire	6,843	3,763	0	0	2,854	799	1,900	1,030
Hampshire	13,518	10,679	2,210	2,000	10,386	2,064	3,027	1,331
Hereford/Worcestershire	12,014	8,817	0	0	5,400	1,122	1,490	759
Hertfordshire	6,800	4,800	400	200	4,000	1,050	4,500	1,286
Kent	128,902	71,242	4,198	2,000	16,168	3,752	7,550	1,456
Lancashire	12,056	6,375	203	0	10,202	2,010	17,995	2,356
Leicestershire	7,529	516	0	0	4,482	1,067	2,374	922
Lincolnshire	8,158	6,837	75	75	3,050	992	3,590	1,261
Norfolk	6,756	2,651	2,843	1,000	8,741	1,600	7,669	2,021
Northants	4,183	3,023	42	0	5,260	1,129	2,350	890
Northumberside	9,685	4,005	0	0	5,000	1,189	6,000	1,548
Nottinghamshire	6,472	2,655	235	175	6,977	1,435	6,124	1,580
Oxon	3,442	336	7,852	0	3,987	1,354	2,544	1,071
Shropshire	6,638	0	0	0	4,520	1,009	3,082	1,055
Somerset	9,135	7,332	200	200	2,390	886	3,396	1,487
Staffordshire	22,442	14,364	0	0	8,000	1,786	2,400	964
Suffolk	3,288	340	1,360	1,000	6,447	1,500	5,000	1,249
Surrey	24,627	9,680	0	0	8,694	2,473	10,152	1,641
Warwicks	579	0	0	0	3,234	956	3,470	1,270
West Sussex	4,863	2,171	2,507	0	2,428	776	1,622	951
Wiltshire	991	291	0	0	2,295	734	2,937	1,165

All figures in £000

	Major schemes Public transport (PT) (e)		Minor works Packages (parts f and g)		Other minor works Roads (part f)	PT (part g)	Roads and PT (parts f and g)	Local safety schemes (h)		Parking (i)
	Bid	Accepted	Bid	Accepted	Bid	Bid	Accepted	Bid	Accepted	Bid
Hull	0	0	3,039	1,200	150	0	0	647	322	0
North East Lincoln	0	0	0	0	917	70	151	341	197	211
North Lincoln	0	0	0	0	820	150	149	129	129	0
North Yorkshire	0	0	2,261	0	1,774	0	725	1,726	772	0
York	0	0	1,918	600	329	0	0	249	172	120
Bedfordshire	1,110	500	4,416	800	563	135	456	1,542	780	0
Berkshire	0	0	4,974	700	3,032	159	451	1,607	785	0
Buckinghamshire	0	0	753	450	2,035	200	827	1,000	634	720
Cambridgeshire	0	0	4,212	1,500	1,378	339	685	3,551	1,180	115
Cheshire	0	0	706	450	3,545	381	118	900	716	0
Cornwall	0	0	865	300	2,592	45	722	900	609	562
Cumbria	0	0	0	0	4,985	165	813	600	450	260
Derbyshire	12,128	0	1,977	100	5,306	250	568	1,837	770	750
Devon	70	0	5,234	1,700	5,238	118	1,126	1,373	722	372
Dorset	0	0	1,230	500	2,726	0	1,036	464	244	0
Durham	0	0	2,671	0	2,463	0	534	540	320	100
East Sussex	4,000	0	1,985	850	2,005	0	368	870	628	0
Essex	0	0	4,612	1,300	8,281	0	1,050	4,690	1,557	0
Gloucestershire	0	0	2,311	650	1,935	350	114	1,189	358	254
Hampshire	0	0	7,775	1,500	2,470	540	689	2,359	1,420	2,500

All figures in £000

	Major schemes Public transport (PT) (e)		Minor works Packages (parts f and g)		Other minor works Roads (part f)	PT (part g)	Roads and PT (parts f and g)	Local safety schemes (h)		Parking (i)
	Bid	Accepted	Bid	Accepted	Bid	Bid	Accepted	Bid	Accepted	Bid
Hereford/ Worcestershire	0	0	1,728	350	3,919	0	114	540	320	108
Hertfordshire	0	0	4,067	1,000	3,815	1,475	925	2,500	1,030	0
Kent	0	0	3,067	650	4,953	227	1,286	5,779	1,223	0
Lancashire	1,215	1,000	5,034	900	6,457	1,140	1,153	2,796	1,497	60
Leicestershire	2,148	125	6,841	2,600	3,988	124	710	1,937	753	0
Lincolnshire	0	0	0	0	3,315	525	1,556	750	484	300
Norfolk	0	0	3,251	1,300	4,727	602	730	3,565	870	846
Northants	0	0	1,235	450	1,715	35	120	1,100	775	495
Northumberside	0	0	380	0	2,335	0	369	790	490	385
Nottinghamshire	5,351	0	4,085	1,300	5,409	1,317	988	1,607	870	324
Oxon	0	0	0	1,100	1,722	993	561	2,179	639	238
Shropshire	0	0	2,297	750	5,893	275	1,114	873	400	0
Somerset	0	0	136	0	3,779	0	632	955	502	0
Staffordshire	0	0	3,305	800	3,495	0	1,058	1,000	600	0
Suffolk	0	0	3,880	1,300	6,420	1,480	1,187	1,250	780	195
Surrey	0	0	2,152	500	8,023	717	1,181	10,022	1,460	4,244
Warwickshire	0	0	1,235	350	563	210	419	1,500	910	4
West Sussex	0	0	1,200	350	2,787	734	551	1,781	668	2,603
Wiltshire	0	0	954	300	3,096	63	495	1,314	528	0

All figures in £000

	Major highway schemes TSG eligible (a)		Non-eligible (b)		Structural maintenance Principal RDS (c)		Bridges (d)	
	Bid	Accepted	Bid	Accepted	Bid	Accepted	Bid	Accepted
Greater Manchester PTE	0	0	0	0	0	0	0	0
Merseyside PTE	0	0	0	0	0	0	0	0
South Yorkshire PTE	0	0	0	0	0	0	0	0
Tyne and Wear PTE	0	0	0	0	0	0	0	0
West Midlands PTE	0	0	0	0	0	0	0	0
West Yorkshire PTE	0	0	0	0	0	0	0	0

All figures in £000

	Major schemes Public transport (PT) (e)		Minor works Packages (parts f and g)		Other minor works Roads (part f)	PT (part g)	Roads and PT (parts f and g)	Local safety schemes (h)		Parking (i)
	Bid	Accepted	Bid	Accepted	Bid	Bid	Accepted	Bid	Accepted	Bid
Greater Manchester PTE	19,940	0	9,250	4,500	0	0	0	0	0	540
Merseyside PTE	9,423	809	15,550	4,970	0	8,338	0	0	0	0
South Yorkshire PTE	13,828	1,876	0	1,375	0	1,150	0	0	0	0
Tyne and Wear PTE	1,047	693	5,769	2,000	0	0	0	0	0	0
West Midlands PTE	54,860	25,000	13,170	2,961	0	0	0	0	0	0
West Yorkshire PTE	0	0	0	0	0	200	0	0	0	0

Mr. Ainsworth: To ask the Secretary of State for Transport how many package bids for transport supplementary grant have been submitted to his department since their introduction; how many of these bids have been successful; and what is the total level of package-based funding awarded to date. [33302]

Mr. Norris: The figures are given in the table.

Settlement Year	Number of package bids submitted	Number of package bids accepted	Funding for package minor works (£ million)
1994–95	46	13	13
1995–96	82	39	64
1996–97	83	53	79

In addition to the funding for package minor works, we expect all new major schemes in package areas to be justified in the context of the package. Total package funding—including new major schemes—comes to £79 million in 1995–96 and £119 million in 1996–97.

Air Operations International

Mrs. Dunwoody: To ask the Secretary of State for Transport what applications have been made by Air Operations International to operate flights in and out of the United Kingdom. [33283]

Mr. Norris: No applications to operate flights to the UK have been made to the Department of Transport by Air Operations International, which does not possess an operating licence or an air operator's certificate. I

understand that the Swedish aeronautical authorities are currently considering an application for an air operator's certificate by Air Operations International. The Department has asked for a copy of the operating licence if and when one is issued.

The terms of EC regulations 2407/92 and 2408/92 on, respectively, the licensing of air carriers and access for Community carriers to intra-Community air routes mean that carriers with a valid operating licence granted by a country in the European Economic Area are not required to apply for permission to operate services from the UK to a destination inside the EEA.

Air Operations International would, however, need to apply to the Department for permission to operate flights from the UK to destinations outside the EEA.

Air Operations of Europe

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the occasions when permits to operate to and from the United Kingdom were issued by (i) the Civil Aviation Authority and (ii) his Department to Air Operations of Europe after 10 October 1994. [33531]

Mr. Norris: The Department of Transport is the responsible body for issuing permits to operate to and from the UK. Since 10 October 1994 the Department has granted permission to Air Operations of Europe to operate in its own right to and from the UK on the following dates: 26 May 1995, 10 August 1995, 22 September 1995 and on 17 April.

Red Routes

Mr. Forman: To ask the Secretary of State for Transport if he will make a statement about the impact of red routes on small retail businesses along such routes. [33616]

Mr. Norris: I am determined that the needs of local businesses are considered fully before red routes are introduced. The Traffic Director for London, who is responsible for co-ordinating the introduction of the red route network, gives full consideration to how these needs can best be met. The traffic director monitors the effects of red routes on businesses and his executive summary of the first study, "Red Routes and Retailing", published in October 1995, has been placed in the Library.

Driving Theory Test Centre, Doncaster

Sir Harold Walker: To ask the Secretary of State for Transport if he will review the application of the service specification in order to institute a driving theory test centre for Doncaster. [33638]

Mr. Norris: Proposals for theory test centres in the Doncaster area comply with the service specification for the theory test service delivery contract. I believe that the announced plans reflect a realistic balance between cost, the travelling distances to centres for candidates, and the frequency at which test sessions would be available.

For an additional test centre to be sited in the Doncaster area, a robust case would need to demonstrate that special circumstances or difficulties applied in the case of this area.

Sir Harold Walker: To ask the Secretary of State for Transport what population figures and densities he has used for the towns of *(a)* Doncaster, *(b)* Southport and *(c)* Scunthorpe in deciding that Doncaster should be treated differently from *(b)* and *(c)* in respect of driving theory tests. [33637]

Mr. Norris: The population figures used in determining the network of driving theory test centres were taken from table 15.1 of a Central Statistical Office publication "Regional Trends—1994" published by Her Majesty's Stationery Office. The figures for the districts in which the following towns are located are:

(a) Doncaster—population density 505 persons per sq. km. Candidates should be within a 20-mile radius of the nearest theory test centre;

(b) Southport—population density 1,929 persons per sq. km. Candidates should be within a five-mile radius of the nearest theory test centre; and

(c) Scunthorpe—population density 1,836 persons per sq. km. Candidates should be within a five-mile radius of the nearest theory test centre.

The criteria used for located driving theory test centres are set out in my reply today to the right hon. Member, Ref. 33639.

Sir Harold Walker: To ask the Secretary of State for Transport (1) what criteria he used to determine that residents of Doncaster, Central should travel to Scunthorpe or Sheffield for driving theory tests; [33639]

(2) what distances he has used between Doncaster and Scunthorpe and Doncaster and Sheffield to determine that Doncaster should not have a driving theory test centre. [33640]

Mr. Norris: The criteria for locating theory test centres across Great Britain were determined in order to give a balance between costs, the travelling distances to centres for candidates and the frequency with which test sessions would be available.

Theory tests will be available:

within five miles in districts—usually towns or cities—with population density of greater than or equal to 1,250 persons per sq. km;

within 40 miles in sparsely populated districts with a population density of less than 100 person per sq. km;

within 20 miles in other districts where population density lies between these limits.

Doncaster lies in a district in the third category and within a 20-mile radius of both Sheffield and Scunthorpe driving theory test centre.

Asbestos

Mr. Cohen: To ask the Secretary of State for Transport what assessment he has made of the advantages of banning the use of asbestos in vehicle brakes and clutches; and if he will make a statement. [33631]

Mr. Norris: In 1994, a survey of companies producing asbestos products found that 4,5000 tonnes of chrysotile asbestos was used in friction materials, such as brakes and clutches, mainly for heavy goods vehicles. There is good evidence that, under conditions of use in brakes and clutches, chrysotile asbestos breaks down to less harmful products.

The Health and Safety Executive participated in a 1988 study by the International Programme on Chemical Safety—which comes under the auspices of the UN Environment Programme, the International Labour Organisation and the World Health Organisation—which found the following:

(a) production workers who make the brakes and clutches, have since the 1940s had generally low exposure and low risk compared to other asbestos workers;

(b) mechanics who maintain/replace brake linings have low exposure and risk, particularly if HSE's advice is followed;

(c) ambient exposure levels in areas where increased braking of vehicles occur, generally show either no increase, or only a very small increase, in the background level of asbestos fibres in the air. Any risk from environmental brake emission is therefore very small.

Nevertheless agreement has been reached within the United Nationals Economic Commission for Europe to prohibit the use of asbestos in the brake linings of vehicles first used on or after 1 October 1998. Discussions to align EU braking requirements with those of the UNECE are schedule for later this year.

School Transport

Ms Walley: To ask the Secretary of State for Transport if he will discuss with the Secretary of State for the Environment dispensation in respect of capping limits on expenditure to end the practice of seating three children to two seats in school transport. [33716]

Mr. Norris: The costs of ending the practice of seating three children to two seats in school transport were taken into account in deciding the education standard spending assessments. Increases in those assessments were taken into account in the capping guidelines for 1996–97. All local authority budgets for 1996–97 are now set.

Ms Walley: To ask the Secretary of State for Transport what estimate he has made of the costs to local education authorities and schools of ending the practice of seating three children to two seats in school transport. [33717]

Mr. Norris: The costs associated with changes to the construction and use regulations to require seat belts in coaches and minibuses specifically used for the transport of children were given in the compliance cost assessment which accompanied the amended regulations in February. The costs associated with the consequential amendments to the Public Service Vehicle (Carrying Capacity) Regulations to remove the three for two concession where seat belts are fitted were included in the assessment.

My Department has not considered the costs of further changes to remove the three for two concession completely, as there is no safety justification for doing so, and this is therefore a matter for local authorities to consider in relation to their specific school transport provisions.

London Transport Buses

Mr. Keith Hill: To ask the Secretary of State for Transport what was the grant to London Transport Buses in 1995–96, and how it was spent. [33609]

Mr. Norris: In 1995–96 London Transport Buses received grant from London Transport amounting to £44.3 million. This comprised £30.4 million in support of bus operations, £8.9 million on investment and £5 million working capital.

Office of Passenger Rail Franchising

Mr. Chidgey: To ask the Secretary of State for Transport what are the annual running costs of Opraf. [33813]

Mr. Watts: The annual running costs of Opraf for 1996–97 are £7.6 million for which the Government have sought approval in the Supply estimates laid before Parliament.

Rail Privatisation

Mr. Chidgey: To ask the Secretary of State for Transport what total costs, including external costs and external costs for advice, have been incurred by the Rail Regulator to date in respect of rail privatisation; and what are the estimates for the current financial year. [33797]

Mr. Watts: I am advised by the Office of the rail regulator that its expenditure from the time of its establishment in 1993–94 has been as set out in the following table, which includes a column showing planned expenditure in the current year. The 1995–96 figures are provisional.

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*
Consultancy	0.6	2.9	3.0	1.2
Running costs	0.6	4.7	5.7	6.6
Capital	0.2	1.4	0.3	0.4
Total	1.4	9.0	9.0	8.2

A64

Mr. Alison: To ask the Secretary of State for Transport when he will publish the draft orders under the Highways Act 1980 for the Highways Agency's proposals for improving the A64 at its junction with Top lane, Copmanthorpe. [33888]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Michael Alison, dated 21 June 1996:

As you know, the Secretary of State for Transport has asked me to reply to your recent Parliamentary Question asking when he will publish the draft Orders under the Highways Act 1980 for the Highways Agency's proposals for improving the A64 at its junction with Top Lane, Copmanthorpe.

You are aware that we held a public exhibition into the proposals in December 1995 and that we intended to publish draft Orders later this year. However, the Highways Agency Business Plan for 1996/97 has been agreed with Ministers and unfortunately we have no programme of local safety or small improvement schemes this year. The position for 1997/98 and beyond is of course unclear, and I am afraid that I cannot give any assurances about precisely when funds may be available to progress this scheme.

I know that you and your constituents will be very disappointed with this news, but our programmes have to reflect the current constraints on public expenditure.

British Rail Maintenance Depots

Mr. Barry Porter: To ask the Secretary of State for Transport when Ernst and Young's report of its study of the sale of four ex-British Rail Maintenance Ltd. depots, two level 5 depots and the Swindon electronic service centre will be available; and if he will list the names of the purchasers and prices paid for the seven sales. [34491]

Mr. Watts: I have today placed a copy of the report in the Library. The total sale proceeds of £29.69 million, subject to final post completion adjustments, are divided as follows:

Depots	*Purchaser*	*Proceeds (£ million)*
Chart Leacon, Ilford and Doncaster	ABB Customer Support Ltd.	17.74
Wolverton and Springburn	Railcare Ltd.	6.0
Eastleigh	Wessex Traincare Ltd.	5.60
Electronic Service Centre, Swindon	ABB Customer Support Ltd.	0.35

Copyright

Mr. Maclennan: To ask the Secretary of State for Transport when his Department intends to complete its review of copyright law to ensure compliance with the Copyright, Designs and Patents Act 1988. [33763]

Mr. Norris *[holding answer 20 June 1996]:* It is intended that the review be completed in September.

FOREIGN AND COMMONWEALTH AFFAIRS

Bosnia

Mr. Macdonald: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements the Government are making to ensure that refugees from Bosnia-Herzegovina are able to vote in the forthcoming elections for the new Mostar local authorities and in the planned nationwide elections in September. [33777]

Sir Nicholas Bonsor: For the Mostar municipal elections due to be held on 30 June, the European Union has undertaken to designate one refugee voting centre in each of the four countries outside former Yugoslavia where the majority of Mostar refugees live, and to support financially bus transport to Mostar for refugees who wish to participate in the elections.

The Organisation for Security and Co-operation in Europe and the International Organisation of Migration will organise registration and voting for the nationwide elections for Bosnians resident in third countries. As a voluntary contribution to this process, Her Majesty's Government have made available office facilities for a registration and voting centre to be run under IOM supervision and have helped with the distribution of information to refugee populations.

NORTHERN IRELAND

Postage Costs

Mr. Donohoe: To ask the Secretary of State for Northern Ireland how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32849]

Sir John Wheeler: The amount spent on postage by the Northern Ireland Office and Northern Ireland Departments was as follows:

1994–95: £6,879,578

1995–96: £6,789,781

No statistics are available on the number of items posted.

Teachers

Mr. Worthington: To ask the Secretary of State for Northern Ireland how many teachers were made redundant *(a)* voluntarily and *(b)* compulsorily, at primary, secondary and further levels in each year since 1990. [33310]

Mr. Ancram: The information requested is not held centrally and could be obtained only at disproportionate cost.

Mr. Worthington: To ask the Secretary of State for Northern Ireland to what extend schools with similar enrolments can employ differing numbers of teachers under present financial arrangements for schools. [33311]

Mr. Ancram: The employment of teaching staff is a matter for the board of governors of each school with a delegated budget to decide, within the constraints of the school's annual budget allocation.

Schools Expenditure

Mr. Worthington: To ask the Secretary of State for Northern Ireland what was the amount spent, in cash and constant price terms, excluding funding for special projects, per primary and post primary pupil in Northern Ireland in each year since 1989–90. [33312]

Mr. Ancram: The information is as follows:

	Primary	*Post-primary*
1992–93		
Cash	1,427	2,234
Constant	1,362	2,132
1993–94		
Cash	1,480	2,286
Constant	1,453	2,245
1994–95		
Cash	1,554	2,369
Constant	1,554	2,369

1994–95 prices

Information is not available for 1989–90 to 1991–92.

School Starting Ages

Mr. Worthington: To ask the Secretary of State for Northern Ireland what research he has *(a)* commissioned and *(b)* evaluated into the long-term impact of the earlier school starting age in Northern Ireland upon school pupils' attainments; and what were the findings. [33313]

Mr. Ancram: No research into the earlier school starting age in Northern Ireland has been specifically commissioned. However, there is a range of research providing evidence of the long-term benefits of an early start in education.

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Northern Ireland what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33507]

Sir John Wheeler: The information requested is not readily available and could be obtained only at disproportionate cost.

Next Steps Agencies

Mr. Dowd: To ask the Secretary of State for Northern Ireland how many Government agencies he estimates will be in place by the end of 1996; and if he will list them and their functions. [33540]

Sir John Wheeler: It is expected that there will be 24 next steps agencies in Northern Ireland by the end of 1996. A list of the existing and anticipated agencies and their functions is set out.

Further and more detailed information about existing agencies can be found in the respective corporate and business plans which are published documents, copies of which are in the Library.

Compensation Agency
Function: Administration of three statutory compensation schemes; the criminal injuries compensation scheme, the criminal damage compensation scheme and the emergency provision compensation scheme.

Construction Service
Function: Design, construction, maintenance management, environmental quality and safety standards of work undertaken for Government Departments, agencies and other public bodies.

Driver and Vehicle Licensing (Northern Ireland)
Function: Issue of driving licences; registration and licensing of vehicles in Northern Ireland and collection and enforcement of vehicle excise duty.

Driver and Vehicle Testing Agency
Function: Examines vehicles to make sure they are roadworthy, conducts driving tests and approves registration of new driving instructors.

Environment and Heritage Service
Function: Protection and conservation of the natural and built environment.

Forensic Science Agency of Northern Ireland
Function: Provision of effective scientific advice and support to enhance the delivery of justice.

Government Purchasing Agency (GPA)
Function: Provision of a professional procurement service.

Health Estates
Function: Provision of policy advice, guidance and support on estate matters to bodies responsible for the health and personal social service estate in Northern Ireland.

Industrial Research and Technology Unit
Function: Promotion of industrial research, development and technology transfer in Northern Ireland.

Land Registers of Northern Ireland
Function: Records details of legal rights to land, provides information for land and property conveyancing and has a judicial role in resolving disputes about registered land.

Northern Ireland Child Support Agency
Function: Operation of the system created by the Child Support Act 1991 in Northern Ireland.

Northern Ireland Prison Service
Function: To serve and protect the community by holding in secure and humane confinement persons given into custody by the courts and by encouraging offenders to address their offending behaviour.

Northern Ireland Statistics and Research Agency (NISRA)
Function: Provision of a statistical and research service.

Ordnance Survey of Northern Ireland
Function: Is responsible for producing maps and related information services which are used in paper and computer form by public bodies, companies and private individuals.

Planning Service
Function: Prepares development plans, decides planning applications and provides a property certificate service for people involved in conveyancing.

Public Record Office of Northern Ireland
Function: Identification and preservation of Northern Ireland's archival heritage.

Rate Collection Agency
Function: Collection of rates and administration of the housing benefit scheme for owner-occupiers.

Roads Service
Function: Provision and maintenance of the road network throughout Northern Ireland.

Social Security Agency (Northern Ireland)
Function: Administration of social security benefits, national insurance contributions and other health and welfare-related functions.

Training and Employment Agency (Northern Ireland)
Function: Administration of employment and training services in Northern Ireland.

Valuation and Lands Agency
Function: Maintenance of the valuation list for rating purposes in Northern Ireland.

Water Service
Function: Provision of water and sewerage service in Northern Ireland.

AGENCIES PREPARING FOR LAUNCH DURING 1996

Watercourse Management
Function: Provision of services dealing with flood protection, river drainage and navigation on certain inland waterways.

Business Development Services
Function: Provision of business support services to Government Departments.

DEFENCE

Contracting Out

Mr. Gordon Prentice: To ask the Secretary of State for Defence if he will list those functions of the armed services which have been *(a)* contracted out and *(b)* given agency status since 1979. [33074]

Mr. Arbuthnot: I am writing to the hon. Member and a copy of my letter will be placed in the Library of the House.

Sea King Helicopters

Mr. Key: To ask the Secretary of State for Defence, pursuant to the answer of 4 June, *Official Report*, columns *339–40*, if he will list for the Sea Kings currently in service the number which have suffered cracking to the lift frame *(a)* once and *(b)* more than once, by the year in which they entered service; how many repairs to Sea King lift frames have been carried out in each of the last 10 years; what are the reasons for the cracking; what measures have been taken (i) before delivery and (ii) for helicopters already in service, to prevent cracking; and how many helicopters have been taken out of service prematurely because of cracking to the lift frame. [32820]

Mr. Soames: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Royal Marines (Landing Craft)

Dr. David Clark: To ask the Secretary of State for Defence what plans he has to purchase air-cushioned landing craft for the Royal Marines. [34047]

Mr. Arbuthnot: We have no such plans at present. The Royal Marines 539 Squadron currently operates four Griffon 2000 hovercraft.

Married Quarters

Dr. David Clark: To ask the Secretary of State for Defence how many married housing quarters his Department possesses in *(a)* Wiltshire, *(b)* Kent and *(c)* Surrey. [34048]

Mr. Soames: My Department currently owns 6,271 family quarters in Wiltshire, 3,046 in Kent, and 1,798 in Surrey.

Retraining Advice

Dr. David Clark: To ask the Secretary of State for Defence what retraining advice and assistance is provided to *(a)* officers and *(b)* other ranks of the armed forces who are leaving the service; and if he will make a statement. [34011]

Mr. Soames: Appropriate resettlement advice is available to all service personnel throughout their careers. A comprehensive programme of career and specialist briefings, training courses and elements of outplacement is also available to eligible personnel during their final two years, Training may be undertaken either in-house—two main resettlement centres and nine regional centres—or externally. External training, for which a grant is available, may be through commercial providers, educational and training institutions. Service leavers may also undertake familiarisation attachments or spend time with companies to gain work experience or on-the-job training. Help with job finding is provided through the services employment network.

WALES

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Wales what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33526]

Mr. Hague: *(a)* Expenditure on sick pay as a result of injuries related to work is not separately recorded and could be provided only at disproportionate cost.

(b) Compensation paid as a result of injuries related to work was as follows:

Financial year	*Minor injury*	*Major injury*[1] £	*Fatal injury*
1995–96	nil	nil	nil
1994–95	nil	3,650	nil
1993–94	nil	nil	nil
1992–93	nil	nil	nil

Figures prior to 1992–93 are unavailable.

[1] Cases which are required to be reported under the Reporting of Injuries, Disease and Dangerous Occurrences Regulations 1985.

Mr. McCartney: To ask the Secretary of State for Wales on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33524]

Mr. Hague: Internal health and safety monitoring and reporting is a continuous process within the Department. Many minor matters are reported in the course of a year and action taken. The Health and Safety Commission, through the Health and Safety Executive, has become involved on one occasion in the last five years.

Mr. McCartney: To ask the Secretary of State for Wales what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33527]

Mr. Hague: The information requested is not available. Prior to 1 April 1996, responsibilities for accommodation matters were divided between Property Holdings and the Department. Health and safety costs related to accommodation are not kept separately, but are subsumed within the cost of maintaining the Department's premises generally.

Gwent Health Authority

Mr. Morgan: To ask the Secretary of State for Wales (1) what consultations he has had with the chairman of Gwent health authority concerning the provision of *(a)* a draft and *(b)* a final report of the investigation by the authority's board into the appointment in January

1996 of a senior manager who was made redundant in December 1995 from Gwent Community Healthcare NHS trust; [34058]

(2) if he will place a copy in the Library of the report of the board of Gwent health authority into its investigation into the appointment of a senior manager in January 1996; [34051]

(3) what consultations he had had with the independent representative he appointed to the inquiry by the special sub-committee of the board of Gwent health authority to investigate the appointment of a senior manager in January 1996. [34050]

Mr. Hague: My Department is being kept informed of progress but I have not had any consultations with the chairman or the independent adviser who was appointed by the authority. I understand that, following a meeting of the authority on 17 June, the sub-committee undertaking the inquiry has been asked to carry out further work. I also understand that when it is completed the authority will publicise the findings of the review and any action it proposes to take.

Welsh Development Agency

Mr. Llew Smith: To ask the Secretary of State for Wales (1) how many secured jobs have been created since 1975 by the Welsh Development Agency; [33884]

(2) what quantities of land have been *(a)* auctioned off or otherwise sold and *(b)* acquired in each year since 1975 by the Welsh Development Agency; and if he will make a statement on the employment impact of the land sales. [33887]

Mr. Hague: These are operational matters for the Welsh Development Agency. I will arrange for the chief executive to write to the hon. Member and for a copy of his letter to be placed in the Library of the House.

Mr. Smith: To ask the Secretary of State for Wales what benefits he expects will accrue in respect of the creation of jobs from the recent sale of land owned by the Welsh Development Agency. [33885]

Mr. Hague: I have set the agency a target for 1996–97 of creating or safeguarding 12,500 jobs in Wales. This will be achieved through a variety of programmes which are to be funded by some £80 million in receipts—excluding receipts from European programmes—and £40 million in grant in aid; the property disposal programme will contribute towards the receipts total.

HEALTH

Oral Contraceptives

Mr. Simon Hughes: To ask the Secretary of State for Health on whose authority the special meeting of the Committee on Safety of Medicines on 11 October 1995 was called. [31897]

Mr. Malone: I refer the hon. Member to the reply I gave the hon. Member for Gordon (Mr. Bruce) on 19 December 1995, *Official Report*, columns *1150–51*.

Mr. Hughes: To ask the Secretary of State for Health if the Committee on Safety of Medicines has issued a letter relating to desogestrel and gestodene in terms of paragraph 6(1)(c) of schedule 2 to the Medicines for Human Use (Marketing Authorisations Etc.) Regulations 1994 since 18 April. [31858]

Mr. Malone: Communications between the committee and licence holders are confidential.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Gordon (Mr. Bruce) of 19 December 1995, *Official Report*, columns *1150–51*, if the United Kingdom representatives on the Committee for Proprietary Medicinal Products communicated to Ministers the results of the CPMP deliberations on 18 October prior to the issuing of the "dear doctor" letter of the same date. [31894]

Mr. Malone: I refer the hon. Member to the reply I gave him on 30 April, *Official Report*, column *499*.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Gordon (Mr. Bruce) of 19 December 1995, *Official Report*, columns *1151–52*, what factors have prevented the Licensing Authority from reinforcing the advice of the Committee on Safety of Medicines on desogestrel and gestodene. [31863]

Mr. Malone: I refer the hon. Member to the reply I gave the hon. Member for Gordon (Mr. Bruce) on 19 December 1995, *Official Report*, column *1149*.

Mr. Hughes: To ask the Secretary of State for Health on what basis the special meeting of the Committee on Safety of Medicines held on 13 October was called. [31859]

Mr. Malone: The meeting of 13 October was called because there was an urgent need to obtain independent expert advice on important new evidence concerning the safety of oral contraceptives.

Heart Surgery

Mr. Cox: To ask the Secretary of State for Health how many persons over the age of 65 years received major heart surgery at hospitals covering the Greater London area during 1995. [33705]

Mr. Malone: This information is not available.

St. George's Hospital, Tooting

Mr. Cox: To ask the Secretary of State for Health how many private hospital beds there are currently at St. George's hospital, Tooting. [33707]

Mr. Malone: This information is not held centrally. The hon. Member may wish to contact Dr. Elizabeth Vallance, chairman of St. George's Healthcare national health service trust, for details.

Unique Patient Numbers

Mr. Gapes: To ask the Secretary of State for Health by what procedure a hospital will be able to access the unique number for an NHS patient; if all hospitals will have such a procedure in place before the launch date of the project; and if he will make a statement. [33989]

Mr. Horam: An acute hospital will obtain the new national health service number for a patient from one of three possible sources: the number will be included in the general practitioner's referral letter; the number will already be present on the hospital's database if this is not the first referral; or the number will be accessed via a tracing service.

It is planned for all acute hospitals to have access to these facilities by April 1997.

Mr. Gapes: To ask the Secretary of State for Health what estimate he has made of the number and proportion of hospitals, and the number and proportion of general practitioner practices, which now have systems in place to handle the unique NHS patient number. [33990]

Mr. Horam: No detailed estimates have been prepared of the number of hospitals which have systems in place to handle the new national health service number. It will not be possible to produce reliable estimates until suppliers of hospital patient administration systems have been able to respond to the statement of requirements which will be issued shortly.

All general practitioner practices that have been linked electronically to their health authorities now have systems in place which handle the new NHS number. At the end of May 1996, the number of practices with this capability was 5,700, which is 67 per cent. of all practices.

Parliamentary Questions

Mr. Simon Hughes: To ask the Secretary of State for Health how many parliamentary questions to his Department were referred for answer to the chief executive or other senior official of a non-departmental agency for which he has responsibility for the 1994–95 parliamentary Session. [34331]

Mr. Horam: Following a search of the parliamentary on-line information service database, we have identified a total of 56 such parliamentary questions which were answered during the 1994–95 parliamentary Session. This represents around 1 per cent. of the total.

Children (Employment)

Mr. McFall: To ask the Secretary of State for Health what estimate he has made of the number of young people in the United Kingdom *(a)* under 15 years working (i) less than and (ii) more than 10 hours per week, and *(b)* under 13 years in paid employment. [33862]

Mr. Bowis: Such information as is available centrally was published in the April 1995 edition of the *Employment Gazette*, copies of which are available in the Library.

Osteopathy

Mr. Dover: To ask the Secretary of State for Health if he will make it his policy to make osteopathy services available on the national health service. [33809]

Mr. Horam: It is for local purchasers to decide, in the light of available resources and competing priorities, on the purchase of the most appropriate forms of treatment to meet the assessed health needs of their population. The reforms we have introduced in the national health service have made it easier for those doctors who would like to provide osteopathy services for their patients to do so.

In April, a two-year pilot project commenced to assess whether osteopathy and chiropractic should be added to the standard list of goods and services which general practice fundholders can purchase on behalf of their patients.

Smoking

Mr. Flynn: To ask the Secretary of State for Health what is his most recent estimate of the number of deaths in the United Kingdom per annum caused by secondary smoking. [34045]

Mr. Horam: In its fourth report, published in 1988, the Independent Scientific Committee on Smoking and Health estimated the number of lung cancer deaths in non-smokers exposed to environmental tobacco smoke over most of their lives as "several hundred deaths per year".

Mr. Flynn: To ask the Secretary of State for Health what estimate he has made of the total annual cost to the NHS arising from illnesses caused by tobacco smoking. [34046]

Mr. Horam: I refer the hon. Member to my reply to the hon. Member for Clwyd, South-West (Mr. Jones) on 12 June, *Official Report*, columns *187–88*.

Childhood Cancer

Mr. Marlow: To ask the Secretary of State for Health what assessment he has made of the conclusions of *(a)* the fourth report by the Committee on Medical Aspects of Radiation in the Environment and *(b)* the National Radiological Protection Board R-276 report, in respect of childhood leukaemia and domestic radon; and what estimate he has made of the reduction in incidence of childhood leukaemia if the radon action limit were reduced to 200 bq per cubic metre. [34056]

Mr. Horam: The Committee on Medical Aspects of Radiation in the Environment's fourth report concluded that there was a continuing excess of leukaemia and other cancers in Seascale ward over four decades. This excess is unlikely to be due to chance alone. A number of possible factors which might have caused the excess have been considered but none of them, alone, could account for the increase. COMARE advised against further work specifically addressing the Seascale cluster until research indicates a new hypothesis to test. The Government accepted these conclusions.

The National Radiological Protection Board report R-276 was designed to provide input for COMARE. Its main conclusions were that the total number of fatal radiation induced leukaemias and non-Hodgkin's lymphomas in the period 1945 to 1992 was 0.36, of which most—78 per cent.—were caused by natural radiation.

The United Kingdom action level for radon is already at 200 bq per cubic metre.

Electro-magnetic Fields

Mr. Marlow: To ask the Secretary of State for Health if he will list the findings of the national control case

study of childhood cancer with regard to the effect of radon and electro-magnetic fields; and what recommendations the National Radiological Protection Board has made arising therefrom. [34053]

Mr. Horam: The United Kingdom childhood cancer study organised by the United Kingdom Co-ordinating Committee on Cancer Research commenced in April 1992, following preliminary studies from 1 January 1992 to 31 March 1992.

Field work and the collection of data are expected to be completed by the end of 1997 with subsequent analysis of the data.

The findings of the whole report will be submitted for publication in peer reviewed scientific journals. The UKCCCR will also disseminate the results more widely after publication.

Mr. Marlow: To ask the Secretary of State for Health (1) what studies the National Radiological Protection Board has undertaken relating to the effects of electric railway conductors; and what were its findings; [34067]

(2) what studies of the effects of exposure to electric fields have been undertaken by the National Radiological Protection Board; and with what results; [34055]

(3) if he will make a statement on the current assessment of the National Radiological Protection Board advisory group in respect of non-ionising radiation and the epidemiological evidence of a link between exposure to electro-magnetic fields and the incidence of leukaemia; what recent studies it has undertaken; and what were its findings. [34504]

Mr. Horam: The National Radiological Protection Board undertakes research into the effects of electro-magnetic fields on human health to support its advice to the Government and the publication of guidance. It has not carried out any specific studies relating to the effects of fields from electrified railway lines, although a review of magnetic fields associated with electrical transport has been published by NRPB which indicated that such exposure would not result in exceeding NRPB guidelines.

Of two studies on rodents exposed to electric fields, one found no significant effects on two indices of central nervous system arousal and the other found that mains frequency fields had no effect on electrical activity in the rat brain. Further studies on high-level electric fields did not have a mutagenic effect on male germ cells.

The Advisory Group on Non-ionising Radiation concluded in its 1992 report that human health—epidemiological—findings provided no firm evidence of the existence of a cancer hazard from exposure to power frequency EMF that may be associated with residence near major sources of electricity supply.

Following a review of subsequent findings, the group concluded that, although the studies did not establish that exposure to power frequency EMF is a cause of cancer, they provided weak evidence to suggest that the possibility exists. Recommendations for further research were made and the advisory group is currently carrying out a further assessment taking into account studies which have been published since its last report.

Mr. Marlow: To ask the Secretary of State for Health what research he has *(a)* commissioned and *(b)* evaluated into the attraction of radon decay product aerosols to electro-magnetic field sources. [34057]

Mr. Horam: A study has recently been commissioned to investigate the concentration and transport of radon daughter nuclei near sources of power frequency electro-magnetic fields. This is being carried out under the Department's radiation protection research programme.

Judicial Review

Ms Hodge: To ask the Secretary of State for Health (1) how many decisions by his Department were challenged by way of judicial review in each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgement and *(d)* the Department appealed successfully against the judicial review decision; [33570]

(2) on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33587]

Mr. Horam *[holding answer 19 June 1996]:* Information in the form requested is not available. Since April 1994, 23 decisions have been challenged by way of judicial review. In 11 cases, the Department's decision was upheld by the court; in four cases, the court found for the applicant, and in none of those cases did the Department appeal against the judicial review decision. Four cases were settled out of court; and four cases are on-going. In that time, one piece of legislation—the NHS (Charges for Drugs and Appliances) Amendment (No. 2) Regulations 1995—has been introduced in order to implement a judicial review decision.

Information for any period before April 1994 could be provided only at disproportionate cost.

LORD PRESIDENT OF THE COUNCIL

Correspondence

Sir John Stanley: To ask the Lord President of the Council when he will be replying to the letter he received from the right hon. Member dated 19 December 1995, acknowledged by his private secretary on 21 December 1995 and to the further letter dated 3 April 1996 he received from the right hon. Member asking for a reply. [33993]

Mr. Newton: I regret the delay in replying to my right hon. Friend, and am writing to him today.

OVERSEAS DEVELOPMENT ADMINISTRATION

Know-how Fund

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the total spending on know-how fund projects in each country benefiting from the fund in each of the past three years. [34044]

Mr. Hanley: Spending for each country was set out in the table.

£ million

Country	1993–94	1994–95	1995–96
Bulgaria	1.857	2.179	2.968
Hungary	6.281	4.599	4.804
Poland	11.878	10.973	11.787
Romania	3.741	4.829	6.424
Albania	0.361	0.723	0.947
Slovenia	0.492	0.935	0.858
Macedonia	0.174	2.251	0.559
Czech Republic	2.768	2.544	2.806
Slovak Republic	2.569	2.405	2.722
Estonia	0.310	0.691	0.856
Latvia	0.259	0.915	0.632
Lithuania	1.058	0.900	0.605
Pan Baltic	0.627	0.603	0.108
Russia	17.098	28.738	27.392
Russia Chancellor's Scheme	0.953	1.350	2.225
Ukraine	3.265	5.330	8.919
Kazakhstan	1.012	1.909	2.649
Belarus	0.086	0.616	1.147
Moldova	0.040	0.124	0.382
Armenia	0.025	0.079	0.347
Azerbaijan	0.122	0.441	0.677
Georgia	0.071	0.496	1.004
Kyrgyztan	0.093	0.436	0.407
Turkmenistan	0.001	0.038	0.126
Tajikistan	—	0.081	0.122
Uzbekistan	0.266	0.302	0.587
Regional	2.433	2.799	4.200

HOUSE OF COMMONS

Oral Questions

Mr. Winnick: To ask the Lord President of the Council if he will list each hon. Member who has had an oral question in the top six to the Prime Minister indicating for each hon. Member the number of times on which this has occurred in the current Session. [33994]

Mr. Newton: The information requested is as follows:

Member	Number of times member has had oral question in top six to Prime Minister
Mrs. Irene Adams	1
Mr. Nick Ainger	1
Mr Richard Alexander	1
Mr. David Amess	3
Ms Janet Anderson	1
Hilary Armstrong	2
Mr. Jacques Arnold	4
Mr. Matthew Banks	2
Mr. Robert Banks	2
Mr. Tony Banks	4
Mr. Harry Barnes	1
Mr. John Battle	1
Mr. Hugh Bayley	1
Mr. Roy Beggs	1
Mr. Roger Berry	1
Mr. Hartley Booth	1
Sir Graham Bright	1
Mr. Michael Brown	3
Mr. Ian Bruce	1
Mr. Malcolm Bruce	2
Mr. Richard Burden	1
Mr. Peter Butler	5
Mrs. Anne Campbell	3
Mr. Ronnie Campbell	3
Mr. D. N. Campbell-Savours	1
Mr. Dennis Canavan	2
Mr. Matthew Carrington	2
Mr. David Chidgey	1
Mr. Malcolm Chisholm	1
Mr. Michael Clapham	1
Mr. Michael Clark	1
Mr. David Clelland	1
Mr. Geoffrey Clifton-Brown	4
Ann Clwyd	2
Mr. Harry Cohen	3
Mr. David Congdon	4
Mr. Simon Coombs	3
Mr. Robin Corbett	1
Mr. Jeremy Corbyn	1
Jean Corston	1
Mr. Tom Cox	1
Mr. John Cummings	1
Mr. Jim Cunningham	1
Roseanna Cunningham	2
Mr. Tam Dalyell	3
Mr. Ian Davidson	2
Mr. Bryan Davies	3
Mr. Chris Davies	2
Mr. John Denham	1
Mr. Jim Dowd	2
Mr. Bob Dunn	2
Mr. Hugh Dykes	1
Ms Angela Eagle	1
Mr. David Evans	1
Mr. Nigel Evans	1
Mr. David Evennett	1
Mrs. Margaret Ewing	2
Mr. Michael Fabricant	2
Mr. Paul Flynn	2
Mr. Don Foster	1
Mr. George Foulkes	3
Mr. Phil Gallie	1
Mr. Mike Gapes	3
Mr. Neil Gerrard	1
Mr. Christopher Gill	2
Dr. Norman A. Godman	3
Dr. Charles Goodson-Wickes	4
Mrs. Teresa Gorman	1
Mr. Harry Greenway	2
Mr. Nigel Griffiths	1
Mr. John Gunnell	3
Mr. Peter Hain	2
Mr. Mike Hall	2
Sir John Hannam	3
Mr. David Hanson	2
Mr. Peter Hardy	2
Sir Alan Haselhurst	3
Mr. Nick Hawkins	1
Mr. Charles Hendry	2
Mr. Keith Hill	2
Mr. David Hinchliffe	1
Kate Hoey	1
Mr. Jimmy Hood	1
Mr. Geoffrey Hoon	3
Mr. Doug Hoyle	2
Mr. Robert G. Hughes (Harrow West)	2
Mr. Roy Hughes	1
Mr. Simon Hughes	2
Mr. Eric Illsley	4
Glenda Jackson	1
Mr. David Jamieson	2
Mr. Bernard Jenkin	2
Mr. Toby Jessel	1
Mr. Barry Jones	3

Member	Number of times member has had oral question in top six to Prime Minister
Mr. Jon Owen Jones	2
Mr. Martyn Jones	2
Jane Kennedy	3
Mr. Piara Khabra	1
Mr. Peter Kilfoyle	1
Mr. Archie Kirkwood	1
Sir Ivan Lawrence	1
Mr. Ken Livingstone	2
Mr. Peter Luff	2
Ms Liz Lynne	4
Mr. John McAllion	1
Mr. Thomas McAvoy	3
Mr. John McFall	3
Mr. Andrew Mackinlay	1
Mr. Kevin McNamara	1
Mr. Denis MacShane	2
Mr. Max Madden	3
Alice Mahon	2
Lady Olga Maitland	1
Mr. David Marshall	3
Mr. John Marshall	1
Mr. Michael J. Martin	1
Mr. Alun Michael	1
Mr. Bill Michie	4
Mr. Andrew Miller	1
Mr. Austin Mitchell	1
Sir Roger Moate	1
Sir Fergus Montgomery	2
Mr. Rhodri Morgan	1
Mr. George Mudie	1
Mr. Chris Mullin	4
Sir Michael Neubert	4
Mr. Mike O'Brien	4
Mr. William O'Brien	1
Mr. Edward O'Hara	1
Mrs. Elizabeth Peacock	3
Mr. Ian Pearson	1
Mr. Colin Pickthall	2
Mr. Peter L. Pike	2
Bridget Prentice	2
Mr. Gordon Prentice	1
Mr. Ken Purchase	1
Ms Joyce Quin	1
Mr. Tim Rathbone	2
Mr. Nick Raynsford	1
Mr. David Rendel	1
Mr. Graham Riddick	3
Sir Wyn Roberts	2
Mr. Mark Robinson	1
Mrs. Barbara Roche	1
Mr. Alex Salmond	1
Mr. David Shaw	2
Mr. Barry Sheerman	2
Sir Colin Shepherd	1
Mr. Alan Simpson	1
Sir Roger Sims	1
Mr. Dennis Skinner	2
Mr. Llew Smith	1
Rev Martin Smyth	1
Mr. Nigel Spearing	1
Mr. John Spellar	1
Mr. Richard Spring	1
Mr. Anthony Steen	2
Mr. Michael Stephen	1
Mr. George Stevenson	1
Mr. Allan Stewart	1
Mr. David Sumberg	1
Mr. Gerry Sutcliffe	1
Mr. Walter Sweeney	1
Sir Peter Tapsell	1
Mr. Matthew Taylor	2
Sir Teddy Taylor	3
Mr. Roy Thomason	1
Mr. Patrick Thompson	2
Mr. Stephen Timms	1
Mr. Paddy Tipping	1
Mr. Don Touhig	1
Mr. John Townend	1
Mr. Dennis Turner	2
Dr. Ian Twinn	1
Mr. Paul Tyler	1
Mr. Bill Walker	1
Mr. Robert N. Wareing	2
Mr. Nigel Waterson	2
Mr. Andrew Welsh	1
Mr. John Whittingdale	1
Mr. Malcolm Wicks	1
Mr. Dafydd Wigley	1
Mr. John Wilkinson	3
Dr. Alan W. Williams (Carmarthen)	3
Mr. Nicholas Winterton	1
Dr. Tony Wright	1

ATTORNEY-GENERAL

Lenient Sentences

Mr. Cox: To ask the Attorney-General how many sentences were referred to the Court of Appeal as being too lenient in 1995; and in how many cases the sentence was increased. [33715]

The Attorney-General: In 1995, 77 cases were referred to the Court of Appeal in England and Wales and four in Northern Ireland. Three were subsequently withdrawn in England and Wales. To date, 64 of those cases have been heard by the Court of Appeal. Sentence was increased in 58 cases out of 64 or 91 per cent.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 279**

SESSION 1995–96

10th June—21st June 1996

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc, under subject headings and under the names of those taking part.

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The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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